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State, social policy and subaltern citizens in adivasi India

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Abstract

This paper argues that social policies work towards the subject-making of subaltern citizens by defining the grammar of state–subaltern relationship. The Forest Rights Act of India (2006) defines the state–adivasi relationship through a two-way process: claim-making by the indigenes for forest rights, and reduction of the discourse by the state into a politics of recognition without redistribution. While adivasis have employed their agency in wresting social policies from the state through protracted struggles, they are also made subjects of the state as they go about the Forest Rights Act procedure. The paper further points out that adivasi struggles and the organisations representing them constitute a distinct adivasi society contra the middle-class civil society. Though the spirit of the Act envisages substantive redistribution, the state institutions and the monitoring Non-Governmental Organisations have yet to adopt redistribution as a core narrative.

Keywords: state; social policy; forest rights; adivasis; redistribution

Introduction

The indigenous peoples of India or adivasis (original dwellers) form 8.6% of the population

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[1] This paper draws on the Master's dissertation work done by the author at the London School of Economics during 2012-13.

(Census 2011). With a history of marginalisation, they constitute a section of the subaltern, a term that was tersely defined by Guha (1982, 8) as 'the demographic difference between the total Indian population and all . . . elite'. They are categorised as Scheduled Tribes (STs) in the constitution and given special guarantees such as reservation of seats in public services and special funds for education and welfare (Saksena 1981). The state has not recognised the adivasis as indigenous peoples, citing their disputed origin (Bose 2013; Shah 2010). The Commission for Scheduled Castes and Scheduled Tribes, constituted in 1951, proposed 'tribal origin, primitive way of life, remote habitation and general backwardness in all respects' as the criterion to determine an ST (Ambagudia 2011, 36). Thus, the state's view of the adivasis as backward has driven its welfare provision for these peoples. Jayal (2013, 266) reiterates the same observation, pointing out that backwardness has been a 'distinctive motif and often the authoritative basis for claiming Group-Differentiated Citizenship'. This echoes what Kuper (1988) has claimed, that the indigenous could as well be an 'invention of the primitive'. Meanwhile, the benefits and special constitutional protection that the ST status brings has made it a sought-after title (Middleton 2013).

Forest Rights Act 2006

The adivasi political struggles in India have chiefly centred on the rights over land and forests. Forests have been a state property from colonial times (Guha 2001), often leading to a refusal of the forest-dwelling adivasis' ownership rights. Recently, this continuing alienation of adivasis from their dwelling grounds led to a protracted campaign by various Non-Governmental Organisations (NGOs) to demand a comprehensive law that guaranteed ownership. The law was passed in 2006 under the title Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, commonly referred to as the Forest Rights Act or FRA. Co-written by adivasi activists, the Act explicated in its preamble that it sought to correct the 'historic injustice' meted out to the Scheduled Tribes and other forest-dependent communities (FRA 2006). Essentially, the Act seeks to recognise the right of ownership of an adivasi family if it proves that the claimed land belonged to it for three generations (defined as 75 years) before the cut-off date of 15 December 2005, a year before the Act came into force. The onus of proving ownership is on the adivasi family and is to be done through the FRA process, wherein proofs including official records as well as symbols, such as trees or shrines, are arrayed in an official submission known as a 'claim'. The FRA process is implemented through a decentralised three-tier structure consisting of the Forest Rights Committee (FRC) at the lowest level, the Sub-Divisional Level Committee at the intermediate level and the District

Level Committee (DLC) at the highest level. The FRC is to be constituted at the level of the Gram Sabha or village assembly, where adults of a Gram Panchayat or village council assemble. A third of the members must be adivasis and a third women. The claims are verified by the FRC and then sent to the higher level bodies for granting Records of Rights. The decision of the DLC regarding any complaint is considered final.

