

**Political Modernity in the Postcolony:
Some Reflections from India's Bhil Heartland¹**

Alf Gunvald Nilsen

Introduction

"We are the ones who make the state!" This is how activists of the Khedut Mazdoor Chetna Sangath (KMCS/Peasant and Workers Consciousness Union) and the Adivasi Mukti Sangathan (AMS/Adivasi Liberation Organization) – local social movements in rural districts of western Madhya Pradesh – would typically express their understanding of the relationship between their communities and the local state and its representatives. The activists were Bhil Adivasis – that is, members of India's Scheduled Tribes (STs) – and their resort to this turn of phrase is remarkable for at least two reasons.²

Firstly, as Adivasis, they are among the poorest citizens of the Indian polity. Almost half of India's STs – approximately 44 per cent – live below the official poverty line, and although they only constitute eight per cent of India's population, they nevertheless make up 25 per cent its

¹ This paper draws extensively on chapter 6 of my book *Adivasis and the State: Subalternity and Citizenship in India's Bhil Heartland* (Cambridge University Press, 2018).

² The term Adivasi literally means "first inhabitant", and was coined by tribal rights activists early in the twentieth century to express their claim to being the indigenous people of India. The Indian government does not recognize Adivasis as being indigenous people, but defines Adivasi communities as belonging to the category of Scheduled Tribes as per the Fifth and Sixth Schedules of the Indian constitution. The Fifth and Sixth Schedules – schedules are basically lists in the Constitution that categorize and tabulate bureaucratic activity and policy of the Government – provide an array of protective legislation, special entitlements and reservations for Adivasis. See Bétéille 1986, Singh 1986, Prasad 2003, Guha 1999, Ratnagar 2003, Bates 1995, Damodaran 2006 and Shah 2007 for a selection of perspectives on the issue of indigeneity in the Indian context. The Bhils are one of the major Adivasi groups of western and central India. Consisting of multiple sub-groups such as Bhilalas, Barelals, and Naiks, the Bhils inhabit the largely hilly regions of northwestern Maharashtra, eastern Gujarat, southern Rajasthan and western Madhya Pradesh. For the sake of simplicity, I shall use the term Bhil Adivasis to refer to Bhils, Bhilalas and Barelals in this paper.

poorest decile (see World Bank, 2011: 41-2; Mehta et. al., 2011: 47).³ As Ramachandra Guha (2007) has noted, the material deprivation of Adivasi communities is closely related to political marginalization – despite being rights-bearing citizens, tribal communities are very often *de facto* disenfranchised in relation to the Indian state, and therefore not capable of effective claimsmaking (see also Shah 2010).

In western Madhya Pradesh, this disenfranchisement took the form of a local state-society relation that I have referred to elsewhere as “everyday tyranny” (see Nilsen 2012, 2016a). Everyday tyranny was manifest in a set of profoundly coercive and predatory interactions between Bhil Adivasis and local state personnel, in which the latter would use the powers vested in them in relation to law enforcement as well as their role in dispensing public services – coupled with very real threats of violence – to extract a wide variety of bribes from tribal villagers.⁴ As I have argued in my previous work, everyday tyranny was reproduced over time through the workings of an “emotional habitus” (Gould 2009) of fear and resignation that was pervasive in Bhil Adivasi communities and which fostered a deferential acquiescence in relation to the local state and its personnel (see Nilsen 2016b). The KMCS and the AMS – which organized and mobilized in western Madhya Pradesh throughout the 1980s and 1990s⁵ – took aim at everyday tyranny and achieved a significant democratization of state-society relations through persistent law-based mobilization. It is against this backdrop that the significance of the statement that opens this article has to be understood: by developing the moral courage to withstand and to challenge the predation of local state personnel, a subaltern group that had previously conceived of the state as an oppressive and omnipotent entity – several activists told me that, in the past, they would refer to the state as *bhagwan* (god) or *mai-baap* (mother-father) – had come to see the state as an institution which obtained its legitimacy from the democratic participation of its citizens.

³ It should be borne in mind that these estimates are based on the official poverty line proposed by the Planning Commission in 2004-5, according to which 27 per cent of India’s population lives in poverty. This poverty line has been widely criticized for being a gross underestimation, and it is therefore likely that the World Bank estimates of Adivasi poverty are too conservative. See Mehta and Venkatraman (2000), Patnaik (2005, 2007, 2010), and Deaton and Kozel (2005) for critiques of the official poverty line suggested by the Planning Commission.

⁴ Note on the kind of state personnel and the kind of bribes that were extorted.

⁵ Note on specific areas and times of mobilization.

Secondly, Adivasi claims to be the makers of the state points us in a potentially interesting direction in terms of how to think about political modernity in the postcolony – and this is the point at which this article seeks to make a substantial intervention. One of the foundational tropes of sociological Eurocentrism pivots on the proposition that political modernity and its institutional manifestations – for example democratic legality, civil society, and citizenship – are purely western achievements (Bhambra 2007). According to such narratives, the global South – the postcolony – is, as Dipesh Chakrabarty (2000: 8) has phrased it, stuck in an “imaginary waiting room of history” and capable, at best, of mimicking, with greater or lesser success, the modern statehood of its former rulers (see also Bhambra 2016a). A significant body of research has now accumulated that documents and analyzes the multiple origins of the modern state, modern conceptions of sovereignty, and modern technologies of rule (see, for example, Hobson 2012; Bayly 2004; Branch 2013; Chatterjee 2012). Moreover, the rich historical work on the Haitian revolution has done much to unearth the transnational historical trajectory of democracy (Fick 1991; DuBois 2005; Nesbitt 2008; see also Bhambra 2016b). The objective to this paper is to make a modest contribution to these recent advances towards a more complex and less Eurocentric conception of political modernity by way of an analysis of the roles played by law, civil society, and citizenship in the social movements of Bhil Adivasis in western India. I pursue this analysis against a specific foil, namely Partha Chatterjee’s well-known work on civil and political society in the postcolony. The tenor of the argument that follows will hopefully make clear the general orientation that I adopt in approaching the task of provincializing political modernity – which is that a counter to Eurocentrism should not come in the form of an exclusive focus on the particularity and otherness of the postcolony, but rather as a deciphering of how universalizing democratic vocabularies are appropriated, refracted, and imbued with new and more radical meanings in and through the oppositional projects of subaltern groups.

Crucially, mine is not a normative argument for law, civil society, rights, and citizenship. Rather, my focus derives from the fact that actually existing subaltern politics encompasses demands for legality and rights-based claims-making that carve out spaces in which democratic transactions can take place between citizens and the state. Consequently, I am interested in disinterring the composite layering of enablement and constraint that flows from this fact so that it might be possible to critically map both the *extent* and the *limits* to which these appropriations

of the “universalizing vocabularies” (Corrigan and Sayer 1985: 7) of the modern Indian state can be said to further emancipatory change for subaltern groups. It is such a mode of inquiry, I believe, that can ultimately produce politically enabling knowledge that can be put to oppositional uses.

Law

When the Khedut Mazdoor Chetna Sangath (KMCS) was first established in Kakrana village, it was the depredations of constables and officers from a nearby police outpost that were at the centre of their mobilizational efforts. Speaking to us on a warm April evening in 2010, Bhavsingh, a leading Kakrana activist, recalled how Khemla and Rahul – an urban middle class activist who joined the KMCS in 1985 – had called an initial meeting in the village to discuss local issues and problems:

“They asked us what help we got from the police. We told them that we did not get any help from the police. Instead we suffer losses due to them as they ask for chickens and money. They asked us if we didn’t get protection in case of theft and dacoity. We told them that there were no incidents of theft in our village, but we used to go the police station when there were disputes in the village or when at the time of marriages we needed their help. They asked why we needed the police to help out with marriages. We told them that if anybody started a fight they arrested the person and took them to the police station. They would beat up the person and demand money from him. They asked us why we didn’t reason with people not to fight. Why did we call the police? We told them that even if we didn’t call them they would come the next day and ask us who gave us permission for the marriage. They would beat us all. They told us that this is totally illegal.”

Bhavsingh continued: “Then they asked us what we thought. We told them that we thought that we should not pay them. We rear goats and chickens through our hard labour and earn some money by selling them. They take this money from us which we do not like to part with.” In the discussion that followed, Khemla and Rahul encouraged the villagers to familiarize themselves

with the law and to challenge the corrupt demands of the police. Their proposal met with scepticism: "We told them: 'If you are government people then show us your papers. You will go away but we have to live here. We do not want to invite any trouble.'" The two activists told the villagers how they were trying to build an organization in the region, and asked them to come for a meeting in the village of Attha for further discussions about laws and what could be done to counter the exactions of the police: "We agreed to their proposal."

Villagers from Kakrana went for a couple of meetings in Attha, and KMCS activists held meetings in Bhavsingh's hamlet in Kakrana: "We used to hold meetings in our *faliya* in the night. But we had to do so stealthily because we feared the police ... we had to do things at night without being seen by them." Khemla and Rahul persisted in arguing that it was necessary to challenge the local police by going to higher authorities, and events in Kakrana soon provided them with an opportunity to do just this:

"Once a small dispute arose. We were trying to resolve it locally, but someone informed the police that we had settled the dispute in the village. The police came and arrested four or five people and took them to the *thana*. We approached an elder person from the neighbouring village of Jhandana to negotiate with the police. He settled the matter: in return for a promise of a payment of 4,000 rupees, the people they had arrested were released."

When Khemla and Rahul arrived in Kakrana, they were informed about the episode and that the police had demanded 4,000 rupees for the release of the arrested villagers:⁶ "We told them that we had promised to pay them during the *bazaar* in Umrli and we were planning to sell our goats and *ghee* to arrange the money." The activists called a meeting at their office in Attha to discuss the situation: "They asked us to approach the head of police. If we told him the whole story he would save us from paying 4,000 rupees. We asked them whether he wouldn't get angry with us. They assured us. In the morning we took a bus to Alirajpur and reached the police headquarters."

