



NEO LIBERAL DISCOURSE AND CRISIS OF ADIVASI IDENTITY

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Introduction

The Development Strategies aimed to expand social opportunities and economic conditions of the people, have seen to be socially exclusive as a significant portion of the people are deprived of the rights on community resources and food security. The present paper analyses the Development Policies of the Government, with reference to major irrigation projects, mining, roads, industrialization, its perceived impact on the local communities, and the assertion of rights by these communities and the political protest that ensued and lastly the efforts of the state to use coercive mechanism to bypass these protests.

The study tries to high light the socio-political movement against plundering resources and the resultant use of force to suppress this movement in collusion with corporate interests by the Indian State. It is analysed on the basis of personal interactions with native population, news paper reports, policy documents of the government and sharing experiences with the political activists and non-governmental organizations working in this agency area. The main concerns of the local population, larger issues like environmental impact and its adverse effects are officially ignored to promote Capitalist interests in the whole process. The Social Movements in general and Adivasi movements in particular are emerging with vibrant inclusive nature by attracting cross sections of people. Adivasis, marginal and small peasants, Backward Classes and Women in large numbers are participating in these movements. Their objective is to achieve a people's friendly strategy of Socio Economic Development by opposing the Corporate and Multinational advantaged exploitative strategies.

These Movements have successfully generated alternative politics within agenda to protect Rights, Resources and Identities. The Indian State, with its anxiety to expedite the process of Globalization, perceives this mounting public opinion and discontentment as criminal conspiracies against the State. Many innocent civilians implicated with false cases when they are fighting against Displacement, Destruction, Destitution and Death. Indian State with its powerful apparatus is making all efforts to global and local commercial interests to exploit the mines and minerals. The Multi National Corporations like Vedanta, Posco, Tata, Jhindal, Laxmi Mittal and Essar are given freehand to penetrate in to reserved forest inhabitations of Adivasis and evacuate them in the name of *Green Hunt* to have free access over natural resources.

The present paper aims to study the discontent of the oppressed against the process of alienation perpetuated in the name of comprehensive development by the



Indian State. It understands the problem in critical theory framework wherein the impact of collusion between the State and Corporate interests is analyzed. The paper also narrates the forms of coercion applied against the oppressed communities in deterring them from making any organized protest. The Adivasi Movements undertaken by various tribal groups and communities against the process of displacement resulting in alienation with the construction of a major irrigation projects, mining, roads, industrialization. It would also explain the negative impact of the project on life support systems of Adivasis and biodiversity.

The paper focuses on issues such as development and displacement, violation of Constitutional guarantees, Cultural invasion against Primitive Tribal Cultures, adopting coercive mechanisms by State against the democratic discontent and solidarity among the subaltern groups against violations and violence. The Study tries to integrate the micro level findings with the theoretical postulations of critical theory.

At the end of October 2015, a nation-wide team of women's groups, Rights Organisations and few academicians (including me) traveled to South Chhattisgarh to look into reports of harassment of women human-rights defenders, the arrests of local journalists and news of fake encounters. The group met with women from Peddagellur and surrounding villages of the Basaguda thana area, Bijapur district, while the women were returning from the weekly market. They reported that during a search and combing operation conducted in their villages between the 19th and 24th of October, several women, including a 13 year old girl and a four-month pregnant woman, were raped, molested and beaten. Rations and poultry were looted, abuses hurled, homes were wrecked and property was destroyed. The women traveled to Bijapur district headquarters and after days of grueling testimonies, were able to lodge the first ever FIR against rape by security forces. The issue was then taken up by the media, the local Congress and other rights groups. Despite investigations and reports by independent fact-finding teams and cognizance taken by the NHRC, no action has been taken. Troubled by the inaction and several new reports of encounters and killings in the area, another group of rights organisations visited Bijapur in January 2016. In a chilling repeat of the violence reported in Peddagellur and around, we learnt of what happened in Kunna, Sukma and Bellam-Lendra (Nendra), Bijapur between the 11th and 14th of January, 2016. The similarity in scale and nature of violence made it all seem like a recurrent bad dream.

