Conflict, Governance and Development

Issues of Social Justice and Participation in Jharkhand and Bihar, India

This policy brief examines the premises behind various governance initiatives implemented in the region of Bihar and Jharkhand to address the armed struggle that has emerged between the state and the 'Naxals' or 'left-wing extremists' as a result of feelings of social and economic injustice among the poor and oppressed sections of society.[1] In so doing, it delineates three major concerns of these initiatives, related to: (1) security and policing, (2) the needs of democratic development, and (3) the politics of social justice. Across these concerns, the governance initiatives are underwritten by a logic of *participation,* according to which increasing the level of popular participation in the implementation of governance initiatives promises to provide mechanisms for addressing the agrarian social conflict over fair distribution of resources, rights and the social space.

A brief look at the various actors and institutions involved in the practice of these governance initiatives is necessary if we are to address the central questions posed by the CORE project, which relate to:[2] (1) the underlying rationalities of governance initiatives across the three thematics outlined above, (2) the character of the social interactions generated by the governance initiatives, and (3) the impact of those social interactions on the process and dynamics of the conflict.

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Premises of the Naxal challenge and policy responses

For a long time, the 'Naxal problem' was viewed merely as a question of 'law and order', and thus came under the responsibility of individual states according to the division of functions and powers set out in India's constitution.[3] As a result, in the past, Indian authorities responded to the problem in a rather ad hoc fashion, the default response being mobilization of the armed apparatuses of the state to uphold 'law and order'.[4] However, as overt violence began to take hold, welfare policies such as protective discrimination through reservation[5] (which had previously been confined to Schedule Castes and Schedule Tribes, but was extended to Other Backward Castes in 1992),[6] the Tribal Sub-plan, Joint Forest Management,[7] and the *garibi hatao* (poverty reduction) policies based on the 20-point welfare programme[8] were initiated to improve the condition of the 'oppressed exploited classes'.[9] Such policies, however, form part of the Indian state's larger 'development' programming, and there has been no 'sustained administrative and development action'[10] to address the Naxal conflict, as no government report has looked into the causes of this discontent[11] since the late 1980s owing to the absence of overt Naxal violence in this period. With the extension of the reservation policy to the Other Backward Castes, decentralization of power through the establishment of Panchayati Raj Institutions, and privatization of the economy amid the fragile coalitional governments of the 1990s,[12] the dormant Naxal groups re-emerged and consolidated to expand from 55 to 209 districts across 16 states to become the single largest threat to India's internal security.

In this metamorphosed form, the problem of Naxalism was highlighted by the then ruling National Democratic Alliance (NDA) during the general election year of 2004. As part of its 'India Shining' campaign, the NDA argued that 'increasing incidents of attacks on state and private property ... [and] police casualties' showed that Naxalism was 'a serious threat to internal security in the country ... [and] a matter of grave concern'.[13] However, after the United Progressive Alliance (UPA) came to power in 2004 on a populist platform, Naxalism was no longer seen as 'merely a law and order problem', and was instead viewed as

having serious 'political, social, economic, and security' dimensions that required an appropriate policy response.[14] By the time of its third year in power, and with a new Home Minister in office, the UPA government conceded that what had fostered the social and political space in which the Naxals could operate was a 'vacuum created by [the] functional inadequacy of administrative and political institutions' and the 'prevalent disaffection and perceived injustice' of the 'under-privileged and remote segments of population'.[15] It also blamed the Naxals for preventing the 'execution and implementation of development projects'; for using violence and terror to create an environment in which 'the governance structures at field levels are shown as being ineffective';[16] and for 'keep[ing] the remote and backward areas in a state of inaccessibility and deprivation'.[17] Thus, over the past decade, the Indian government's perception evolved from a simplistic understanding of Naxalism as a security threat into a relatively more nuanced understanding according to which the roots of the problem were located in the larger issues of the functional inadequacy of the governance and security apparatus of the state at the grassroots level. This move, in which Naxalism went from being a 'threat to the state' to being seen as being embedded in the 'failures or limits of the state' itself, represented a substantial shift in focus.