⁶ See Banerjee (2008: Chapter 21) for an account of this incident from his and Khemla's perspective.

When the group reached Alirajpur, Khemla and Rahul first approached the senior police officer in charge and explained that there had been a dispute in Kakrana that the villagers had resolved among themselves, but that local police had intervened with arrests and demands for money:

“The police head summoned us inside his office and asked who among us were arrested. I used to run a shop so I knew how to talk to officers. Therefore I spoke to him: ‘Sir, there was a quarrel in the village which we settled among ourselves without informing the police. For this the *thanedar* arrested five of us.’ The officer asked us what happened next. I told him that when we promised him to pay money we were released. He asked: ‘Do you know the name of the *thanedar*?’ We replied that we don’t know. He asked: ‘Can you recognise him if I call him here?’ I told him: ‘Yes, I can recognise him. He comes daily to our place.’”

The group was asked to wait outside while the officer summoned the Sondwa *thanedar*. Bhavsingh remembers reacting with trepidation as the *thanedar* arrived in Alirajpur: “We were trying to avoid him because we feared that he would recognize us and know that we had made a complaint against him.” Their fear was well founded, of course, given the routinized violence that police meted out in response to the slightest belligerence. However, the meeting that ensued would set off a chain of events that militated against the familiar scripts of everyday tyranny:

“The peon came to summon us to the office. The officer asked us whether he was our *thanedar*: ‘Did he lock you up in the police station?’ I told him: ‘Yes, he arrested us.’ The officer asked what he was demanding from us. I replied that he was asking for four thousand rupees. Then the officer asked the *thanedar* why he was asking for money from us. The *thanedar* replied that he had never seen us and did not recognise us. He claimed that he had never asked for 4,000 rupees. He was telling lies. I told him that he had demanded 4,000 rupees from us.”

Eventually, the officer in charge took depositions from all five persons who had been arrested, and advised them not to pay any money to the local police. He ordered an inquiry into the incident, and told the group from Kakrana to alert him if they were harassed in the future by the local police: “We asked Khemla and Rahul who this official was. They told us that he was the Deputy Superintendent of Police for Alirajpur. In this way we came to know who the DSP was and that he was senior to the *thanedar*.”

The group returned to Kakrana and anxiously waited for the Saturday when they were supposed to pay the police the 4,000 rupees that they had demanded. However, no one turned up from the *thana* to claim the money:

“On Sunday Khemla and Rahul came to our village. They asked us whether the police came to collect 4,000 Rupees from us. We told them that they did not come. They told us that asking for money is against the law: ‘They are cheating you by force. If was legal they would have come and collected it. And the DSP too told you not to pay them, because it is illegal. The police have no right to ask for any payment for marriage or Indal. The government pays them salary and travel allowance.’ We told them that we have to perform *veth* (forced labour) for them and carry their luggage. They asked us not to do anything.”

In the weeks that followed, people from Kakrana visited neighbouring villages to share the story of their successful confrontation with the local police. They met with an enthusiastic response, and Khemla and Rahul were called to several villages to hold meetings and discuss the problems that people were facing at the hands of the police. “The police tried to stop us from holding meetings by threatening us not to do our work,” Bhavsingh recounted. “But we continued with our meetings. We travelled to various villages and in meetings we explained our experience. We told people not to give anything to the *patwari* and the police. We explained our rights in relation to the police and how to deal with them.” (Interview, April 2010)

Bhavsingh’s account of the beginnings of mobilization in Kakrana reflects the workings and received wisdoms of everyday tyranny, not least in terms of how a local rationality in which fear and resignation combined with a lack of politico-bureaucratic literacy to produce

acquiescence and deference was prevalent in Bhil Adivasi communities. When the villagers finally decided to challenge the police, this happened after a protracted period of negotiation and persuasion, which was typical of how the KMCS would approach mobilization. In Kakrana, the dialogues between activists and villagers resulted in collective action in the form of acts of citizenship (Isin 2008) – that is, a complaint against relatively low-ranking state personnel was brought before a more senior official, who was asked to adjudicate in the matter in accordance with the law. What was it about this strategy that triggered the difficult process of undoing everyday tyranny and democratizing local state-society relations?

Most immediately, it is evident that the confrontation between the villagers from Kakrana and the local police entailed a significant amount of collective learning about the local state. As Bhavsingh pointed out, the villagers who took the complaint forward came away realizing that someone who had previously appeared as all-powerful in their world was actually embedded in a structure of echelons in which he was accountable to a senior official, and that his powers were circumscribed by legal regulations: “We became aware that complaining to higher authorities can be fruitful. We had achieved victory in this battle.” (Interview, April 2010) In other words, confrontations like these were crucial in generating political and bureaucratic literacy centred on the law that could be used to bring oppressive state personnel to heel. This collective learning flowed directly from the fact that protests were structured around bureaucratic procedures and legal stipulations. In part, this was a practical necessity: activists had to file complaints related to specific incidents of malpractice or violence in order to create a record of grievances that would make it possible to pursue claims through the local state apparatus (interview, Rahul Banerjee, March 2010). However, there was also a deliberate didactic dimension to this strategy, which “insisted on going through all the steps” of the local administrative ladder (interview, Amit Bhatnagar, August 2009). The aim of this strategy was precisely to render an opaque state apparatus familiar by setting in train a process of learning about the structure and workings of the state in order to be able to engage with it in an assertive and competent manner:

“You see, that whole thing is there – that you have a legal, codified system that is extremely complicated and you have to understand how that system is working, and

then intervene in that. So that everybody understands – people understand. Or even if they don't understand, they know that this is what has to be done." (Interview, Rahul Banerjee, March 2010)

The strategy, Amit explained to me, was intended to bring about a realization that state personnel "are not ... gods" (interview, August 2009). And as Bhavsingh's account testifies to, this was also one of the key achievements of this approach to mobilization and claims-making.

However, the strategy's impact cannot simply be understood in terms of the emergence of an emancipatory "legal consciousness" (Silbey 2005) in the communities mobilized by the Sangath or in terms of the law being somehow inherently transformative in and of itself. Although legal stipulations and procedures were of great importance to these early mobilizations, the KMCS never adopted a strictly judicial form of activism that sought to achieve political goals via the court system. Rather, the law provided the KMCS with a highly effective language of contention that was consistently coupled to the "disruptive power" (Piven and Cloward 1977) of subaltern collective action. The exercise of this power could take many forms – for example, confrontations such as that which occurred at the police headquarters in Alirajpur, meetings such as those that were organized by the Sangath after the Sondwa police had been warded off, or other forms of protest such as *dharnas* and *gheraos* – and what was disrupted was of course the smooth running of everyday tyranny as a state-society relation. By linking law and disruption in this way, Bhil Adivasis proved themselves capable of responding to corrupt exactions with assertive claims that effectively redrew the boundaries between themselves and the local state by demonstrating that they would no longer kow-tow to corruption and violence and expected legality to prevail in local state-society relations.

The link between "recourse to law's language and institutions" (Huneus, Couso, and Sieder 2010: 8) and disruptive collective action becomes even more clear if we consider the early mobilization of the AMS, which was characterized by a similar insistence that legality should prevail in local state-society relations. The *patwaris* would typically leverage the power they wielded in connection with the registration of land ownership to extract bribes, and this practice became a key target of the AMS's initial activism. For instance, when Tulsibhai, an activist from Khargone district, learned that one of his fellow villagers had to pay 12,000 rupees to a *patwari*

in order for a plot of land that he had bought for 10,000 rupees to be registered in his name, he called the *patwari* to the Niwali ashram for a meeting: "I asked him: 'Why did you demand 12,000 rupees from this poor man? According to the rules, 95 rupees is charged per 1000 rupees that has been paid for the land.' The *patwari* asked me for two hours time. He kept 950 rupees for himself and returned the rest of the money he had taken." A key reason why activists were successful when they engaged in such confrontations is most likely that state personnel were familiar with the capacity of the Sangathan to mobilize collectively around their demands for legality.

As Tulsibhai explained, the AMS would often combine legal claims and collective mobilization in a phased manner:

"First we would ask them 'Why is this work being done like this?' Then slowly we would start protesting. If it is written anywhere that it is the law to take money and chickens from us, then tell us. In this way, we would warn them, not protest against them ... If the police does something bad to us, we wouldn't protest against the police. But we would ask them: what are your rules & regulations? Then we would surround the *thana* ..."
(Interview, February 2010)

In one instance, the AMS had submitted 250 forms to the *tehsildar* in order for land to be registered in a proper way. Four or five forms went missing and the process halted. A group of activists decided to confront the *tehsildar* about the missing forms, but upon reaching his office they found that he had gone for a field visit. When the groups finally got hold of him, he told them that they would have to return to the *tehsil* office to look into the matter. He informed the activists that he would be going back in his vehicle, while they would have to walk. At this point a confrontation erupted: "We told him: 'You are our servant! Masters going on foot while servants go by car? This is not done - everybody will go back in the vehicle.'" The *tehsildar* arranged for transport back to the office. A group of women who were the first to reach sat down at the door and blocked the entrance: "Then we asked him why our work wasn't being done, and where the forms were ... We told them: 'We handed the forms to you. How have they disappeared? Did they walk away? Did they fly?' ... We put pressure on him." Eventually, the land registration was

carried out according to the writ of the law (Interview, Munnibai, February 2010). Here, an initial legal claim pursued according to bureaucratic procedure came to be linked to a clash in which the working of the local administration was disrupted by collective activist intervention. The demand was still essentially for legality, but vernacular idioms of servitude, sarcasm, and the reversal of established markers of hierarchical difference – above all, the demand that everyone would travel to the tehsil office by car – had taken the place of legal discourse as a way to hold the *tehsildar* accountable to the law.