Rapes and Sexual Violence – an Integral Part of Search and Combing Operations?

"When I tried to stop them from taking my chickens, they dragged me into my house. One of them pinned my legs to the ground, another my shoulder, while the third sat on me and raped me"

Sexual violence has defined the grammar of warfare for centuries. But in the 21st century, when a nation has walked the streets protesting against the culture of rape, resulting in the amendment of the laws that govern sexual violence, how is it



that the State itself repeatedly uses rape as a tool to “area dominate”, and gets away with it scot-free.

Between the 11th and 14th of January, 2016, five batches of police and security forces entered the village of Bellam-Lendra (Nendra, as it is called) in the Basaguda thana area of Bijapur district, Chhattisgarh. They blindly fired a round of bullets into the surrounding hills. The men of the village and its surrounding *paras* fled. Making their way from the hills into the village – the police and security forces invaded people’s homes – they caught their chicken, took their rations and cooked in their vessels. The ones who protested had it worse - “They took four kilos of rice from my home and promised to pay me. They also took four chickens. I told them we sell chickens to buy clothes and asked them not to take them. When I told them this and asked them for money for the rice, they threw a fishing net over my face and pushed me into my house. They took off my clothes and threw them. They even held my breasts. One of them held my legs down, another my shoulders. A third raped me. When I screamed for help, my mother-in-law came running and began hitting the person sitting on top of me. That’s when they wore their clothes and ran.” Said one of the women. Another was asked where the men had gone and why they had run. When she responded saying the men run because they fear what you would do to them, she was held by two men and taken into her house. “They threw me on the floor. They took off my clothes, tore my blouse and squeezed my breasts. One of them raped me and said *You give food to the Naxals. We will set fire to your homes. You’re lucky it’s daytime. If it was night, we would kill you.* My two children held me and began crying. That’s when they let go of me and threatened me not to tell anyone what they had done. They took my chickens and left.” From the neighbouring *para*, Gotum, women share similar stories: I was working in the fields when they came. Four policemen took me and my mother-in-law to my house. I recognize two of them – one of them is from a village nearby. They used to work for the Naxals, but they were now in police uniform. They chased my mother-in-law away, and tied a cloth to my face. One of the men held my legs down, another my shoulders and another policeman raped me. I screamed and screamed, but they didn’t listen. After raping me they threatened me and told me to keep my mouth shut. They said they’d shoot me the next time they come if I told anyone what they had done. My breasts and private parts still hurt. I also have difficulty walking...” Another woman from Gotumpara was in her backyard picking vegetables when two men silently entered – “They covered my face with a black cloth and pushed me to the ground. One of them held my chest down. The other raped me. They pressed my legs down with their shoes...Later, when we approached them at the boring well and asked them why they did such things, they told us not to falsely accuse them. They said they would do again what they did to us during the time of Salwa Judum. They also threatened to burn our houses with us and our children inside.”

These are only a fraction of the testimonies that women gave to the police and the Sub-Divisional Magistrate (SDM) when 12 of them traveled to Bijapur District headquarters together with the fact-finding team. Eight of them were themselves rape survivors. The testimonies attest to several other rapes. At least 13



rapes have been testified to. There were several other instances of verbal sexual abuse and molestation. Many others were threatened and physically assaulted.

At exactly the same time, in the neighbouring district of Sukma, the women of Kunna village, Thana Kukanar were facing a similar horror. Many were stripped, their breasts were squeezed and verbal sexual abuses were hurled at them. Men from the troops made demands that the women sleep with them, tauntingly asking if they wanted to conceive. The breasts of several women and young girls were squeezed – in a test to see whether they were lactating or not. The test for lactation is done with the assumption that if a woman is not a breast-feeding mother, then she is of Maoist cadre. What kind of savage world allows acts of sexual violence to be tests for political allegiances or nature of work? In one instance, women were first stripped and then dragged to the school ground and paraded in their semi-nude state for over two kilometers until they reached the police vehicles in which they were taken to the camp. While walking, police and security personnel took turns to touch the women – squeezing their breasts, pinching their nipples, touching their stomach, back, and thighs. They laughed mockingly as they did this. From the women's descriptions of the sexual torture that they were subjected to and phrases like “they sat on top of me”, there is a strong sense that some women might even have been raped, but are afraid to explicitly say so.