The FRA is significant on four counts. First, it presents a new dynamic in the relationship between the Indian state and adivasi citizens insofar as the struggles leading to the passage of the Act have compelled the state to relinquish its suzerainty over forestlands, at least on paper. The relevance of this new relationship becomes clear when it is considered that many projects of the developmental state – mineral extraction, dams and plantations – impact the forestlands and could directly be deemed illegal in the wake of the FRA. The projects now need to be approved by the Gram Panchayat, thereby proving the FRA to be a watershed in terms of local empowerment. Second, the Act recognises not only individual tenure rights, but also community rights by guaranteeing the rights to graze cattle, fish and extract Minor Forest Produce (MFP) from the forests. The MFPs are non-timber forest products such as bamboo, tendu leaves (used for making local cigarettes) and so on that the adivasis depend on for their livelihoods. Third, by including the Other Traditional Forest Dwellers, the Act has brought nomadic communities that have not yet received the ST status, but are dependent on forests, into its umbrella. The Act has thus become a project in expanding the fruits of citizenship. Fourth, the Act represents a major step in the expansion of the state's social policies aimed at the welfare of adivasi citizens as it protects not only tenure, but also their livelihoods. I classify the FRA as a social policy for these reasons, going by Dean's (2006) understanding of social policy as directly aimed at well-being.

Motifs in social science narratives on adivasis

The adivasis have attracted passionate research from the disciplines of history (cf. Guha 2007), sociology (cf. Nilsen 2013), geography (cf. Corbridge 2002), anthropology (Furer-Haimendorf 1977; Shah 2007) and political science (cf. Suykens 2009). In this way, each social science has subjected the adivasis to its constant 'gaze' (on gaze, cf. Ntarangwi 2010). To understand the context in which the FRA gains pertinence, the relationship between the state and the citizen as has been shaped historically needs a review. Here, I give a glimpse of this, discerning three motifs recurrent in the narratives: subjugation, resistance and governmentality.

Subjugation

Guha and Gadgil (1989) and Gupta (2009) argue that the colonial British government controlled the forests in India, denying ownership rights to the adivasis. The Indian Forest Act 1878 was a chief instrument of subjugation as it legalised state control over forests. The Act, was implemented through a well-established bureaucratic system of the Indian Forestry Service (Guha 2001). The colonial state took great care in creating records on the adivasis, but the process consistently recorded them as backward, thereby inaugurating the perception of the indigenes as uncivilised (Bhukya 2008). The state control over forests continued after India gained independence from the British in 1947, thereby continuing thehistory of adivasi marginalisation. This included the continued advocacy of scientific forestry, which involved intensive cultivation of profitable trees for timber and other forest products, mapping of forest resources and complete crackdown on shifting agriculture. Indicating the pervasiveness of the feeling of subjugation to this day, Baviskar (1994, 2493) recounts in the case of Bhil and Bhilala adivasis in the state of Madhya Pradesh that they desperately sought land right certificates from the local bureaucrat tehsildar because:

> Such is the power of the state over people's minds that they crave the legitimacy accorded by the government. One scrap of paper, in the usually illegible scrawl of the tehsildar, seems to be more real and true than the land and soil itself.

Saravanan (2011), in a more recent article, enquires the micro-politics of such subjugation in the southern Indian state of Tamil Nadu between 1990 and 2000, and shows that the totality of different government rules and nexus between different government departments work finally to subjugate the adivasi citizens. Their access to forests and therefore their livelihoods are threatened as a result. Thus, the state–citizen relationship that emerges from these accounts is that of adivasis subjugated to the all-powerful state.

Resistance

While the adivasis have been historically subjugated, they have also periodically retaliated. This is important to note as the movement for the FRA could be seen as a continuation of the same tradition of adivasi resistance. Noting that such resistance existed as early as colonial times, Guha's (2001, 231) historical recordings suggest that the British exportation of state-managed forestry to the colonies met with stiff opposition from the adivasis, who 'responded with arson and violence'. Instances include the rebellions in Chota Nagpur (1893), Bastar (1910) and Gudam-Rampa (1879–80, 1922–23) (Chattopadhyay 2012). These accounts, therefore, offer a contrasting picture to subjugation as the adivasis emerge to be resistant in the