But, policy responses were not commensurate with this evolutionary shift in perception. Governance initiatives continued to be dominated by a militaristic, security-based approach, with political and developmental-delivery measures being the default follow-up procedures. Thus, what started out under the NDA as a modernized and better-trained police force carrying out 'intelligence-based coordinated anti-Naxal operations' and providing support for 'local resistance groups at the grass root level', with a focus on 'developmental aspects and public grievance redressal as additional measures',[18] continues under the UPA as 'sustained and effective police action coupled with accelerated socio-economic development and management of public perception'.[19] The UPA declared that it would examine 'development and governance issues' in a detailed manner through its short-term focus on basic needs and its medium- and long-term focus on 'overall development' in a

time-bound manner.[20]

The state's perception of the 'Naxal' threat is based on the premise that the conflict is rooted in the 'grievances' of the deprived and the marginalized in terms of their access to the fruits of development, and that these grievances emanate from 'poor governance' at the grassroots level. However, even within this perception, the key issue that is seen as being necessary for the state to address continues to be the erosion of the latter's monopoly over the use of violence, while restoration of this monopoly is seen as being fundamental for everything else that is to follow in terms of the development package. Accordingly, before examining the impact of the government's initiatives on the processes of the conflict, a quick overview of policy initiatives across the thematic of security, development and social justice will be useful.

The main response of the state has been to initiate a range of security-related measures, through various schemes dealing with security-related expenditure, modernization of the police forces, specialized training schools for security personnel and the raising of new Indian Reserve battalions. While the first two initiatives aimed at improving the infrastructure and materials available for anti-Naxal operations, the third provided for specialized training to security personnel in irregular warfare, such as guerrilla warfare, jungle combat, etc. For its part, the last of these initiatives was intended 'to not only supplement the security apparatus in the States but also provide gainful employment to the youth' in the Naxal-affected areas.[21] In addition, guidelines for a surrender-*cum*-rehabilitation policy that forms part of the disarmament, demobilization and reintegration process for left-wing extremists were put in place. Measures included a monthly stipend of Rs. 2,000 for a period three years, vocational training, an immediate grant of 1.5 lakhs and incentives for the surrender of weapons.[22]

To 'ensure integrated development of Naxal-affected districts',[23] the Indian government proposes to prioritize filling the gaps in existing social and physical infrastructure. Accordingly, schemes such as the Backward Districts Initiative component of the Rashtriya Sam Vikas Yojana (National Equitable Development Programme), the Backward Region Grant fund and the Integrated Action Plan

have been put forth. In addition, the Indira Awaas Yojana (Indira Housing Programme), the Pradhan Mantri Gram Sadak Yojana (Prime Minister's Rural Roads Programme) and the Rajiv Gandhi Grameen Vidyutikaran Yojana (Rajiv Gandhi Village Electrification Programme) have targeted rural housing, road connectivity and electrification, respectively. Further, social welfare schemes and measures related to health, education and employment were instituted in the forms of Integrated Child Development Services, the National Rural Health Mission, the Sarva Siksha Abhiyaan programme (Universal Education Campaign), the midday meals scheme, a right to education and the Mahatma Gandhi National Rural Employment Guarantee Act of 2005. To ensure effective governance, the Planning Commission monitors the implementation of these flagship programmes through a web-based management information system in the 35 focus districts.[24]

Given the high concentration of Naxals in forested tribal areas, the government passed the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006 to provide a framework for recording forest rights. In the process of making governance initiatives more 'people-centric' and more participatory, the reservation policy of 'protective discrimination' and the creation of a three-tier system of elected Panchayati Raj Institutions (PRIs) through the 73rd and 74th Amendments to the Indian constitution are considered of immense value. The PRIs are viewed both as a mechanism of local participatory governance and as a tool for a coherent and effective public policy process. PRIs were seen as having an important bearing for grievance redressal and socially just access to the fruits of development.

The wide gamut of policy initiatives enumerated above addresses the three thematic areas of security, development and social justice in conflict-affected areas of mainland India. Security-related initiatives attempt to incorporate the concerned population into an 'information network' that permits effective anti-Naxal operations. In addition, the promotion of employment opportunities within the government security apparatus to counter opportunities offered by the Naxal outfits is yet another means for diverting the target population away from Naxal organizations. At the same time, the participation of the population

is deemed necessary for the success of the developmental policies, as well as for the creation of socially just access to the fruits of development. In this context, the Panchayati Raj Institutions are seen as the key mechanism for ensuring parity of participation among members of the local population in collective decision and actions.

Impact of policy initiatives

The underlying logic of the various policy initiatives that cut across the three themes of security, development and social justice seems to be one of 'participation'. This 'governmentality of participation' is not just a means of organizing institutions of collective decisionmaking and actions, but also a mechanism for justifying and legitimizing them as socially just. In the Indian case, policy initiatives directed towards the Naxal-affected areas have seen a shift towards a logic of participation, with an emphasis on anchoring policies of social justice within local bodies – in other words, the PRIs.