Lawlessness in the Name of National Security: Blatant Refusal to Lodge an FIR

The women, together with the fact-finding team, first met with the Collector to bring to his notice what had happened in Nendra. Given the difficulty in registering an FIR in the Peddagellur case, the team requested the Collector to put pressure on the police to lodge an FIR without delay. The CEO of Bijapur Zila Panchayat, sat through the meeting, smirking. He even broke into a laugh every once in a while. When the matter of an FIR was brought up, he said it was a matter of National Security. Since when did rapes – even when the perpetrators are the police themselves – become a matter of national security, one wonders. The Collector, more cordial than his CEO, ordered immediate testimonies. Despite the chilling testimonies recorded both by the police and the SDM, however, the police initially refused to lodge an FIR. When we confronted the DSP Bairamgarh, he said they would first investigate the matter and then lodge an FIR. Section 154 of the CrPC makes it mandatory for a police officer to file an FIR on receipt of any information of a cognizable offense such as rape, molestation, or disrobing. Further, no preliminary inquiry is permissible in such a case. By refusing to file an FIR, any public servant, is himself culpable under Section 166A(c) the IPC. When we cited the law to the DSP himself, he said they would lodge an FIR, but when it came to actually filing it, he evaded the issue, saying that they would accept a complaint but not register an FIR, since his seniors were not in town. He was later joined by the Basaguda Thana-in-charge (TI). When the group of activists confronted them about the delay in lodging an FIR, they evaded the issue by talking of Naxalite violence, while the others made phone calls to their superiors. Eventually, the Basaguda TI exited the collectors office through the back gate, unable to come up with reasons for further delay, while the DSP left it to officials lower than himself to do what they saw fit. It was clear however, that despite the law,



the power to file an FIR did not rest with thana-level officials. Later, in a meeting with the Collector, when the refusal of the police to lodge an FIR was narrated, the Collector himself said we should trust him and that he would see to it that an FIR was lodged once the Superintendent of Police (SP) was back in town. Earlier that day, a police official in Bijapur had said to us – “In Bijapur, there are no thana-in-charges. There is only one thana-in-charge. And that is the SP himself.” We didn't realise that he wasn't trying to be funny. Two days of grueling testimonies later, and another long day of negotiating with officials, there was no sign of the SP or an FIR. When we finally managed to contact the SP by telephone, he said he would first meet with us and then talk about filing an FIR. Citing bad weather conditions, he said his helicopter was unable to land that day. By the second phone call, he had flatly refused to order an FIR. “I have discussed it with my seniors... I will not give the order to file an FIR” he said, in no uncertain terms. On the fourth day, the SP finally called and asked the team to meet with him. By then, the media had already carried reports of the refusal to lodge an FIR, and people had begun calling, texting and emailing the collector, SP and Additional SP about the matter. The SP managed to return the next day, and seeing that a three-member team from the National Commission of Women (NCW) was visiting Bijapur with a view to investigate the Peddagellur sexual violence case the very same day, the SP hurriedly ordered an FIR from the gates of the circuit house, while all other officials made every attempt to prevent the fact-finding team from meeting the NCW delegation. Finally, the team was able to send in a letter requesting an audience. This put considerable pressure on the authorities. An FIR was finally filed just before midnight – four full days after the women of Nendra had traveled to Bijapur to register a complaint. On the fifth day, medical exams were conducted and the NCW delegation even met with 9 of the women complainants.

Women who had left their children behind had begun to worry for their safety. Sitting on the floor of the Collectorate, tired after having told and retold of the violence she had survived, one woman said she couldn't stay another day – *What if the forces come again? Our men will run. What will happen to our children then?* she said. Three children who had accompanied their mothers to Bijapur had also taken seriously ill. All three were diagnosed with malaria, which is endemic in the area. As though the violence of what they had already been put through was not enough, the women of Nendra had to spend five grueling days braving the callousness of bureaucracy, negotiating with and testifying before authorities just to register a simple FIR – something that authorities are compelled to do immediately, by virtue of law. Through delays and refusals, the State and the police in particular, seemed determined to harass the women further. Such blatant disregard for the law compels one to ask which, if any, of the States own institutions can people turn to with the hope of demanding justice? Are those two grand words – *national security* – enough to allow for complete lawlessness, or to grant those in positions of power complete impunity?