Significantly, this form of protest goes against the grain of what Chatterjee has argued is the hallmark of subaltern politics in India today. What emerges from his account is first and foremost an argument that legality is relatively insignificant in mobilizations that take place on the terrain that he refers to as political society. As the livelihoods and forms of habitation of the poor often violate extant laws, it follows, Chatterjee argues, that subaltern claims-making is not so much oriented towards the enforcement of law or demands for legal recognition. Rather, it is geared towards gaining “tacit acknowledgement of various illegal practices” (Chatterjee 2008: 58) by compelling state agencies to declare “an exception from the norm laid down by the law” (Chatterjee 2011: 16). This was ostensibly *not* what the KMCS and the AMS did as they resorted to the law to challenge the most egregious manifestations of everyday tyranny. Quite the contrary: through their activism, the KMCS and the AMS sought to hold the state and its personnel accountable to the law and – in particular – to ensure that state practices in relation to citizens were aligned with legal regulations. In pointing this out, I am of course not suggesting that the negotiations of illegality that Chatterjee describes in his account of political society do not feature among the practices through which subaltern groups in contemporary India construct their relationship to the state – they clearly do. However, it does not follow from this that the law is *only* a pillar of private property and a channel through which the elites that inhabit civil society relate to the state, as Chatterjee seems to suggest. It is necessary to think in more complex ways about the role of the law in relation to such negotiations than what his proposed model allows for – especially in a context where, as Nandini Sundar (2011) has pointed out, law and legality are becoming increasingly central to the strategic repertoires of subaltern politics (see also Das 2011; Strümpell 2012; Ruparelia 2013).

The fact that mobilizations such as these revolved around challenging specific illegal acts, rather than, for example, mobilizing for changes in unjust legislation, and that the response that was sought tended to come in the form of a public reprimand, a transfer, or a dismissal of low-ranking state personnel in all likelihood made it relatively easy to win these initial confrontations. In this regard, the early claims-making of the KMCS and the AMS is arguably best thought of in terms of what Julia Eckert (2006) in her research on the politics of the urban poor in Mumbai refers to as “legalism from below” – that is, the use of “legal terms against the transgressions of law by state agents and other bodies of governmental authority” (ibid: 45). As Eckert notes, it is particularly when “structures of domination are upheld by extralegal rules and procedures” (ibid: 46) that subaltern groups can turn to the law to oppose “illegal or extra-legal ways of governing” (ibid: 53) by the state and its personnel with good effect.⁷ This, of course, was the very kernel of everyday tyranny: in the Bhil heartland, the state governed through a persistent “misrule of law” (Holston 2008) that enabled its personnel to prey on meagre Adivasi livelihoods. In this context, then, the insistence that legality should prevail in local state-society relations was fundamentally subversive of the power relations that sustained everyday tyranny.

It is important to stress that this is not a manifestation of the liberal virtues of law as a great equalizer. Quite the opposite: on a Gramscian reading, the law is integral to the construction of hegemony and it is precisely this that makes it possible for subaltern groups to appropriate the law for oppositional purposes.⁸ “The essential precondition for the effectiveness of law, in its function as ideology,” E. P. Thompson (1975: 263) wrote in his magisterial study of the class politics of law in eighteenth century England, “is that it shall display an independence

⁷ Interestingly, Eckert (2006: 53) notes that slum dwellers in Mumbai resort to state law to stake their claims against the state despite the illegality of their own livelihoods and habitation. Needless to say, this raises questions about Chatterjee’s argument that negotiations over exceptions from legal codes flow from the illegality of life among the urban poor more generally. A similar argument can be made in relation to the Bhil communities that were mobilized by the KMCS and the AMS: often, their grievances were related to corrupt claims made by forest guards on the pretext that their use of forest resources was illegal, yet their protests was crafted through claims that ultimately sought to legalize the illegal. I return to these questions in my discussion of the KMCS’s mobilization for forest rights below.

⁸ Gramsci himself wrote relatively little about law and the relationship between law and hegemony, but the work of legal scholars such as Cutler (2005), Hunt (1990), and Litowitz (2000) elaborate compelling Gramscian perspectives on the legal dimensions of hegemony.

from gross manipulation and shall seem to be just.” And the law cannot be seen to be just, he argues, “without upholding its own logic and criteria of equity; indeed, on occasion, by actually being just”. It was this hegemonic compulsion that gave the KMCS and the AMS leverage when they anchored their grievances in legal stipulations and routed their claims via the bureaucratic hierarchy of the local state: it would quite simply not be tenable for officials – be it a Deputy Superintendent of Police, a District Collector, or a Sub-Divisional Magistrate – to be seen by the public eye to condone violations of a legal code that they are supposed to uphold and enforce, and which ultimately undergirds the legitimacy of the state that they serve and represent. It is in this respect that “[t]he forms and rhetoric of law acquire a distinct identity which may, on occasion, inhibit power and afford some protection to the powerless” (ibid: 266).

I want to emphasize that I am not making a normative or strategic case for social movements to centre their campaigns on the law. As is well known, judicial activism comes with a distinct set of risks and constraints – above all, the specific form and procedural dynamics of the legal arena may ultimately depoliticize oppositional claims and undermine the collective process of mobilization (see Rajagopal 2005; Randeria 2003, 2007; Nielsen 2015). Moreover, winning legal reforms is not in and of itself a guarantee of emancipatory advances. For instance, during the 1970s and the 1980s, the Indian women’s movement was intensely focused on securing the passage of progressive laws to promote gender justice, but critical assessments of these efforts overwhelmingly concludes that the legislation that ensued has been largely ineffectual and in many cases directly disempowering (see Sunder Rajan 2003; Menon 2004; Desai 2016). It bears reiterating here that legalism from below as it was practised by the KMCS and the AMS seems to have steered clear of these risks in large part because it was never a strictly a judicial strategy. Rather, for both movements, the law provided activists with a language of contention that could be leveraged in relation to the hegemonic political idioms of the state through collective action. What this dynamic suggests is that the importance of the law for subaltern politics resides not so much in its instrumental capacity to regulate social relations, but rather in what Veena Das (2011: 320) has referred to as its “constitutive power” – that is, the capacity of the law to shape social relations as a consequence of the ways in which subaltern become legal subjects (see also Sunder Rajan 2003: 32-33; McCann 1994; Samson 2016). One of the most crucial aspects of subaltern appropriations of the law in this regard is the fact that –

regardless of results – it can foster an ability to articulate “visions of rights and entitlements that run counter to everyday forms of domination” (Eckert 2006: 69-70). In the case of the KMCS and the AMS, it was in this sense in particular that legalism from below was significant: it drove the emergence of new imaginaries and new practices, grounded in politico-bureaucratic literacy, that enabled Bhil Adivasis to mobilize collectively to challenge their adverse incorporation into local state-society relations.

Civil Society

In Alirajpur and Badwani, the moral courage to resist that was generated through confrontations with state authorities and, on the other hand, the politico-bureaucratic literacy that Adivasis developed through their collective engagements with the law fused in a crucial synergy: “From the time I began to understand the law, my fears disappeared,” Guliyabhai, an AMS activist, explained to us. “I got to know a lot of rules and now I can talk ... In many ways, pressure could be put and a case could be lodged. So by being in the Sangathan, I was able to learn many rules, and now I don’t feel so afraid.” (Interview, November 2009) What was being forged through this synergy was an oppositional local rationality around which claims for the right to have rights could be staked. In this way, the “lawfare” (Comaroff and Comaroff 2006) of the KMCS and the AMS began to bring about important reconfigurations of the practices and imaginaries through which Bhil relations with the state were constituted and reproduced. Activist narratives of these reconfigurations generally emphasized how Bhil communities had gained leverage in relation to the local state as a result of becoming politically and bureaucratically literate by participating in mobilization:

“By going along with the Sangathan workers, we obtained a great deal of information. By doing this, we learnt the process of registering complaints and many other things. By sitting in the meetings of the Sangathan and by listening to what the big authorities had to say, we learnt a lot about our rights ... Sometimes we would sit in meetings the whole day and the whole night. We would participate in the rallies and *dharnas* and stay with them for ten days at a stretch, and by doing this we obtained a lot of information ... We

learnt about the *sarkar* by attending rallies and *dharnas*.” (Interview, Bhukaliya, September 2009)

And as a result of growing political and bureaucratic literacy, a state apparatus that had previously been not just fearsome but also opaque started to change its character: “Now we have information regarding everything – where the *tehsil* office is, where the Block Development Office is, where the *thana* is. Earlier we had no knowledge of these things, but now we know everything.” (Interview, Bhukaliya, April 2010)

Practices of acquiescence and deference consequently started to give way to assertion – first of all, against the corruption and the violence of the local state. Activists were clear that it was their newfound ability to pursue grievances through the medium of the law and the apparatus of the state that had enabled them to take a stand against the exactions of forest guards, police constables, and *patwaris*. Interestingly, this was often described in terms that reversed the emotional equations that previously moulded interactions between Adivasis and the state:

“They realized that we have learnt the law now. Even today those people are scared of us. It has been a long time since we saw a *nakedar* in our village, and they have also stopped demanding things from us for free.” (Interview, Buriyabhai, April 2010)

“Now they know us – that we know about our rights. So they are a bit afraid now as we are able to lodge any kind of complaint or report.” (Interview, Kamalsingh, November 2009)

These practices of assertion were also used to curb abuses and high-handedness by the traders and moneylenders who ruled the roost in the market towns, as well as by local political *netas* who mediated the workings of everyday tyranny. In one case, for example, a villager who had brought soybeans and groundnuts to sell in the market in Sendhwa decided to confront a trader who was trying to short-change him. When the trader responded by slapping him, the AMS was quick to take action in a manner that fused legality and disruptive protest: more than 10,000

people staged a *gherao* in front of the traders shop at the same time as activists submitted a complaint to the local police under the SC/ST (Prevention of Atrocities) Act. To increase pressure on the local administration, the protesters blocked the Agra-Bombay Highway, a main transport route from the western coast to northern India. Eventually the trader was arrested on a non-bailable offense (interview, Nikunj Bhutia, April 2010). Again, then, the combination of an appeal to law and disruptive collective action had wrought an important concession from above.