wake of suppression. Postcolonial India saw the emergence of a large number of (often fragmented) adivasi organisations dealing with the local bureaucrats. For instance, in 1988, the Khedut Mazdoor Chetna Sangath led a protracted struggle in Madhya Pradesh, which led to the identification of vast hectares of encroachment, locally known as nevad, into adivasi land by non-adivasi people (Baviskar 1994). Bhatia (2005) reports from Bihar that the Maoist rebellion has gained support amongst the adivasis in the past decades owing to the perception of injustice that the adivasis think the Maoists share. The Maoist rebellion had its origins in the peasant struggles of 1967 in the little village of Naxalbari in West Bengal and slowly spread to the forestlands in other states in eastern and central India, carrying forward its armed struggle driven by an extreme leftist ideology (Chandra 2014). The military crackdown of the rebellion by the state has often turned violent, trapping the adivasis in between (Hariss 2011). The ethnographies of Shah (2006) and Miklian (2009) suggest that the Maoist resistance is not always committed to people and significant linkages between the Maoists and the state could be observed on ground. The FRA gains pertinence again as it was championed by democratic adivasi organisations largely unconnected to the Maoist rebellion. Kumar (2014) points out that democratic adivasi groups as well as their sympathisers can form assemblages to fight against state injustice and corporate actors, as seen in the resistance of the adivasis in the state of Odisha against bauxite mining in the hills that they considered sacred. At the same time, it is important to note that not all democratic adivasi movements achieve their goals. For instance, Basu (2012, 1294) notes that in the state of Jharkhand, the resistance movement to carve out a separate Jharkhand state with a distinct Adivasi identity did not succeed in promoting the welfare of the adivasis as the Jharkhandi movement was 'de-radicalised as a result of systematic appropriation, manipulation and contestation of discourses on collective identity and development between rival political factions and the state'. Therefore, fragmentation of the democratic struggles, often perpetuated by the mainstream political parties, is a major constraint that adivasi politics faces.

Governmentality

Michel Foucault's notion of governmentality has enchanted researchers as a theoretical explanation for state control over its subjects. Governmentality is understood as the mechanisms through which the government disciplines the population just as the population imbibes these rules (Elden 2007). For instance, Middleton (2013, 14) points out from his field notes in Darjeeling, east India, that the government anthropologists, who identify the adivasi communities eligible for the ST status, constitute elements of an 'ethnological

governmentality'. In another instance, Agrawal (2005) fuses environmental governance and governmentality into a new concept 'environmentality' to refer to the disciplining of the forest-dependent communities through state policies on forest management. Bose (2012) then adopts this framework to offer her analysis of the Adivasi struggles for secure tenure, including the politics surrounding the FRA. Bose points out that adivasi subjects have been historically subjected to state disciplining and that the FRA can also become a means of governmentality or centralised control of forests. The use of governmentality in the analysis of the FRA should be seen with caution, particularly when it is noted that affiliation to certain theoretical ideas can get reiterated through citations and re-citations (Hemmings 2011). Unlike the forest laws that subjugated the adivasis, the FRA cannot be seen as an instrument of governmentality, owing to the collective mobilisation of adivasis that went behind it. These collective struggles saw the adivasis expressing their agency, making them exception to what Foucault calls as 'subject of needs, but object in the hands of the government' (Faubion 1994, 12).