The impact of this rationality of participation is dependent on the processes of interaction across a network of multiple actors at multiple levels. Evidence from the field shows there is tremendous variation in terms of how and to what degree policies are implemented at the local level, especially in relation to autonomy.[25]Accordingly, the functioning of the PRIs becomes of utmost importance for evaluating the impact of these policy initiatives on the conflict processes, and reflects upon the conditions necessary for effective conflict governance.

In the realm of security concerns, the roles of both local police stations and the PRIs – particularly their judicial wings – are crucial for dispute resolution at the early stages of a conflict between individuals from different castes and communities over the usage and ownership of resources such as land, etc.[26] However, decisions of Panchayats may not always find support of the local police, which undermines their effectiveness. Most of the security-related modernization schemes that have been initiated by the state to tackle the Naxal problem involve improvements in the buildings and equipment (i.e. weapons and vehicles) available to local security personnel.

However, this has not translated into better

policing at the grassroots level, as the state continues to depend on central paramilitary forces for policing activities. Further, efforts to improve the interactions between the local police forces and the general population have been limited and have primarily turned on the distribution of items such as blankets and umbrellas, involving little change to the interactions involved in more traditional policing procedures. The prioritization and excessive focus on the elimination of violence does not adequately take into account the role of threat in the Naxal conflict. Indeed, it is the credible threat of violence, rather than violence itself, that permits the unhindered operation of the 'levy economy' and the 'protection market', seriously crippling prospects for equity in terms of access to the fruits of development. Efforts to address concerns related to the effectiveness of policing need to be based on popular support, as policing is not about military control of the territory but about consensual control of the population. To achieve this, policing has to be embedded within people's perceptions of insecurity, rather than those of the state.

In terms of developmental concerns, the PRIs were intended to provide a key foundation for local governance, making processes of collective action and decisionmaking more participatory. However, the state bureaucracy (which is technocratic and non-participatory) continues to dominate local governance by excessively stressing on procedures for implementing welfare policies. The only real power that has been devolved to these local institutions (PRIs) allows them simply to choose between lists of projects and beneficiaries for various governance initiatives. This has seriously limited the depth of participation in collective action and decisionmaking. In addition, the goals of the development programmes initiated by the state to overcome the challenges of socio-economic injustice continue to be output-driven in terms of numbers of beneficiaries, rather than process-driven in terms of level and quality of participation.

Further, the use of violent and coercive means of accumulation by local elites through rampant corruption, and by the Naxals through a levy economy, further limits the efficiency of the developmental resources being poured into these areas. The use or threat of violence has played a crucial role as a factor that the authorities can point to in order to justify the

lack of accountability in developmental projects for social and physical infrastructure, as well as social welfare schemes.[27]

While the establishment of the PRIs has given rise to hopes that they may function as effective forums for collective decisionmaking and action, the extent to which they have actually contributed to social justice in their short lifetime[28] remains highly contested and debated. Given the limited devolution of power to these lowest levels of the democratic institutional structure, the degree and depth of participation engendered by PRIs, the primary mechanisms of local governance, remains limited even in Bihar, where the institution has had a decade-long history. On the other hand, On the other hand, the reservation policies were used to increase representation of marginalised communities in decision-making and also, for expanding access to benefits of developmental programmes as beneficiaries. While it has been widely accepted that certain castes and communities are marginalized and deprived, women from these groups are increasingly being recognized as constituting a 'doubly deprived' population. Reservation of seats for women in the PRIs has facilitated their emergence in the public arena. Such a policy has brought significant changes, despite its limited scope, especially in terms of the empowerment of women. There is however a marked difference across tribal and non-tribal areas in terms of the effectiveness and parity of participation. Moreover, reservation schemes have allowed for various procedural bottlenecks and created scope for corruption, especially in terms of ad hoc alterations to lists of beneficiaries. The use of violence and coercion in economic pursuits further limits transparency and the accountability of the redistributive process.[29]

The Naxal conflict in Bihar and Jharkhand is inextricably linked to extant sociocultural processes, mediated by various public policy initiatives, which are focused on concerns of both security and social justice. However, the limited popular participation in these initiatives renders them disembedded in the local context. The PRIs thus emerge as a key element for any attempts to ameliorate issues of under-/un-development, corruption, and socio-economic injustice, besides addressing the roots of the Naxal problem as long as they are granted commensurate funds, functions and functionaries. Failure to make any such transfer is likely to become the Achilles heel of the state apparatus in any attempt to address the Naxal conflict in the two states. ■