Similarly, a conflict erupted over the construction of a public hall in the small town of Balwadi, not far from Khargone: the *sarpanch* wanted to have the hall constructed close to his home, but the majority of the inhabitants demanded that it should be constructed in the middle of the town. During a confrontation, the *sarpanch* slapped one of the protestors. The AMS learned of this and brought the offended person to confront the *sarpanch*, but their activists were beaten up by local strongmen. In response to this, the AMS mobilized a *dharna* of some 2,000 people outside the house of the *sarpanch*, and again their protest was met with violence: a large group of hired musclemen attacked the *dharna*, injured a number of people, and set fire to motorbikes belonging to the protestors. Initially, the AMS leadership responded by contacting the Superintendent of Police in Khargone and requested him to intervene in the matter. After ten days, nothing had happened, so the activists decided to resort to direct action. Realizing that the town depended on Adivasis as agricultural labourers, as customers in the teashops and convenience stores, and as domestic workers, they took a collective pledge to not enter and instead encircled the town, cutting off all the roads and refused to let anyone enter. Bamniya recalled the action as follows: "For twenty-one days, the business class of Balwadi and the people who lived there could not leave the town. Nor were people from other villages going in. For twenty-one days neither the police nor people from any other government department went there. For twenty-one days we besieged Balwadi." (Interview, November 2009) Ultimately, the Deputy Superintendent of Police from Badwani and the Sub-Divisional Magistrate arrived in Balwadi to negotiate. A large *panchayat* meeting was held and the conflict was resolved as the authorities promised to punish those who had assaulted the AMS activists (interview, Nikunj Bhutia, April 2010).

Activists would also put their claims-making skills to use to obtain small-scale development interventions from the local state: "Earlier on, even the *chaprasi* would kick us out,

but here also things have changed – the man from the village goes into the chamber and says the work should be done.” (Interview, Rameshbhai, February 2010) Crucially, such interventions were spoken of as the rightful entitlements of citizens who contribute to the state through taxes: “We want this work to be done on time as these people are our servants. You are sitting here due to us paying taxes. You are getting your salary – we are the true masters.” (Interview, Tulsibhai, April 2010) The state, activists claimed, had become far more responsive to their demands than it had been in the past. Consequently, activism was often related to the achievement of development: “*Vikas ho gaya hai* – see, now there are dams and roads in the village. So development has really taken place here.” (Interview, Sunil, February 2010)

As practices of deference and acquiescence gave way to assertive resistance and claims-making, those imaginaries that inscribed Bhil subordination to everyday tyranny in idioms that portrayed the state as a despotic and all-powerful authority – and Adivasis, conversely, as rightless subjects – also started to lose their hold. In their place, what emerged were new sets of meanings in which state-society relations were construed in terms of democratic representation and public accountability:

“They would say that the *sarkar’s* arm is big and long. Later on, we realized that, in reality, the *sarkar’s* arm is long because we are the ones who have voted and made the *sarkar*. Then we should also know what the law is! Later on we realize that they are only making fools of us – so how is the *sarkar’s* arm long?” (Interview, Bhuvan, February 2010)

“The *sarkar* doesn’t know how to plough and grow crops. It’s a bunch of plunderers. They only know how to read and write. With awareness we came to realize that we toil and some people survive on our toil. Now we tell them directly: ‘You are like a parasite! We produce everything except salt and kerosene, but you cheat us of the fruits of our labour.’” (Interview, Valsingh, February 2010)

The first of these two excerpts signals that Bhil Adivasis no longer conceive of the state as an absolute authority that can impose its power arbitrarily on village communities, but rather as a

representative institution that draws its power from a citizenry that consigns legitimacy upon it through the act of voting. In the second excerpt, Valsingh reverses the entrenched hierarchies that ascribe superiority to the state functionary and inferiority to the Adivasi peasant. The state, consequently, is dethroned from an exalted position of power and prestige through the claim that its very existence is grounded in Adivasi labour. This was a running theme in activist narratives of how perceptions of the state and its personnel had changed and come to revolve around notions of accountability to the public:

“We told the authorities that they are here to serve us and that they get a salary from the government – so demanding money from us is illegal.” (Interview, Bhavsingh, April 2010)

“We are the ones who make the *sarkar*. Otherwise, where is the *sarkar*? These people are all servants. The grains we grow – they buy that grain and eat it. So where is the *sarkar*?” (Interview, Bhimsingh, September 2009)

The idea that the state derives its legitimacy from citizens and is undergirded by the labour of peasant cultivators and therefore also accountable to the public was closely related to the positing of Adivasis as bearers of rights – invariably referred to as *haq*.⁹ Activists would typically talk about how participating in mobilization had brought about an awareness among ordinary community members of their rights as citizens: “... it was recognized that Adivasi people also have certain rights, and that there are limits and restrictions to what the authorities can do.” (Interview, Lalsingh, September 2009) In activist narratives, the idea of being a bearer of rights was normally associated with protection from the arbitrary use of state power and having the right to make democratic claims – that is, with basic civil and political rights – and entitlement to a modicum of welfare from the state. One might call this a minimal conception of rights, yet it stands in stark contrast to the subjection that was at the heart of everyday tyranny and it was pivotal in bringing about the dethroning of the state in Bhil imaginaries: “As people became more

⁹ See Madhok (2013) for an instructive discussion of the uses and meanings of the word *haq* in subaltern rights-talk.

aware of their rights, they didn't think of the state as a god anymore." (Interview, Sunil, February 2010)

In sum, the KMCS and the AMS articulated and organized defiance and opposition by aggregating Adivasi grievances into rights-based claims and demands. And in pursuing these claims and demands the two movements brought about significant reconfigurations of the practices and meanings that mediated relations between Bhil communities and the state. Crucially, these reconfiguration enabled Adivasis to constitute themselves as bearers of rights in relation to the state as a representative institution that is accountable to the public. In doing so, they carved out a space in which democratic transactions could take place. This, I believe, gives cause for questioning the tenability of Chatterjee's (2004: 4, 46) claims that civil society exists in India only as "enclaves of civic freedom and rational law" for a privileged minority or as "a project that is located in the historical desires of certain elite sections of Indians". Others before me have criticized Chatterjee's distinction between civil and political society on the grounds that subaltern groups in India mobilize in ways that cannot be confined to negotiations over the demographic categories of governmentality (see Sundar and Sundar 2012, Sundar 2010; Menon 2010, Nayak 2012; Sinha 2012, 2015).¹⁰ Rather, these mobilizations often appropriate the democratic idioms and practices of the modern Indian state and turn them into "sites of protracted struggles over what they mean and for whom" (Corrigan and Sayer 1985: 6) – that is, they operate on the terrain of civil society. In the case of the KMCS and the AMS, however, there is a further dimension to this dynamic. It is not just that these movements *operated* on the terrain of civil society. Rather, through their mobilizations against everyday tyranny – mediated by oppositional appropriations the legal and political idioms of India's postcolonial democracy – they actively *created* a rudimentary civil society in the Adivasi areas of western Madhya Pradesh.

When Bhil communities mobilized through the KMCS and the AMS, they insisted – to paraphrase Chatterjee (2004: 34) – on their right to participate in the sovereignty of the state by laying claim to constitutional rights and entitlements that they had been *de facto* deprived of as a result of their subordinate position in a regional political economy where Congress hegemony

¹⁰ Chatterjee (2011: 90-93) seems to partly concede this point in a recent rejoinder to critics. However, he is also at pains to stress that subaltern mobilization on the terrain of the law and civil society results in differentiated citizenship rather than in equal citizenship. I discuss this point at greater length in the final section of this paper.

was founded on the persistence of upper caste power, and in doing so they democratized local state-society relations. This throws up questions that problematize Chatterjee's historiographical approach to the trajectory of civil society in India. In his account, civil society is a circumscribed space due to its origins in the political activity of nationalist elites in early twentieth century India, and – crucially – it has remained “a narrow domain” (Chatterjee 2011: 13) even after independence. However, the fact that subaltern groups such as the Bhil Adivasis of western Madhya Pradesh are able to mobilize as they did through the KMCS and the AMS suggests the opposite – namely that although it may have originated in elite politics, civil society cannot be thought of in static terms as remaining so in the postcolonial context. In short, the boundaries of civil society are far more porous than what Chatterjee's perspective allows for, in no small part as a result of the fact that over the course of the past seven decades subaltern groups have demanded and – to varying degrees – obtained *substantial* entry to and inclusion in its ambit (see, for example, Michelutti 2008; Subramanian 2009; Witsoe 2013; Waghmore 2013).

I want to stress that in arguing this point, I am neither proposing that the trajectory of the republic since 1947 has been one of unequivocal democratic deepening – indeed, the limited success in achieving progressive social change in India would belie such a claim (see Nilsen and Nielsen 2016; Nielsen and Nilsen 2016)¹¹ – nor am I suggesting that civil society is a sphere of free civic association in which subaltern movements can pursue oppositional projects without constraints.¹² Rather, as Neera Chandhoke (2001) reminds us, the state – or rather, that part of the state that Gramsci labelled political society – provides the legal and political frameworks within which civil society is constituted. And at the same time that these frameworks enable the

¹¹ For example, while I was writing the chapter that this paper is based on, fresh reports confirmed India's dismal record on food security: despite being self-sufficient in food, India ranks 55 out of the world's 120 hungriest countries – that is, it ranks behind poorer South Asian counterparts such as Nepal and Sri Lanka, and malnutrition levels are twice as high in India as in sub-Saharan Africa (Lal 2016; Mohan 2016). Indeed, in rural India, 70 years after independence, people are consuming fewer nutrients today than they did 40 years ago – a fact that is closely related to increasing landlessness in the Indian countryside (Mohan 2016). These are just some of the multiple manifestations of the skewed nature of India's recent growth trajectory – see Drèze and Sen (2013) – and they combine with persistent casteism and gender injustice to refute a simple narrative of democratic deepening in the country.