Social policies for adivasis and subject-making

Since independence, a large number of social policies have been devised targeting the adivasis. The constitutional recognition of adivasis as STs, creation of scheduled areas under the fifth and sixth schedules of the constitution with special measures for the protection of the adivasi inhabitants therein, and affirmative action in the form of reservation of seats in public employment can be seen as some of the early moments in the moulding of their social citizenship (Varghese 2002). The extension of state-sponsored welfare to adivasis has been a staple feature of all five year plans. For instance, the fourth plan constituted the Tribal Development Agencies in regions where adivasis were in utter poverty, though the bureaucrats largely failed in their mission (Varghese 2002). Also noteworthy is the Tribal Sub-Plan that was initiated in the fifth five year plan (1974–1979) and aimed at integrating the adivasis with the mainstream society, though with little success (Saravanan 2009). While these plans brought some infrastructural facilities to remote adivasi areas, the living conditions of adivasis only worsened in subsequent years as the plans failed in bringing them out of poverty or providing land to the landless. Though the Sub-Plans were complemented with additional measures, such as the Minimum Needs Programme (sixth plan) and Primitive Tribe Development Plan (eighth plan) in the subsequent plans, these too could not eliminate poverty or landlessness amongst adivasis. Further, the Panchayat (Extension to Scheduled Areas) Act 1996 or PESA sought to extend the fruits of participatory democracy and decentralised governance, initiated in the rest

of the country in 1993, to the adivasi areas. PESA mandated that elected local bodies be formed at the village level in the scheduled areas with at least half of the members as well as the chairperson belonging to STs. Though the Act also stipulated that the village council be 'endowed' with the ownership of MFP, this did not materialise in the years that followed.

Thus, many of the crucial postcolonial moments that consolidated the social citizenship of adivasis failed in bringing about substantive changes in the lives of adivasis. Nevertheless, the concept of social citizenship still holds pertinence as seen in the demand for the FRA. In fact, the concept of social citizenship itself has come a long way since T. H. Marshall proposed the idea in his essay Citizenship and Social Class (1950). The Indian democracy constitutes what Marshall called the 'hyphenated society' – a coexistence of democratic institutions, capitalist economy and welfare state. The citizen is placed at the crossroads of these sites. Although Marshall addressed his ideas chiefly to the Western society, his notion of social right as the right to enjoy 'a modicum of civilized life' has attracted wide currency (Turner 2009). For instance, Varela (2008) opines that a prominent resurgence of the idea could be seen in Amartya Sen's works, in which social citizenship is connected to dignity, integrity, autonomy and capabilities (Sen 1999, 2004). The capabilities of affiliation, other species and control over one's environment as proposed by Nussbaum (2006) directly relate to the life of adivasis and the political struggles that went behind the FRA. Seen in this light, the FRA can be seen as another step in the continuing history of adivasis negotiating social citizenship with the state.

Adivasis as interpellated citizens

Sundar (2011, 419) points out that the rule of law is given substantive, rather than a 'thin procedural', meaning by citizenship struggles, especially in postcolonial societies like India, which inherited 'colonial law designed for subjecthood rather than citizenship'. I take up the case of FRA to check if it deepens citizenship or locks adivasi citizens in unrewarded subjection. The state is central to the whole analysis as it has actively created the categories of citizenship; in this case, the STs. A defining moment in the history of this process was the drafting of the constitution of independent India by the Constituent Assembly, where these categories were contested. The Chairman Dr B. R. Ambedkar, in response to a query raised in the Assembly regarding the definition of backward communities, had to say that they were simply those groups considered as backward in the government's opinion (NCSCST 1998, author's italics). Here, we get the first glimpse of adivasis becoming what Althusser ([1971] 2008) referred to as the 'always already interpellated' subjects.

Althusser called the process of subject-making of citizens as interpellation. He points out that 'the State has no meaning except as a function of State power. The whole of the political class struggle revolves around the State' (([1971] 2008), 14). His example is the case of a policeman hailing a citizen by shouting 'hey you!' on the streets. The citizen responds to the policeman in a reflex, recognising that she/he was the one who was called. She/he thereby participates in the process of subject-making by law, represented by the police. The subject is thus 'always already interpellated', Althusser points out (([1971] 2008), 44). He breaks away from the notion that the state is always manifested in Repressive State Apparatuses (RSAs) such as the administration, police, army, courts, etc. that function to subjectify citizens through one or the other form of repression or violence. Althusser proposes the concept of Ideological State Apparatuses (ISAs) through which state ideas is transmitted to citizens. Examples include schools, legal and political systems, trade unions, communications, and religious institutions and family. I argue that social policy can function as an ISA, especially in its implementation, as it shapes the grammar of state–subject relations. Althusser cautions that while RSAs function predominantly through violence and ISAs predominantly through ideology, it is important to note that in reality they function through both means. Thus, social policies can possibly have repressive elements.

