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The Political Economy of Resistance to Compulsory Land Acquisition in India

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List of Acronyms

CSE	Centre for Science and Environment
NBA	Narmada Bachao Andolan
SEZ	Special Economic Zone

Abstract

Recent resistance to compulsory land acquisition in India has been characterized by a high degree of variation in the strategies and goals of resistance movements. In proposing an analytical framework for understanding this variable nature of resistance to compulsory land acquisition for public purpose projects in India, this paper argues for a more contextual understanding of how the process of land acquisition unfolds across different communities and project types. In particular, variations in four factors – the incorporation of affected communities into projects, their existing relationships to capitalist production relations, public perceptions of the legitimacy of state involvement in land acquisition, and the political influence of affected communities – are useful to understand how communities experience land acquisition and the role played by the state in this process.

Differences in the political character of resistance to land acquisition across communities and project types are closely linked to variations in these interrelated factors. The goals, discourses and strategies of movements opposing compulsory land acquisition for projects like large dams and mines are often qualitatively different from those resisting projects like SEZs. Likewise, there are differences in the nature of resistance by indigenous *Adivasi* communities and that of relatively more affluent and politically influential peasants.

Relevance to Development Studies

Land is central to the economic, social and cultural lives of much of the world's population, and therefore to their development. This paper looks at how peoples' access to this crucial natural resource is being impacted by the often forcible and coercive acquisition of their land for a range of reasons. By focussing on the role of the state and the factors which motivate persons and communities to resist land acquisition, this paper aims to contribute to a better understanding of how this process can be made more just and equitable, particularly for those whose lands and livelihoods are being fundamentally threatened by the rapid rise in land grabbing across the world.

Keywords

Compulsory land acquisition, land grabbing, resistance, India, political economy

Chapter 1

Introduction

This research study seeks to understand the variable nature of resistance to compulsory land acquisition in contemporary India. Compulsory land acquisition laws give the state the right to forcibly acquire land, without the explicit consent of the owner or occupant, for projects which are deemed to serve a 'public purpose'. Whereas this term is often used in reference to the state's acquisition of *private land* without consent (see, for instance, FAO 2009: 5), I use the term more broadly in this paper, to refer to the acquisition of private land as well as common lands and forests over which the rights of local communities are recognized, to varying extents, under customary or formal laws. While public purpose projects have historically been executed by state-owned entities, the process of economic liberalization initiated in India since the early 1990s has resulted in private sector companies playing an increasingly important role in their implementation. In such cases, the required land is acquired by the government and transferred to the private company executing the project.

This process, of compulsory land acquisition by the Indian state on behalf of private and public sector companies undertaking large scale 'public purpose' projects, has become increasingly contentious in recent years. Between January 2013 and June 2014, there were an estimated 252 land related conflicts in India, primarily involving resistance to compulsory land acquisition, which cumulatively affected a fourth of the country's districts (RRI 2014). While discussions on India's 'land wars' have often focused on the proliferation of privately developed Special Economic Zones (SEZs) (Levien 2013a: 352), opposition by affected communities has been broad based, cutting across different kinds of projects for which land is acquired, entities executing these projects (public sector enterprises, as well as national and international private corporations) and types of land being acquired (private agricultural land, common lands and forests).

Resistance to compulsory land acquisition is not a new phenomenon in India. The post-independence developmental state in India embarked on an ambitious model of state-led and resource intensive economic growth. By one estimate, between 1947 and 2000, more than 60 million persons were directly

Some segments of this paper are adapted from previous term essays titled 'The New Institutional Economics Perspective on Resistance to Land Grabbing' (for the course 4335 Politics of Agrarian Transformation) and 'Resistance to Large Dams in India: An Analysis Using Social Movement Theory' (for the course 4349 Social Movements and Civic Innovation), and the Research Paper Design document for this paper. This has been done with the approval of the research paper supervisor.

affected by development projects in India, the majority of them members of India's indigenous *Adivasi* and lower-caste *Dalit* communities (Fernandes 2007: 203). The state's poor record of rehabilitating affected communities meant that this process faced substantial opposition. For instance, whereas the sustained opposition by the Narmada Bachao Andolan (NBA) to the Sardar Sarovar dam remains perhaps the most emblematic and well known of the anti-dam struggles in India, by the 1980s, most large dam projects in India faced some form of organized resistance (Thukral, as cited in Khagram 2004: 34). Yet, despite a few prominent instances, such opposition rarely led to the withdrawal and cancellation of these projects.