¹² See Cohen and Arato (1994), Kumar (1993), Wood (1990), and Khilnani (2001) for useful discussions of different understandings of the concept civil society.

very existence of civil society, they also circumscribe what subaltern groups can and cannot achieve through mobilizations on this terrain – most crucially, perhaps, by defining “the legal limits of political action” (ibid: 10). As Gramsci pointed out so frequently, civil society is a realm in which hegemony is forged, and this has ramifications for how we understand the impacts of the activism of the KMCS and the AMS on local state-society relations.¹³ As much as these movements democratized state-society relations by bringing a civil society into substantive being in western Madhya Pradesh, this cannot be construed as contesting the hegemony of the state as such. Rather, the democratization of local state-society relations revolved around transforming the terms upon which Bhil Adivasis were incorporated into a determinate hegemonic formation. It is quite conceivable that, by accommodating oppositional demands, state officials were arguably attempting to contain subaltern claims-making within the political boundaries of a particular hegemonic formation. And through its concessions to the demands of the KMCS and the AMS, the state may very well have bolstered its legitimacy by appearing to be dedicated to ensuring the equal rule of law for all its citizens.

On the ground in western Madhya Pradesh, these constraints were most acutely evident in the KMCS’s intervention in local electoral politics. The KMCS made the decision to engage in *panchayat* politics in the late 1980s and early 1990s, after the most egregious excesses of the local state had been curbed. As Amit made clear to me, it was not a strategic turn that came easily to the movement – rather, it only followed after “a big discussion; it was almost like a referendum” (interview, August 2009). Ravi Hemadri – a middle class activist who favoured the move towards engagement with *panchayat* politics – explained the different positions in the debate as follows:

“There was debate in the Sangathan. There was no unanimity that we should actually do this. One opposing view was that we should actually not get into physical development. Our work was in social mobilization, and not the work which the government should do. So there was no unanimity on that ... So within the Sangathan some of us saw this as a opportunity to train our KMCS cadres in actually doing development work, and being trained in that process. The other opposition was that we should not get into actually

¹³ See Buttigieg (2005: 41, 43-44) for an instructive discussion of hegemonic dynamics in civil society.

managing funds and getting people work, but we decided to experiment with that.”

(Interview, September 2009)

The decision to engage in *panchayat* politics was primarily driven by enthusiasm among Bhil activists. For many of them, this was an opportunity to dislodge regnant *sarpanches* who, more often than not, were deeply embedded in the workings of everyday tyranny. In this way, it was thought, they could ensure that development funds would reach ordinary Adivasis:

“We thought about the *panchayat* a lot, that the whole village should consult and make projects. Not from above, but from below, and we send them up. We villagers would make our own decisions ... The *sarpanches* before this used to do things by themselves, their own decisions ... we saw how much the *panchayats* are corrupt, they just make huge houses and don't do our work. So we thought our *sarpanches* should be *sangathan sarpanches*.”

“So we made a few sketches of candidates on paper and passed those pamphlets around,” Dediya continued, “... and so like this we won a few seats.” (Interview, April 2010) Indeed, in several cases, the KMCS won entirely unopposed (Interview, Rahul Banerjee, March 2010).

These aspirations, however, were largely frustrated. The local bureaucracy would often stonewall proposals for local development initiatives from *sarpanches* associated with the KMCS – primarily, as was pointed out to us on many occasions, because Block Development Officers and other local bureaucrats would demand a cut of the funds allotted to projects, which *sarpanches* would initially decline. The officials would then refuse to release the funds for the proposed initiatives. This rendered the KMCS *sarpanches* ineffective, which in turn eroded popular support: “We used to go and come ... to the block level, but they stopped us so much, the officials, they didn't let us get any work done at all in five years. So the word spread that KMCS *sarpanches* could not get their hands on any government money for projects. And so people saw this, and they didn't want to vote for KMCS candidates anymore.” (Interview, Dediya, April 2010). Ultimately, this prevented the KMCS from generating a collective momentum around the *panchayat* initiative and drove *sarpanches* towards corruption and co-optation. The *panchayat*

system, Rahul argued, “wants its cuts. So you have to give it its cuts – the very thing that you were fighting against ... that came as a big problem, and many sarpanches became corrupted” (interview, May 2010). His claim was corroborated by many other activists – both middle class activists and Bhil activists – in their accounts of the KMCS intervention in *panchayat* politics (interviews and field notes, 2009-2010).

This is not to say that mobilizing on the terrain of civil society – or, as in the case of the KMCS and the AMS, mobilizing in a way that brings civil society into substantive being – is a mistaken strategy that only serves to perpetuate hegemonic formations. As much as civil society is a domain where hegemony is constructed – indeed, precisely *because* civil society is a domain where hegemony is constructed – it is also a space in which subaltern movements must contest hegemony and the terms upon which it is constituted (Gramsci 1971: 58; see also Fontana 2008: 96; Davidson 2008: 66; Buttigieg 1995: 7; Thomas 2009: 143-150, 220-228; Coutinho 2012: 77-86). In the context of everyday tyranny in which the KMCS and the AMS emerged, the making of a rudimentary civil society – effectively a reconfiguration of Adivasi incorporation into a regional hegemonic formation – was a necessary starting point for subaltern activism as it nurtured the emergence of an oppositional local rationality in Bhil communities. Ultimately, the tension between enablement and constraint that subaltern groups confront as they mobilize on the terrain of civil society is inherent and ineluctable – it cannot be wished away. Yet, the containment of subaltern resistance within a liberal field of politics is neither a foregone conclusion nor an achieved state of affairs. As Ajantha Subramanian (2009: 19) has pointed out, claims-making is in itself “generative of new understandings and subjects of rights”. Often grounded in activist encounters with the limits of extant rights-based claims, these new understandings and subjects may well exceed the boundaries of what is politically permissible within a determinate hegemonic formation. It is these kinds of dynamics that constitute the focal point of the next section of this paper, where I explore how mobilizations around resource control and self-determination inflected the idiom of citizenship with new and insurgent meanings.

Citizenship

The concept of citizenship is absolutely central to Chatterjee's theorization of political modernity and popular politics in India. Tracing its provenance to the French Revolution, he argues: "... it was within the specific form of the sovereign and homogenous nation-state that the universal ideals of modern citizenship were expected to be realized." (Chatterjee 2004: 30) The emergence of mass democracies in the Western world during the first half of the twentieth century subsequently gave rise to the distinction between citizens and populations that is at the heart of Chatterjee's framework – the former carrying ethical connotations of participation in the sovereignty of the state and the latter making sections of a country's inhabitants available to government as targets of policy:

In short, the classical idea of popular sovereignty, expressed in the legal-political facts of equal citizenship, produced the homogenous construct of the nation, whereas the activities of governmentality required multiple, cross-cutting and shifting classifications of the populations as the targets of multiple policies, producing a necessarily heterogeneous construct of the social. (Ibid: 36)

Ultimately, this distinction yields an antinomy between the political imaginary of popular sovereignty and the administrative reality of governmentality: "Unlike citizenship, which carries the moral connotation of sharing in the sovereignty of the state and hence of claiming rights in relation to the state, populations do not bear any inherent moral claim." (Ibid: 136)

Chatterjee's understanding of citizenship is thus overwhelmingly oriented towards a specific legal status that is embodied in a determinate bundle of rights – "the legal-political facts of citizenship" are anchored in the "conceptual device of abstract liberty and equality" (Chatterjee 2004: 36, 197). This, I would argue, is a highly static understanding as citizenship cannot be anything other than the liberal rights associated with "the insistence on the homogenous national" (ibid: 136) that is seen as having animated the emergence of political

modernity in the West.¹⁴ In the Indian context, the constitutional principle of “equal citizenship for all” (Chatterjee 2011: 24) has existed in constant tension with exceptional measures intended to provide professional and educational reservations for Scheduled Castes and Scheduled Tribes. The result is a differentiated citizenship that perforates India’s body politic “all the way down to local levels of administration” (ibid: 92). And this differentiated citizenship appears, in Chatterjee’s judgment, to be closer to governmentality than to citizenship as it departs from “the homogenous construct of the nation” (Chatterjee 2004: 36).¹⁵

The problem with this view of citizenship is that it renders us incapable of acknowledging and unravelling how the political idioms of democratic modernity are appropriated by subaltern groups and how, as a result of such appropriations, these idioms are in turn inflected with meanings that exceed the confines of the liberal mould. This is a serious blind spot, because it erases from analytical *and* political view the full spectrum of ways in which collective action from below impinges on and inscribes itself in hegemonic projects of state-making and the emancipatory possibilities that this holds forth (see Nilsen 2016a).¹⁶ These

¹⁴ This becomes particularly clear in Chatterjee’s critique of T. H. Marshall’s conceptualization of the development of citizenship in Europe from civil, to political, and ultimately to social rights. To argue, as Marshall does, that this amounts to an expansion of popular sovereignty and citizenship constitutes “a category confusion” – what happened was “an unprecedented proliferation of governmentality leading to the emergence of an intricately heterogeneous social” (ibid: 36). The argument also threatens to erase from view the fact that the emergence of political modernity was fuelled in important ways by more expansive and radically democratic view of citizenship – often articulated by popular movements – than those which eventually came to define liberal democratic orders in the western world (see for example Hill (1991), Rees (2016), Gurney (2012), and Donoghue (2013).

¹⁵ Chatterjee (2011: 24) also notes that “differentiated citizenship has, in some form or other, become normal practice in the empirical sense in most Western countries, even though it is still described as exceptional in relation to the legal norm”.