While referring to Althusser, I am conscious that the idea belongs to Marxist structuralism, a school which believes that the state reproduces conditions conducive to capitalism through its legal, political and economic structures. Althusserian structuralists have been criticised for a refusal to test their knowledge claims based on results from research, going by Althusser's claim that knowledge is an 'intellectual construct' (Vaillancourt 1986). The methodology that I adopt breaks away from this notion and presents evidence from empirical studies, in order to analyse how the subject-making of adivasi citizens in India occurs. The analysis of the FRA shows that its implementation shows a repressive face of the state with regard to its dilution into a scheme of giving out tokenistic land titles.

As noted before, the FRA chiefly functions through the granting of land titles for which requests called as 'claims' are submitted before the FRC at the neighbourhood level in a village council. This is the grassroots interface at which the adivasi citizens participate in the process of interpellation, wherein claim-making initiates the process of becoming complete citizens or subjects of the state. The statistics kept by the Ministry of Tribal Affairs show that as of 31 May 2014, the number of claims recorded since the Act came into force was 3,764,315 (MoTA 2014). But only 1,436,290 (38%) have been actually distributed seven years since the Act came into force in 2006. These national-level figures give the first warning signal that the FRA,

which was brought in to correct the 'historic injustice' against adivasis, could become another token gesture with repressive elements. Table 1 presents evidence on the number of claims despatched from five states with major FRA struggles to elaborate the foregoing point. As revealed by the data, none of the states have granted rights to all the claims that were submitted. The maximum distribution is found in Orissa, where 59.1% of the total claims led to final distribution of titles. The Ministry of Tribal Affairs doesn't maintain the DLCs' minutes to explain the reasons forthe rejection of the claims. In addition, the distribution of community claims has been abysmally low. Even if we accept that the individual claims might have been rejected due to lack of proofs, the same explanation cannot be extended to community claims as they are held in common by the entire adivasi community for the purposes of fishing, grazing and collection of MFP. The reluctance of the forest department to relinquish rights over community forestlands emerges, then, as a plausible explanation, pointing out the mode through which repressive elements sneak into egalitarian social policies.

Table 1: Number of Claims Despatched in Five States with Major FRA Struggles

State	No. of Claims Received	No. of Titles Distributed	Percentage of Titles Distributed
Bihar	Total: 2930	28	0.95
Chhattisgarh	Total: 756,052	312,250	41
Jharkhand	Total: 42,003	15,296	36
Madhya Pradesh	Total: 516,189	187,392	36.3
	Individual: 341,085	101,426	29.7
	Community: 27,691	12,256	44.25
Orissa	Total: 563,154	333,001	59.1
	Individual: 551,109	329,805	59.8
	Community: 12,045	3196	26.5

Source: MoTA (2014)

While the 'participatory process' of claim-submission calls on the adivasi citizens to access the law, the subsequent stages of surveying and mapping the land claimed are monopolised by the forest officials (Chemmencheri 2013). Thus, the adivasis do not get to know what transpires between claim-submission and its acceptance or rejection by the higher level committees. The whole process thus serves as an ISA that 'hails' the citizens to appear before the state, but subtly proves to be repressive by creating ignorance regarding the scientific mapping process and final decisions made – stages that get captured by elite forest officials.