What is evident in recent opposition to compulsory land acquisition, however, is the increasing success of resistance movements in stalling or cancelling a number of projects, often through some combination of legal mechanisms, political mobilization and sustained, mostly non-violent, protest. There is today a much greater focus on land acquisition related conflicts in both the popular imagination and the political class (Levien 2013b: 398). Addressing these conflicts was also the primary motivation behind the passage of a new central act on land acquisition in August 2013 – the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 – which replaced the colonial era law that had historically governed the compulsory land acquisition process in India.

In addition to the diversity in strategies adopted by movements resisting contemporary land acquisition, many of the recent instances of such opposition involve communities voicing a fundamental opposition to the loss of their land, rather than claims for improved compensation and rehabilitation (Levien 2013a: 374). The varied nature of opposition to land acquisition thus mirrors discussions in the literature on political reactions of people affected by land grabbing (Borras and Franco 2013, Hall et al. 2015), which caution against assuming a clearly defined relationship between land grabbing and resistance to this process.² These authors argue that responses to land grabbing tend to vary widely, both across land deals and within affected communities. Not only is resistance not pre-determined, but where it does occur, it may involve struggles for incorporation of affected persons into the project, demands for improved terms of their expulsion from the land or a fundamental opposition to the expulsion itself.³ Reflecting the diverse nature of the goals of resistance to land

² As I discuss in the next section, compulsory land acquisition is one mechanism within the larger phenomenon of land grabbing. The latter process refers to a number of different mechanisms employed to secure control over land and other natural resources by powerful actors (Borras and Franco 2013: 1725).

³ Parts of this paragraph are based on a previous term essay titled 'The New Institutional Economics Perspective on Resistance to Land Grabbing'.

acquisition, Levien (2013a: 372), in his theoretical analysis of the politics of dispossession in India, similarly classifies anti-land dispossession movements as those which are barricaders opposed to giving up their land at any price and bargainers attempting to secure higher compensation.

Yet, much of the literature around widespread resistance to land acquisition in India has interpreted the issue primarily in relation to the amount and terms of compensation paid by the state to affected persons. For instance, Chakravorty (2013) argues that increased opposition to land acquisition reflects the substantial discrepancy between the price paid to landowners under existing acquisition policies and the reservation price at which they would be willing to sell their land. Whereas in the past this difference was relatively small, the rapidly rising demand for land in recent years has made it much more substantial.⁴ Others have similarly emphasised low compensation, eligibility criteria for compensation and the credibility of the current land acquisition process as explanatory factors for increased resistance to compulsory land acquisition by the state on behalf of private companies (Banerjee et al. 2007, Bardhan 2011, Ghatak et al. 2012).

Similarly, at the level of policymaking, India's new central law governing compulsory land acquisition adopts a relatively narrow view of resistance to this process. The law has focussed primarily on improving the terms on which land is acquired, while retaining the state's powers of eminent domain, which allow it to forcibly acquire land without the consent of landowners. Essentially, this represents an attempt to build consent for the existing model of capitalist development (Nielsen and Nilsen 2015: 204), rather than to provide a concrete right of refusal to affected communities. Moreover, to the extent that the law does make an attempt to curtail the state's powers, by narrowing the definition of 'public purpose' for which it can forcibly acquire land and providing for minimum levels of consent from affected communities in certain cases, this has the effect of protecting certain types of projects from the threat of compulsory land acquisition, while condoning the continued use of extra-economic coercion to acquire land for others.⁵

⁴ Parts of this paragraph are based on a previous term essay titled 'The New Institutional Economics Perspective on Resistance to Land Grabbing'.