¹⁶ This is particularly evident in the way that Chatterjee (2011: 91-92) doubts the efficacy of using courts to extend the recognized domain of rights and dismisses the idea that subaltern politics can be something more than an attempt to carve out “an exceptional place within the order of governmentality” (ibid: 93). Moreover, Chatterjee’s discussion of negotiation and transformation in popular politics revolves around a problematic distinction between “everyday politics” and “critical events” that change the course of history (ibid: 147-150). There is of course nothing wrong in asserting that the political assertions of subaltern groups are mostly unheroic and quotidian (see e.g. Scott 1985 and 1990). However, what should not be ruled out is the possibility that there *may* be a processual link between everyday negotiations of power and counterhegemonic movement projects (see Cox and Nilsen 2014).

hegemonic projects of course include “citizenship regimes” (Yashar 1998) and these regimes develop and change as they become enmeshed in contestations that “stand in relation and often in opposition to the singularity represented by the dominant framework of the citizenship regime” (Jayal 2013: 20). Consequently, if we are to engage critically with the capacity of subaltern politics to generate such changes, it is necessary – as Subramanian (2009: 19-23) argues in her compelling engagement with Chatterjee’s work – to think of citizenship in processual terms. In order to do this, we will have to reorient our analytical focus to take into account how claims are transformed into rights through mobilization from below in ways that bring about “a reconstitution of both governmental categories and legal frameworks, and by extension, the meaning of citizenship” (ibid: 23). Such a reorientation, I submit, will have to be grounded, first of all, in a rethinking of what we think that citizenship actually is.

As a starting point for an alternative to Chatterjee’s restrictive understanding of citizenship as a legal and political status, I propose the trenchant restatement by Margaret Somers (2008) of the Arendtian dictum that citizenship – ultimately and fundamentally – is “the right to have rights” (see Arendt 1951). As Somers (2008: 6) points out, this conception of citizenship is “thinner” than many mainstream definitions due to the fact that it does not require “a foundation of any particular civil-juridical rights” – for example, the universal civil-juridical rights of the individual that loom so large in Chatterjee’s argument. What this understanding of citizenship does need – and this renders it simultaneously “thicker” than extant definitions – is the right to inclusion and membership in a political community, for it is this that renders possible the mutual acknowledgement of equal moral worth and thus also of social and political recognition. It was precisely this – an oppositional claim for the right to have rights – that was at the heart of mobilization in the Bhil heartland: in a context where state-society relations were defined by subjecthood, the KMCS and the AMS demanded – most fundamentally – the *substantive* recognition of Adivasis as having rights in relation to the state as a political community. If we unmoor citizenship from specific civil-juridical rights embodied in a formal legal and political status, we need to locate the origins of the right to have rights elsewhere, and this returns us to the centrality of acts of citizenship. Adivasis in western Madhya Pradesh gained recognition through claims-making from below that reconfigured entrenched relations of power in a determinate locale rather than through confirmation from above of a formal legal status. And

as much as the KMCS and the AMS appropriated constitutional rights and legal provisions in their claims-making, it was not the existence of those rights and provisions in and of themselves that brought about *de facto* citizenship in the Bhil heartland. Rather, it was the collective *act* of mobilizing to challenge everyday tyranny that enabled Adivasis to constitute themselves as citizens.

Once we have located the origins of the right to have rights in the *praxis* of subaltern claims-making we are in a position to understand citizenship in processual terms – that is, as “a dynamic cultural formation that encodes understandings of justice and accountability” (Subramanian 2009: 19). Recent studies of subaltern politics in Latin America have arguably generated some of the most promising approaches to understanding citizenship in these terms.¹⁷ For example, Alejandro Velasco’s (2015) recent study of urban popular politics in the making of modern Venezuela calls attention to how citizenship is exercised through a complex imbrication of formal democratic practices and collective protest (see also Ciccariello-Maher 2013 and Fernandes 2010). Similarly, Sian Lazar’s (2008) ethnography of indigenous political subjectivities and solidarities in urban Bolivia reveals a complex form of citizenship that is woven from and mediated through multiple collectivities in ways that defy liberal western conceptions of the citizen centred on individual legal status (see also Postero 2005 and Aguilar 2014). Most relevant to the analytical concerns that animate this paper, however, is James Holston’s (2008) magisterial study of the emergence of what he refers to as “insurgent citizenship” among the working classes that inhabit Brazil’s urban periphery. Illegality – and specifically residential illegality – is a hallmark of subaltern existence on the urban periphery. However, the politics of the urban poor that emerges from Holston’s analysis is not centred on negotiating tacit acceptance of such illegality. Rather, mobilization gravitates around claims for legalizing and developing housing, which in turn has generated “a new sense of citizenship” (ibid: 23) that is manifest in novel conceptions of rights, novel ways of using the law, and novel ways of participating in the public sphere. This sense of citizenship is rooted in “the working class experience of suffering the city and building the city” and draws its insurgent character from the fact that it politicizes the social needs of the urban poor in terms of rights-based claims that

¹⁷ See Sabato (2001) for an instructive overview of the historical origins of political citizenship in Latin America.

entail “the invention of a new society rather than merely a perpetuation of the old” (ibid: 235). Crucially, insurgent citizenship remains conjoined with “dominant historical formulations” (ibid: 33) of citizenship. However, this relation between the dominant and the insurgent is “an unbalanced and corrosive entanglement that unsettles both state and society” (ibid: 13).¹⁸

In the context of the Bhil heartland, this dynamic becomes evident if we consider the significance of mobilization for forest rights and local self-rule by the KMCS and the AMS respectively. By the second half of the 1980s, as a result of the activism discussed above, forest guards had more or less ceased demanding bribes and *chanda*¹⁹ in villages organized by the KMCS. The mobilization entered a new phase as the Sangath began to concentrate its activism on claims for the recognition of customary use rights as the basis for a new regime of resource control in the forest.. This shift was centred on contesting the criminalization of *nevad* cultivation (interviews and field notes, 2009-2010). The KMCS challenged the legitimacy of state ownership with reference to the historical lineage of Adivasi uses of the forest as habitat and for livelihood: “From the very beginning, this whole issue of encroachment ... They were saying ... whose forest is it? So then, obviously, people have been staying here before the government. So then why shouldn't it be the people's and why should it be the government's?” (Interview, Amit Bhatnagar, August 2009) On this logic, the contemporary fact of usufruct – that is, the very fact that Adivasis relied on the forest for habitat and livelihood – trumped the legal prerogatives of the state. The Sangath also questioned the state's stewardship of forest resources. Kamalsingh, a Bhil activist from Attha, explained this in terms of laying bare the contradiction between state claims to conservation and the reality of corruption and smuggling that was very real and very visible to tribal communities in Alirajpur:

¹⁸ Holston's approach has been usefully discussed and elaborated by Earle (2012). See Von Holdt et al (2011) and Runciman (2012) for two compelling studies of insurgent citizenship in post-apartheid South Africa.

¹⁹ This is corroborated in Amita Baviskar's (1995: 187) study of Adivasi mobilization in the Narmada Valley, where she notes the following about the village where she conducted her ethnography: “In Anjanvara, the best evidence of the presence of the Sangath is the absence of the state. During my stay, *no* government official came to the village to harass the people.”

“... we said that all this wont go on ... So we decided that we would show how much of greed and lies the forest-*wallahs* get up to. We thought that you take money from the *sarkar* for plantation and then you eat up that money and don't do any plantation ... You are the ones who cut all the trees in the forest, fell the wood and pile it into your cars and take them away – you have sold away the forest. Then we decided that we wont allow this to continue anymore.” (Interview, September 2009)

The KMCS therefore demanded that the state should give legal recognition to *nevad* land. This claim was pursued through negotiations with the state Forest Department, militant confrontations with Forest Department personnel in the villages, and attempts to foster an ethic of conservation in Sangath villages (interviews and field notes, 2009-2010). In these practices, it is possible to discern the contours of an insurgent citizenship centred on a prefigurative politics of rights.

Negotiations over legal recognition of *nevad* land started as early as the middle of the 1980s, when the KMCS contested a survey the Forest Department had carried out in the Mathvad area of Alirajpur in order to map households who were eligible for regularization of encroached land. The survey, the Sangath claimed, grossly underestimated the number of eligible families, and through a dialogue with the Forest Secretary, it was decided that a new survey would be carried out. This was the start of a protracted process that stretched throughout the late 1980s, and received a substantial boost in the early 1990s as a result of the fact that the BJP government announced that it would give legal rights to land that had been encroached prior to 1980 (interviews and fieldnotes, 2009-2010).²⁰ Amita Baviskar's (1994) vivid description of the scenario in the spring of 1994, when the registration of land claims was drawing to a close, brings out some of the enthusiasm that this generated among local Bhils. The “prospect of regularisation”, she writes, had propelled “*adivasis* in droves to the *tehsil* headquarters at Alirajpur where almost everyone capable of filling up a form is being besieged with requests to

²⁰The promise to regularize encroached land was made during the campaign for the 1989 state election in Madhya Pradesh, which saw the BJP capture an overwhelming majority of Vidhan Sabha seats and brought Sunder Lal Patwa to power as the Chief Minister of the state. As several KMCS activists pointed out, the promise to regularize encroached lands ensured massive support for the BJP in tribal areas throughout Madhya Pradesh.

oblige”, and at sub-*tehsil* level, the administration “ran out of receipt books and had to extend its working to the next day, a Sunday” (ibid: 2493).