Pitting People Against People

While a few members of the team were waiting to meet with the NCW delegation, a large mob of a couple hundred individuals identifying themselves as victims of Naxal violence had gathered around the circuit house. While



representatives from the group presented their grievances to the NCW delegation, others continued shouting slogans demanding the human rights team to leave Bijapur. While this carried on for some time, the crowd later disbursed without much of a confrontation. However, the next day, when the women and the team together waited to meet with the NCW delegation, a smaller section of the same mob reappeared at the circuit house and confronted the team and the women. They engaged in a discussion with some of the activists who were part of the team, hurling allegations at them of being “Maoist supporters” for taking up issues that pertained to violence by the forces but not violence by the Maoists. Some mob members questioned the women directly for registering an FIR against the forces and even threatened them, demanding that they leave Bijapur immediately. This altercation was extremely upsetting and intimidating for the 12 complainants, including the 8 rape survivors.

A week after the FIR was filed, the group even staged a rally in Bijapur, targeting individual members of the team, and also shouting slogans against Arundhati Roy, who had nothing to do with recent visits to Bijapur. If what genuinely troubles this group is Naxal violence, then rather than seeking more active protection from the State, why is it that they are targeting rights activists? Of what use would it be to them to do so? It would serve the police well however, to begin such a campaign to malign those who dare to question the atrocities they commit.

The team stands clear in its wish to dialogue with victims of violence, irrespective of the perpetrators. However, it is also concerned that such actions encouraged by the police create an atmosphere of fear – one in which people will be afraid to speak out about the wrongdoings of the State and security forces.

It is also important to note that, contrary to the picture being painted by the police and large sections of the mainstream media, the adivasi civil society in Chhattisgarh (Adivasi Mahasabha, Sarva Adivasi Samaj) as well as other political parties have been raising concern over the daily illegal murders of innocent people masked as encounter killings, and the systematic use of sexual violence as a tool in this war against the Maoist movement.

Attack on lawyers representing Adivasis

Two lawyers – Adv. Shalini Gera and Adv. Isha Khandelwal – who, together, were members of the Jagdalpur Legal Aid Group– a group established to represent indigenous people adversely impacted by the Common Law-oriented criminal justice system which offer scant space for indigenous voices to be heard before the Law, have been harassed and hounded out of Jagdalpur, the district headquarters of Bastar. Adv. Khandelwal and Adv. Gera have been facing harassment for some time now, starting with a resolution being passed by the Bastar Bar Association that they cannot practice in the trial courts there, followed by calling these two lawyers to police stations to show their credentials as advocates, and followed by a series of harassments perpetrated by the police, instigated by Inspector General of Police, Bastar Range, to the owner of the accommodation that these two lawyers had rented – which led to these lawyers being left with no choice but to leave Bastar and the



numerous cases they had to defend numerous tribal – those who are facing grave criminal charges of sedition – of the region.

Harassment and attacks against journalists

Malini Subramaniam, a journalist with Scroll, an online news portal, has been harassed and forced to leave Bastar district for her reportage of police excesses in the region. Malini Subramaniam was the first to report on mass sexual assaults by armed forces in Bastar district. Stones were thrown at her house, and the domestic worker who works at her residence was summoned by the local police and made to stay at the police station for hours.

Even in the wake of continuing atrocities by paramilitary forces on tribals, journalists, advocates and even as these are being highlighted by the print, electronic media and Civil Society, yet another acid attack on Soni Sori an adivasi activist has been committed unabashedly.