Notes

[1] 'Naxal' is a popular term used to refer to Maoist insurgent and left-wing extremist groups who draw their inspiration from the radical left-wing-led agrarian uprising of the late 1960s that started in the village of Naxalbari, West Bengal.
[2] CORE project Report B, 11.
[3] Under Part XI of the Constitution of India, legislative powers are divided into three lists: the Union List, the States List and the Concurrent List. Since the 'Naxal problem' is considered a law and order issue, it was seen to fall under the responsibility of individual states.
[4] Pradhan H. Prasad (1975) 'Agrarian unrest and economic change in rural Bihar: Three case studies', *Economic and Political Weekly* 10: 933–937; Krishna Chaitanya (1991) 'Social justice, Bihar style', *Economic and Political Weekly* 26: 2612; Susana B. C. Devalle (1992) *Discourses of Ethnicity: Culture and Protest in Jharkhand* (New Delhi: Sage, 193–227).
[5] Reservation is a policy through which a specified number of seats in educational institutions, government jobs, state legislatures, parliament and local bodies are reserved for under-represented and marginalized sections of society and are also mechanisms for prioritising access to developmental programmes.
[6] Arvind Sinha (1996) 'Social mobilisation in Bihar: Bureaucratic feudalism and distributive justice', *Economic and Political Weekly* 31: 3289.
[7] Joint Forest Management is a partnership scheme in forest management initiated in India in the late 1980s to enhance local participation. See Amit Prakash (2001) *Jharkhand: Politics of Development and Identity* (New Delhi: Orient Longman, 198–205).

[8] Prasad, 'Agrarian unrest', 933–937; Arvind N. Das (1986) 'Landowners' armies take over "law and order"', *Economic and Political Weekly* 21: 17–18; Chaitanya, 'Social justice', 2612; Prakash, *Jharkhand*, 198–205.
[9] Prasad, 'Agrarian unrest', 933–937; Das, 'Landowner armies', 17–18; D.N. (1988) 'Problem of unity in the agrarian struggle: Case of Bihar', *Economic and Political Weekly* 23(19): 941–943; Chaitanya, 'Social justice', 2612.
[10] Planning Commission (2008) *Development Challenges in Extremist Affected Areas* (New Delhi: Government of India, 2).
[11] See previous note.
[12] The decade of the 1990s saw as many as seven different prime ministerial tenures in India.
[13] Ministry of Home Affairs, *Annual Report 2003–04*, 40.
[14] Ministry of Home Affairs, *Annual Report 2003–04*, 39.
[15] Ministry of Home Affairs, *Annual Report 2006–07*, 24; *Annual Report 2007–08*, 18; *Annual Report 2008–09*, 15; *Annual Report 2010–11*, 20.
[16] Ministry of Home Affairs, *Annual Report 2007–08*, 19; *Annual Report 2008–09*, 16; *Annual Report 2010–11*, 21.
[17] Ministry of Home Affairs, *Annual Report 2008–09*, 16; *Annual Report 2010–11*, 21.
[18] Ministry of Home Affairs, *Annual Report 2003–04*, 41.
[19] Ministry of Home Affairs, *Annual Report 2007–08*, 19; *Annual Report 2008–09*, 16; *Annual Report 2010–11*, 21.
[20] Ministry of Home Affairs, *Annual Report 2007–08*, 19; *Annual Report 2008–09*, 16; *Annual Report 2010–11*, 21.
[21] Ministry of Home Affairs, *Annual Report 2005–06*, 27; *Annual Report 2006–07*, 26; *Annual Report 2010–11*, 27.
[22] Ministry of Home Affairs, *Annual Report 2010–11*, 31.
[23] Ministry of Home Affairs, *Annual Report 2003–04*, 44.
[24] Ministry of Home Affairs, *Annual Report 2010–11*, 28–30.
[25] Personal interview, Gaya, 10 November 2011.
[26] Personal interviews in Hazaribag district, Jharkhand, 3 November and 6 November 2011; in Gaya district, Bihar, on 8 November and 10 November 2011; in Lohardaga district, Jharkhand, 12 November 2011; in Ranchi district, Jharkhand, 12 November 2011; and in Chatra district, Jharkhand, 17 November 2011.
[27] Ibid.
[28] Although the constitutional amendment to establish the PRIs came into operation in 1993 in India, for a variety of reasons the first elections in Jharkhand did not take place until 2011. Hence the reference to the 'short lifetime' of PRIs in Jharkhand.
[29] Ibid.

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