Throughout this process, the Sangath concentrated its efforts and energies on obtaining documentation of possession of encroached land, compiling lists of households that were eligible for regularization, and submitting these to the relevant authorities. As Ravi pointed out to me, it was a process in which the KMCS had to “communicate with the state in the language that they understood ... So we did a lot of *babugiri* and presented that to the Forest Department and the government in Bhopal” (interview, March 2010). However, very little ultimately came of these negotiations in terms of formal legal recognition of *nevad* lands. In part, this was due to the strict conditions that the state authorities imposed for granting recognition of encroachments. As Baviskar (1994) has pointed out, the only officially accepted proof of possession of *nevad* fields were the receipts that villagers were supposed to receive when they paid fines for cultivating forestland. However, the vast majority of people were never provided with such receipts, as the fines they paid simply lined “the pockets of forest guards, nakedars, and deputy rangers” and in those “exceptional cases” where receipts had been given, “they were small bits of paper that were easily lost or destroyed” (ibid: 2493). The key reason for the process reaching an impasse, however, was the absence of national legislation that could clear the way for formal recognition of Adivasi ownership of encroached forestland. As Rahul pointed out to me, the Forest Conservation Act of 1980 prohibited the conversion of forest land for the purposes of cultivation without specific permission from the Ministry of Environment and Forests, and this remained firmly out of reach: “Basically, they said that ‘we can’t give it to you’.” (Interview, March 2010)

This, however, should not be read in simple terms as a strategic failure on the part of the Sangath or, at a conceptual level, as confirmation of Chatterjee’s contention that subaltern claims-making is restricted to negotiated exceptions from prevailing legalities. Quite the reverse, the mobilization can be understood as an incipient struggle “over whose definition of property and whose definition of law will prevail” (Sundar and Sundar 2011: 271). Amit made this very clear to me as he explained the rationale behind the campaign for legal recognition of customary use rights: “So, in a way, you exercise your right without getting it legally. This was our entire issue – that if you want your rights, then you need to start exercising them in the way that you want.” In other words, the KMCS articulated a prefigurative politics that challenged the very basis

of regnant forest laws – in particular the way in which those laws posit the state as the owner and steward of the forest – and reflected, through the practices that it claimed legitimacy for, an alternative order of rights that would bring about proprietary restitution for Adivasis. This alternative order would, most fundamentally, entail a restructuring of sovereignty grounded in what Noel Castree (2004: 136) has called “differential geographies” – that is, the right of indigenous groups to command and to make the places that are integral to their livelihood, their habitation, and their identity. In this particular case, the place in question was the forest, and the prefigurative claim for a differential geography was justified in terms of a long history of place-making: it is Adivasis, the Sangath argued, who have made the forest – both materially and symbolically – as a place to live and to labour over time, and therefore they also have a legitimate claim to be the owners and the stewards of its resources in the present.²¹

The claim that the Bhils were the rightful owners and stewards of the forest clearly infused the oppositional local rationality that animated the everyday activism of the KMCS. This is most plainly evident in how the claim for customary use was mobilized in a number of confrontations with Forest Department staff in villages mobilized through the KMCS. These confrontations would typically erupt during the monsoon months, when *nevad* cultivation got underway: “Things got really hairy every monsoon,” Dediya told us, “when people would get eviction notices throwing them off their land. So we started refusing these eviction notices, or sticking them on walls instead of opening them, and so on.” (Interview, April 2010) In addition to eviction notices, the Forest Department would often start plantation work during the monsoon. In connection with this Cattle-Proof Trenches (CPTs) would be dug to enclose tracts of land, which prevented people and livestock from accessing forest resources, and therefore often became highly contentious – for example, in the village of Kiti, a dispute over a CPT resulted in numerous arrests of activists and a clash in which police opened fire to disperse the protesting

²¹ The centrality of Adivasi efforts to make the forest as a place to live and labour in the Sangath’s struggle for forest rights echoes, in important ways, the centrality of auto-construction in insurgent claims for citizenship among the urban working class in Sao Paulo. As Holston (2008) points out, the working classes constructed the urban periphery of Sao Paulo during an intense period of migration from the 1940s to the 1980s. Consequently, their claims to citizenship – claims that pivoted on the legalization of illegal land tenure and the positing of their social needs as rights – were grounded precisely in this – their making of a place to live and labour through “the appropriation of the very soil of the city itself” (ibid: 204).

villagers. Ultimately, the Kiti plantation project was cancelled and funds were instead allocated to for participatory development initiative (see Baviskar 1995: 184-187).²²

Consider the case of Dasribai, a female KMCS activist from the village of Kunder. As *mankars* – cowherds – Dasribai and her husband Lailiya were particularly marginal and extremely dependent on nevad cultivation to sustain a livelihood. When workers from the Forest Department were spotted digging holes around her forest land, KMCS activists were called to Kunder to advice on what to do. They suggested to Dasribai that she should collect the women from her hamlet and confront the Forest Department staff and the workers – some of whom were from the neighbouring village of Attha (interview, Amit Bhatnagar, April 2010). Dasribai related her experience of the confrontation to us as follows:

“First, they dug holes on our land and put bamboo or rope fences around them. It was us women who put a stop to this digging. They had come to our *khet* also to dig holes. Then I went and took some women along with me – all of us had hidden stones in our skirts. I said to them: ‘Have you all come to dig holes in your father’s *khet*? Is this your land or *sarkari* land? What kind of grains do you eat – those that are planted on this earth or those planted in the air? Why do you beat us? Do whatever you like.’ In this way, I continued to abuse him and also filled up the holes that they had dug. I told him: ‘Hit us! You eat *rotis* because you get money from the *sarkar*. But we Adivasis, we eat the leaves of plants and at times, we don’t even get salt with that. But you all get *chai-pani* and *roti* from the *sarkar*.’”

²² Prior to the clash at Kiti, a delegation of villagers had approached the Divisional Forest Officer (DFO) to discuss their concerns with him. In response, the DFO filed pre-emptive cases against some forty villagers from Kiti, Keldi, and Vakner. The KMCS then physically prevented the Forest Department from beginning work on the CPTs, which resulted in a police crackdown on Sangath activists in several villages and multiple arrests. The Kiti firing happened during the four days that the activists were imprisoned (Baviskar 1995: 184-186). As Baviskar notes, in the aftermath of the clash, there were a number of discussions between the KMCS and the district administration to resolve the conflict, and at one point a considerable amount of funds was allocated for development interventions in Sondwa block (ibid: 187). However, as several activists confirmed to me in interviews, the Sangath roundly rejected this initiative.

The forest guards and the workers fled the scene, but in the evening a Deputy Ranger and a *nakedar* returned to Kundar to talk to Dasribai. Another confrontation ensued when the Deputy Ranger asked where Dasribai had “learnt” to be so aggressive. According to Dasribai, she responded fiercely: “Nobody taught me. I also eat salt and eat grains. Do you eat mud? We eat that which is grown on the earth – where do you eat from? You also go and ask from people for milk, *ghee*, *atta* and corn ... We will not leave our lands even if we are cut up into small pieces and thrown away.” (Interview, November 2009)

Significantly, the moral language that Dasribai mobilized to justify her opposition to the Forest Department’s intervention and – conversely – her right to cultivate encroached forest land is not one that first admits the legitimacy of state law and then pleads for an exception from it. On the contrary – it is a language that rejects the legitimacy of the existing law. Dasribai starts by calling into question the right of the Forest Department to curtail her cultivation of forest land, and then – using a rhetoric that contrasts the privileged position of *sarkari* employees with Adivasi toil at the same time as it shames Forest Department staff for their corruption and their violence – reverses the moral equation: it is Adivasis who, due to the hard work they invest in sustaining their marginal livelihoods, have a rightful claim on the forest.

Similar sentiments can also be perceived in the ethic of conservation that the KMCS tried to foster in the communities it mobilized. The campaign for recognition of customary use rights in the forest was crafted around the position that whereas villagers would continue to cultivate *nevad* land already in their possession, they would refrain from further expansion of their fields and ensure that depleted forests were regenerated.²³ This was a response to the reality that further expansion of *nevad* cultivation was likely to exacerbate soil erosion, which was already a serious problem in the hills of Alirajpur. Activists would readily admit that this approach yielded mixed results. In some hamlets and villages (typically the smaller hamlets and villages, where most people were members of the Sangath) conservation was successful – a fact that is written on the landscape today in the form of thick forest groves and rejuvenated watersheds in former KMCS bastions like Attha. Elsewhere, however, conservation efforts foundered as villagers

²³ Restrictions on expansion of *nevad* lands were coupled with various efforts to improve the quality of the *nevad* fields, afforestation, bunding and gully plugging to prevent soil erosion, and cordoning off forests from grazing to ensure a sustainable yield of fodder for livestock over time (see Baviskar 1994: 2500).

cleared large new tracts of land (interviews and field notes, 2009-2010).²⁴ What is significant, however, is the way in which these efforts were represented in the narratives of Bhil activists – namely as an achievement that testifies to their ability to act as custodians of the forest: “We decided that instead of handing over the land to the *sarkar*, we will take care of it ourselves,” a group of Attha activists explained to us. “The trees were getting finished everyday and had we not saved the forest, then the people around us also wouldn’t have done so. In that case, it would have been the end of the forests altogether.” (Group interview, November 2009) Here again an alternative regime of rights grounded in differential geographies is prefigured by the practices of the KMCS as state stewardship – a stewardship that is expressive of the sovereignty of the state – is rejected in favour of conservation by those who rely on the forest for livelihood and habitation.