Althusser's concepts are distinctly useful in the analysis of subaltern struggles for the following reasons. First, the elite capture of state apparatuses is acknowledged within his ideas, wherein the ruling class that exploitsRSAs is also noted to be likely to exploit the ISAs. Second, the subjects undergoing interpellation also participate in subject-making by engaging with the state, or asAlthusser (([1971] 2008), 44) has pointed out, 'there is no ideology except by the subject and for subjects'. In the process, it actually makes the citizen as seen in the making of the adivasis as the category STs and the parallel claiming of this status by the adivasis. Povinelli (2002) notes from her ethnographic work with the aborigines of Australia that the liberal nation-state expects the aborigines to not assimilate and instead remain stuck to an 'impossible authenticity' that does not factor the history of colonisation. The subjects in adivasis would have faced a similar situation had not the FRA noted the injustice they experienced in colonial and postcolonial times and explicitly sought to reverse it.

Further, as Edwards (2007) has pointed out, interpellated citizenship doesn't mean that the citizens are passive. They can instead own the agency to dissent. Thus, when Adivasi organisations fought for the passage of FRA in the parliament, they were displaying dissent, thereby laying the conditions of their own subject-making. Therefore, this framework allows for the consideration of the subaltern's own voice (Remotely, this addresses Spivak's ([1988] 2010) concern in the classic essay Can the Subaltern Speak? that Western theoretical corpuses tend to speak for the subaltern rather than listening to their voice).

Conceptualising an adivasi society

It was noted earlier that the forest department has shown persistent reluctance in granting access rights, especially with regard to community titles. This is further evident in the series of court cases brought against the FRA. Interestingly, the case Bombay Natural History Society versus Union of India and Others 2008 (CSD 2013) recognised that restoration of tribal lands that have been alienated remains a problem. But the petitioners went on to say that the Act must be struck down as it did not aim towards that end. In the case Wildlife First versus the Union of India and Others (CSD 2013), the petitioners claimed that the ownership of forestlands given to the adivasis under the FRA stood in violation of the Wildlife Protection Act 1972 as the former threatened wildlife by granting unfettered access to the adivasis. However, hunting has been actually prohibited under the FRA. Here we see a clear clash between the metropolitan civil society organisations (CSOs) and the adivasi struggles. The

CSOs, while pushing their legitimate concern over environmental destruction, fail to see that the adivasis could be equal partners in conserving the forest. This is not to create a new 'development myth' (cf. Cornwall, Harrison, and Whitehead 2007) that all communities are protectors of forests, but to point out that granting community titles can help the adivasis check overgrazing or overexploitation of forest resources and become efficient managers of the commons.

The opposition between the civil society organisations and adivasi struggles calls for a deeper analysis of the public sphere movements and how they relate to the state. The FRA is distinct in the sense that it was the result of a protracted struggle by adivasi organisations across the country (Kumar and Kerr 2012). Thus, the adivasis consciously participated in this process rather than being passive subjects. But does this mean, as Butler (1995) points out, that citizens participate in the process of interpellation out of a temptation in their conscience to be a part of law, while knowing that it would lead to their subject-making? The answer would be partially yes and partially no. The lure of the benefits of the FRA are undeniable as they provide welfare and security to lives by securing tenure and access to MFP for livelihoods. At the same time, the rallying of adivasis against the state, which had controlled forests for centuries, shows that the motive was to reclaim ownership over their dwelling grounds, rather than be 'seen' by the state, to allude to Scott's notion of the state 'seeing' its citizens (Scott 1998).

Chatterjee (2008) has pointed out that the democratic public sphere in India post the economic liberalisation of 1991 has two discernible realms: the civil society and the political society. The former is constituted by the bourgeois middle class, which taps into and benefits from the neoliberal economy in terms of jobs and upward social mobility. They participate in elections and adhere to the rule of law. Meanwhile, the large informal sector in the country, which remains outside the rule of law and depends on welfare, constitutes the political society (Chatterjee 2011). Although Chatterjee doesn't justify the nomenclature of this realm, he notes that it makes claims on the state alongside the civil society, thanks to the electoral politics of the country. But adivasis, he notes, are excluded from the political society. Their small numbers mean that they do not matter much in electoral politics. I contend that the adivasis, NGOs as well as the numerous unregistered forums working for adivasi rights constitute an adivasi society, to coin a simple term following Chatterjee's framework. The adivasi society does not function in isolation, however, and is establishing crucial links with the civil and political society organisations.They have come under umbrella campaigns such as the Narmada Bachao Andolan, Campaign for Survival and Dignity and Ekta Parishad. CSOs like the People's Union for Civil Liberties (PUCL 2010) have maintained close contact with the adivasi society,