Attack on Adivasi activist

On 20th February, 2016, notable Adivasi activist Soni Sori was attacked. An unknown chemical substance was thrown in her face, causing a severe allergic reaction for which she is still undergoing hospitalization. This attack occurred when she was about to file a complaint against the Inspector General of Police, Bastar Range – viz. – for atrocities committed by this person and his forces against indigenous people. Soni Sori has previously been brutally tortured and sexually assaulted by the Chhattisgarh Police in custody for her alleged connections to Maoist insurgents.

Concerns Regarding Further Investigation

Two days after having personally listened to the women of Peddagellur narrate their experiences of violence, and having seen the wounds on their bodies for themselves in November last year, the ASP (Naxal Operations) and SP were quoted as saying that it was all mere propaganda to slander the forces. Few days later, the Bastar Inspector General of Police (IG) repeated their claim, saying it was all done to reduce the morale of the forces. This time round, even before the FIR had been filed and investigations initiated, the DSP, Bhairamgarh and TI, Basaguda who were present at the Collectorate, were already claiming the same thing. It is difficult to conceive that there is scope for a fair police inquiry given this evident bias.

Since the women had already spent five days in Bijapur having left their homes and children, the police have said that they would travel to the village to record testimonies. However as has happened in the past, investigation conducted in the village is carried out by the police who go there accompanied by a convoy of security forces. Given that the accused are the security forces themselves, it is inconceivable that the survivors of violence will be able to participate in such a process free from fear and intimidation.



Investigations must be sensitive to the survivors and have to be carried out with care and empathy. Under Section 157 of CrPC, investigations in case of rape must take place at a place of the survivors choosing. Given recent developments such as the presence of the mob that followed the team, we are concerned for the safety of the women and demand that further investigation take place in an atmosphere of security and comfort for the women. They must be assured that they will be free from intimidation from any source – the police or private groups. In addition we demand that investigation in such cases, and in particular this case, be moved from the accused police to an independent investigating agency, in order to ensure fairness and transparency.

We also call upon both parties – the security forces as well as the Maoists – to ensure an atmosphere in which an independent and neutral investigation is possible.

Of Malice and Power, Violence and Impunity

Paying closer attention to the abuses hurled by the police and security forces to the people of Nendra, the language used and the mundane acts of violence reveal a deep malice that often accompanies the relish of power. It is particularly disturbing that not only did the troops loot rations and poultry to consume – they even killed goats that they did not eat, spilled rations that they did not take. They even tore up lungis and blankets, making survival more difficult than it is for those who already live on the margins of society. Where does this malice come from? What allows it to exist?

“Like the falling leaves of a tree, we shall drop all your men” one of them said. Several others threatened to destroy the hand-pump - “We'll destroy your hand-pump. Where will you drink water from then?” they said. Others made references to Salwa Judum times, threatening people with a repeat of the brutal wave of violence and terror unleashed then. As was revealed in one of the women's testimonies, one of men from the security forces even warned “If Narendra Modi gives orders, then we'll even burn down your village.” When she was asked who Narendra Modi is, she said she didn't know. Is it the faith of the police and security forces in the people of power that grants them this impunity, this relish of power over the most vulnerable people of our society? Is this what the special training and “better co-ordination” of the forces has resulted in – is this daring impunity what the Inspector General of Police, Bastar Range, talks of when he speaks of the “morale” of security forces? Is this then, the same morale he accuses the villagers and rights activists of 'reducing' when they bring to light the rapes and looting?

In the face of such extreme violence perpetrated by a State that is intolerant of any form of dissent, where and to whom must we turn in search of justice?

Need for a Powerful Democratic Movement

It is high time for the democratic and progressive forces to come forward and join hands in tearing away the smoke screen of irrigation and development behind which the Central and State rulers are perpetuating this ghastly crime of



destruction of the lives and livelihoods of lakhs of Adivasis, permanently robbing scheduled area of its rightful share of adivasis and to launch a powerful movement of people from all walks of life, particularly of the people of Central India, to stop this outrage.

In this context, it is the compelling obligation of all the intelligential, scholars, researchers and others to show their solidarity and express sympathy towards their problems. The initiatives like the GREEN HUNT that creates liquidation, insecurity and displacement among adivasis should be dispersed with. The natural rights of adivasis over the forest and forest products should be acknowledged. They should have the rights on land, resources and culture.

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