The significance of differential geographies to insurgent claims for citizenship by Bhil Adivasis is thrown into even sharper relief if we consider the AMS’s campaign for local self-rule. In the politics of the AMS, local self-rule came centre stage in the middle of the 1990s. The Sangathan moved on from challenging specific forms of exploitation and oppression by the local state to articulating a claim for Adivasi self-rule, expressed in the slogan *hamare gaon mein, hamara raj* (our rule in our villages). ““Earlier there was the rule of the police, the Patwari, the forest guards, and the traders in the village,” Munnibai told us when we asked her to explain why the Sangathan mobilized around this demand. “We wanted to abolish their rule and establish our rule in our village. Whatever we say should be followed.” (Interview, February 2010) In order to pursue this objective, the AMS linked its activities to the Bharat Jan Andolan (BJA) and its campaign for the implementation of the Bhuria Committee Report. The BJA – a nation-wide alliance of social movements under the leadership of B. D. Sharma, former Commissioner for Scheduled Castes and Scheduled Tribes – had initially started mobilizing for Adivasi self-rule in the early 1990s. In 1994, the National Front for Adivasi Self-Rule (NFASR) was founded to bring together local tribal organizations and movements from across the country – including the AMS – to campaign specifically on the issue of self-rule, and the Bhuria Committee was constituted later the same year. The Committee submitted its report, which recommended the implementation of

²⁴ According to several activists that I interviewed, the prospect of land regularization actually led to something of a race to be arrested for forest offences in order to obtain proof of the possession of encroached land in the form of a Primary Offence Report or a receipt for fines paid to the Forest Department (interviews and field notes, 2009-2010).

self-rule in Scheduled Areas, to the Government of India in 1995, and after sustained pressure from the NFSAR, the government enacted the Provisions of the Panchayats (Extension to the Scheduled Areas) Act (PESA) – a law which, in a nutshell, devolves significant powers of governance to the level of the Gram Sabha in Scheduled Areas – in late December 1996 (see Bijoy 2012; Choubey 2016; interviews and fieldnotes, 2009-2010).

In and of itself, PESA is widely known to not have lived up to activist expectations that the law would bring about significant emancipatory expectations for Adivasi communities: provisions for consultations with the Gram Sabha on matters of land acquisition are often bypassed and undermined; key stipulations of the law are often flouted in the context of military campaigns against Maoist insurgents; and provisions that impinge on the powers of the local administration are often side-lined or neglected (Choubey 2015: 250-251; see also Dash 2016). However, as Choubey (2015) notes in his analysis of the “public life” of PESA in Rajasthan, the law has had a significant impact on state-society relations in tribal areas despite failures of implementation. Above all, it has enabled Adivasi communities to articulate political imaginaries centred on ideas of autonomy, sovereignty, and rights over natural resources (see also Kudva 2006) – that is, imaginaries that gravitate around a claim for differential geographies. This holds true also in the case of the AMS. Activists readily admitted that the Sangathan has not been able to use PESA to secure substantial advances in terms of self-rule: “We are asking for the whole fish but they are only giving us the tail, which isn’t worth eating.” (Interview, Tulsibhai, March 2010) However, the notion of *hamare gaon, hamara raj* has come to mould the way in which activists conceive of citizenship and rights. Consider, for example, how Suraj explained the meaning of the claim for self-rule:

“We had made this law – that in our village, it is our command or power. Listen, all you people of the world: nobody will rob the people of our village! The water, jungle, land – whatever our rules and ways are, those will continue. If someone comes from outside, he can’t plant anything here without our permission. We spread this message throughout the villages – that in our village, it will be our rule only. We had the support of the people.” (Interview, November 2009)

The claim to self-rule was commonly justified according to a logic that echoed the KMCS's claim for forest rights – that is, in terms of the long history of Adivasi place-making: “The villages were settled by us – not by the forest officials or traders or leaders. They started coming to our villages much later. So they shouldn't be able to dictate how the village should be run. Rather, our decisions should be followed.” (Interview, Valsingh, February 2010)

Significantly, activists tend to conceive of themselves as right-bearers not so much in terms of the universal citizen, but rather in terms of being Adivasis. This inflection is clearly conveyed in the way Bhimsingh – a key AMS activist – reflected on how he interpreted the knowledge that he acquired about the Indian state and its laws through participating in the movement: “We got to know about the rules and the law through our training and we realized that our independence is yet to be completed – it has been left midway only. The country may be independent but we are not ... Our feeling is that our independence is partial till now.” (Interview, March 2010) Bhimsingh's claim that independence “is yet to be completed” for Adivasis and that their “independence is partial till now” suggests that a perception in which the political subordination of Adivasis sets them apart from other groups in Indian society, which alludes to the particular trajectory of disenfranchisement that has affected Bhil Adivasis in the region. He proceeded to explain the meaning of the demand for local self-rule as follows:

“Anybody who asked for chickens and money, we would give. When this reduced a bit, we became lighter. After that, slowly by going to the meetings, we learnt that this was a big illness. Then they said that our rule means that all of that which is there in the village, in our village, our voice should be listened to or heard. Whether it is the *sarkar* or some *neti*, everything should belong to us – then only will our rule be established. This was the Sangathan. After that, the land, jungle and water belong to us. *Bhai*, when you are living there, then everything here including the river and well belong to us. Yes, we do have the right to cut trees; you do not. We have the right to irrigate our lands. You all live there, not here like us. On everything we should have rights.” (Interview, March 2010)

In other words, the rights-based claims that were articulated by the AMS were neither simply claims to be recognized as citizens with civil and political liberties in the liberal sense, nor were

these claims bounded by “a logic of equality” in which subaltern groups simply “demand already existing rights” (Dunford and Madhok 2015: 605). Rather, as the politics of the AMS evolved, rights-based claims increasingly came to be articulated in terms of a collective Adivasi identity, in which the central “loci of consciousness formation” (Harvey 1985: 252) were the dispossession of natural resources – *jal, jangal, zameen* (water, forest, land) – and the claim to have the rights to these resources restored through the restitution of Bhil sovereignty within a determinate territory.

Instead of reading the campaigns for forest rights and local self-rule as something *other* than citizenship – which is purportedly the direction in which Chatterjee’s framework would take us – I would argue that both mobilizations are expressive of how subaltern groups simultaneously “inhabit and substantially alter the contours of legal citizenship” (Sharma 2011: 957). Now, both campaigns were of course forged in relation to what Chatterjee would call governmental categories – that is, the Scheduled Tribe as a specific population group and the Scheduled area as a particular space within the national territory. These categories in turn testify to the fact that the strategies of inclusion adopted by the Indian state at the coming of independence “were dependent upon the creation of new categories of exception, on the credible assumption that such exceptions to equality ... would be more effective in tackling inequality” (Jayal 2013: 18). However, the KMCS’s prefigurative politics of forest rights and the AMS’s claim for local self-rule ruptured the boundaries of the Scheduled Tribe and the Scheduled Area as governmental categories of exception. This aspect of the mobilization can only be properly grasped if we understand the basis of the exceptions that were made for Adivasis in the making of India’s constitution.

As Jayal (2013: 230) points out, group-differentiated citizenship in India is constructed on the basis of the notion of backwardness, which is understood as a disadvantage that afflicts a community and that can be remedied through external intervention. Whereas definitions change over time, Jayal notes, backwardness “always and invariably appears as a deficiency” (ibid: 232). In the case of tribal groups, the constitutional definition of backwardness emphasizes the isolated nature of Adivasi habitats and the attendant lack of educational institutions, health services, and communication – all of which have rendered Adivasis vulnerable to the rapacious ways of nontribal moneylenders and traders. The remedy is to be found in a judicious

combination of protection and improvement effected by the paternal state through local development interventions and reservations in public employment and education (ibid: 234-238). As Uday Chandra (2013d: 154-155) has noted, this approach essentially reworked and renewed the imperial ideology of primitivism, which had first introduced “tribal zones of exception” (ibid: 140) into colonial governance through the establishment, first, of Scheduled Districts, then Backward Tracts, and finally Excluded Areas.²⁵ The constitutional trope of backwardness performs two crucial ideological operations in relation to Adivasi subalternity. Firstly, it erases from view the fact that this subalternity is a manifestation of the way in which Adivasis are adversely incorporated into the political economies engendered by colonial and postcolonial state formation. Secondly, its inherent paternalism posits the Adivasi as overwhelmingly passive and dependent on an external agent – that is, the benevolent state – for succour and uplift.

It is precisely these ideological operations that are upended by the mobilizations of the KMCS and the AMS. In the first place, both the claim for the restitution of forest rights and the claim for local self-rule centred the *injustice* of dispossession and disenfranchisement – not backwardness – as the origin of Adivasi subalternity. What is more, the mobilizations rejected the paternal governance of the state and insisted on Adivasi self-activity as the pivot of emancipatory transformation. In this way, the idiom of citizenship came to be inflected with insurgent meanings that exceed *both* that which is purely governmental *and* that which is purely liberal. That excess is located in the claim for justice for Adivasis – a justice that requires for its fulfilment something more than just welfare and protection, namely a particular form of inclusion and membership in the political community that grants resource control, a measure of

²⁵ The Scheduled Districts Act of 1874 was the first piece of legislation to demarcate tribal zones of exception as Scheduled Districts. It was, as Chandra (2013d: 144) notes, an act that aimed “to sedentarize, protect, and civilize wild, unruly subjects of empire”. The Government of India Act of 1919 rechristened the Scheduled Districts as Backward Tracts, and introduced a distinction between “really backward tracts” and “typically backward tracts”. In the former, it was strictly the Governor-General who could make and administer laws. In the latter, local and provincial officials had more say. Finally, the Government of India Act of 1935 introduced the language of “partially excluded areas” and “wholly excluded areas” and coupled this with a distinction between princely states and other areas under indirect rule on the one hand and partially and wholly excluded areas under direct rule on the other hand (ibid: 144-151). See Singh (1985) for an account of the discussion that gave rise to the Fifth and Sixth Schedules of India’s Constitution.

territorial sovereignty, and the inscription of the Adivasi into the juridical framework of the state as a legal subject capable of self-governance. As Jayal (2013: 109) rightly argues, claims for rights “are implicitly claims to citizenship, and often to an expanding conception of it” and it is this – the appropriation and expansion of hegemonic political idioms – that enables subaltern groups to disrupt entrenched state-society relations. There is a significant potential in these dynamics for what Marx (1992: 221) called “real, practical emancipation” that deserves to be taken seriously in the study of subaltern politics (see also Nilsen 2016b).