running regular features in their bulletins on the implementation of the FRA. Another CSO, the Liberty Institute New Delhi, which works on the principles of liberty and right to property, has emerged as another principal supporter of adivasi struggles for forest rights (LI 2013). This organisation has articulated the adivasi struggles for forest rights using the liberal ideology of property rights. These partnerships mean that adivasis are actively building alliances and expanding them. The process of interpellation is thus rendered twoway, with the adivasis wresting their share from the state, at the same time that the state makes subjects of them. I now proceed to analyse if these efforts have actually proved to be transformative and geared towards redistribution.

The politics of recognition versus redistribution in the FRA

While using Althusser's ideas to outline subject-making, I admit its origins in continental philosophy, which has had its own share of critics. Nussbaum (1999), for instance, criticised this school as too abstract to be useful for activism. Applying caution, I expand my ideas using the notions of recognition versus redistribution. Explaining how social and political struggles today have become confined to a struggle for recognition rather than redistribution, Fraser (1997) notes in her book Justice Interruptus that these struggles have been reduced to an assertion of identity based on nationality, ethnicity, race, gender, sexuality, etc. The consequence is the obliteration of struggles for socioeconomic redistribution (Fraser 2000). Recognition would involve revaluation of identities that have lacked the desired status. By redistribution is meant substantive political-economic restructuring, involving redistribution of income, changes in labour relations and transforming the economic structures. Fraser opines that the former has overshadowed the latter in today's world, although both kinds of injustices are still pervasive. Fraser employs caution in distinguishing between the two, noting that the distinction is analytical, as there are significant overlaps between the two.

It can be easily seen that the adivasis, owing to their historical marginalisation and alienation from forestlands, need both recognition as well as redistribution. In the context of the FRA, by redistribution I mean bringing up the material status of adivasis by ensuring the security of the titles they claim, and not just awarding tokenistic pieces of lands to landless adivasis. Evidence from the implementation of the FRA shows that even when adivasis succeeded in getting their claims over lands recognised, the area of the land for which they received ownership was much smaller than the area they claimed ownership for. While the Act prescribes recognition of up to two hectares, Sarker (2011) points out that on average at the

national level, only half an acre (1 hectare ¼ 2.5 acre) has been distributed. This shows that while the adivasi society has launched protracted struggles to make claims on the state, the state still holds considerable power as manifested in reducing the politics of redistribution entailed in the spirit behind the FRA, to a politics of mere recognition. This is also evident in the state monopolisation of the MFP, which the adivasis depend on for their livelihoods. While the FRA proposes complete right of access to MFP for the adivasis, this has not been uniformly applied in all the states, chiefly with regard to bamboo and tendu leaves (Sambhav 2013). In a Poverty Impact Assessment conducted by the European Union State Partnership Programme with the state of Chhattisgarh, FRA has been called an important piece of legislation that would protect livelihoods and reduce poverty by giving the adivasis the right to own and sell MFP (Gebert, Namala, and Kumar 2011). But access to these forest products remains a far cry as the state continues to determine which of these are granted accessibility.

At this point, it needs to be noted that the campaigns behind the demand for FRA chiefly focused on the state oppression of adivasis and their landedness, and not exactly on their recognition as culturally distinctive indigenes, though the indigenous nature of adivasis was implicit in the demands (Kumar and Kerr 2012). When the FRA was enacted, activists and adivasi rights leaders hailed the law as a new era in the efforts towards substantive justice, or to employ Fraserian terms, redistribution. Indeed, the Act could have bridged the divide between recognition and redistribution. The reality of FRA implementation has, however,made this difficult. The adivasi rights organisations have been at the forefront of pointing out the limited success that the FRA has seen in its implementation, but have still limited their narratives to recognition, omitting redistribution. Independent reports published by these organisations give a glimpse of this. The Asian Indigenous and Tribal Peoples Network, based in New Delhi, produced a report funded by the European Commission in early 2012 accusing the FRA of 'perpetuating the historical injustices' (AITPN 2012, 1). The dominant voice throughout the paper is, however, that of a demand for recognition. Transformative redistribution has yet to receive a place in the NGO lexicon. Similarly, the report on the status of FRA published by the NGOs Natural Justice (Bangalore) and Kalpavriksh (Pune and Delhi), explaining the provisions of the Act, adopts a language of recognition (Broome et al. 2012). The International Union for Conservation of Nature, meanwhile, lauds the adivasi efforts to have the FRA passed, but construes the FRA as a new conservation strategy rather than as a means to ensure substantive ownership rights to the people (IUCN 2010). A national consultation held with NGOs working for the FRA conducted by Vasundhara (Bhubaneswar) and Kalpavriksh (Pune), and supported by Oxfam, reports that the guidelines to implement the

Act in the state of Chhattisgarh were distorted and claims were to be submitted to the head of the Village Panchayat instead of the newly constituted FRCs (Vasundhara-Kalpavriksh 2013a). These organisations reiterate the urgent need to recognise the rights of the adivasis without delving deeper into the size of lands over which people received ownership in comparison to what they claimed ownership for (Vasundhara-Kalpavriksh 2013b).

The central government launched the Integrated Action Plan in 2010 in 82 districts of central India to deal with the Maoist rebellion (PIB 2012). The Plan contains a host of policies aimed at infrastructure creation and employment training for the adivasis in a bid to deflect them away from the Maoists and attract them towards the state. Curiously, the FRA has been made a constituent policy of the Plan. The motive behind the implementation of the Act in these districts has thus been reduced to curbing insurgency. Thus, the state persists as central to defining the grammar of its relationship with subaltern citizens, save a few isolated exceptions. For instance, the Grama Sabha of Trilochanpur Panchayat in Orissa adopted a unanimous resolution banning the multinational company Vedanta from mining bauxite in their sacred mountains invoking their rights over forestlands as enshrined in the FRA ('Third Gram Sabha Too Rejects Mining in Niyamgiri', The Hindu, July 24, 2013). The mining company had received permission to mine from the state government as part of the state's agenda of promoting industrial development. The citizenship negotiations between the adivasis and the state, therefore, continue.

Conclusion

As a social policy measure aimed at securing the tenure and livelihoods of adivasis, the FRA has expanded the social policy measures extended towards the adivasis. The FRA process interpellates the subaltern subject by hailing them to make claims and receive titles, which attribute to them a status of full social citizenship. The specifics of interpellation by the law shows that the state still holds sway in deciding the politics of the process by reducing it to recognition rather than substantive redistribution aimed at correcting the historic injustice that the adivasis have experienced. This was evident in the granting of lands much smaller in size than prescribed in the Act as well as in the poor record of granting community rights and access to MFP. The result has been a minimalist conversation between the state and its subaltern subjects. The organisations working for adivasi rights have been key stakeholders in the whole discourse as they have brought out how the state has used the social policy measure to shape

its relationship with the Adivasi subjects. In the process, however, they too have missed the need to push for transformative redistribution. The importance of adopting redistribution as a core narrative gains particular importance in the wake of the adivasi society's segregation from the civil and political societies, as well as the opportunities of electoral politics.

Overall, the analysis showed that the FRA has shaped the subject-making of the country's indigenous peoples or adivasis through a two-way process: claim-making by the adivasis for forest rights, and reduction of the discourse by the state into a politics of recognition without redistribution. The FRA, nevertheless, has opened a new chapter in the political theatre of forests by animating new modes through which the state and the subaltern see each other. Standing at the crossroads of democratic institutions, neoliberal economy and welfare programmes, the adivasi is making new bargains with the state based on rights, along with the process of their own subject-making by the state.

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