⁵ Even this refined definition has been criticised for being extremely broad (Nielsen and Nilsen 2015: 212). There also remain significant loopholes within the new law which the government can exploit to sidestep the constraints placed on its powers to acquire land without the consent of affected persons (Levien 2015: 27-8).

1.1 Research objective and question

The primary objective of my research is to propose an analytical framework to understand the variable political economy of resistance to compulsory land acquisition in India. In line with recent scholarship on political reactions to land grabbing (Borras and Franco 2013, Hall et al. 2015) and land dispossession in India (Levien 2013a), I acknowledge the wide diversity in how persons and communities are impacted by compulsory land acquisition and choose to respond to this process, including the many instances where resistance does not emerge. At the same time, I argue that there are certain qualitative differences in how land acquisition unfolds for different types of projects and affected communities. In turn, such differences influence the nature of resistance to this process.

My research question can thus be summed up as below:

How can variations in the process of compulsory land acquisition in India be analysed and how do such variations influence the political character of resistance to this process?

I argue in this paper that a focus on four interrelated areas – the nature and scope for incorporation of members of affected communities into projects, the extent to which communities are integrated into capitalist relations of production, the perceived legitimacy of state involvement in acquiring land for projects, and the political influence exerted on the state by affected communities – is useful in understanding variations in the process of land acquisition, in terms of its impact on communities and the role played by the state. I then go on to discuss how such variations influence the political character of resistance to compulsory land acquisition, in terms of differences in the goals, discourses, strategies and alliances of movements resisting this process.

My research thus attempts to contribute to the existing literature on the politics of resistance to land grabbing and dispossession in two areas. First, it seeks to build on Levien’s comprehensive theorization of a ‘politics of dispossession’, which is distinct from labour and agrarian politics (Levien 2013a: 355). For Levien, specificities in the process of land dispossession – the explicit and transparent use of extra-economic coercion by the state, the sudden and one-off nature of its impact, its relative marginalization within existing political and social movements, and its indiscriminate impact on a given geographical area – have an impact on the resistance to this process. Such resistance, he argues, is characterized by the wide variation in goals and ideologies of anti-dispossession movements, as well as a range of common features, including their direct opposition to the state and its agents, reliance on overt resistance, their localized, ad-hoc and politically autonomous status, and the cross-class nature of their mobilizations (Ibid: 360-72). However, Levien’s focus on identifying certain distinguishing characteristics of land dispossession, and therefore

the specific politics that it creates, tends to ignore how this process of dispossession itself can vary across project types for which land acquisition is undertaken and communities that are impacted by this process. The analytical framework I propose is useful to understand such variations in the process of land dispossession and, in turn, the nature of resistance to this process. In addition, by examining variations in land acquisition processes and resistance across different project types, my research attempts to add to the existing literature around political reactions to land grabbing (Borras and Franco 2013, Hall et al. 2015) which have focused primarily on the divergent reactions of communities affected by land grabbing for large agricultural concessions.

1.2 Research methodology

Methodologically, my analysis relies extensively on data drawn from a critical evaluation of existing research on resistance to land acquisition, particularly the rich body of theoretical and case-specific literature documenting the nature and causes of opposition to SEZs and large dams. This analysis has been supplemented by field research conducted in New Delhi and Chhattisgarh state in India over a three-week period in August 2016, involving a total of 16 qualitative, semi-structured interviews with members of anti-dispossession movements and other related actors like human rights activists, lawyers and journalists. In order to supplement the very limited existing literature on resistance to land acquisition for mining projects in India, my field research focussed largely on opposition to large coal mines in Raigarh district of the central Indian state of Chhattisgarh. While acknowledging the limited amount of primary field research conducted for this paper and its limited geographical scope, I believe that my combination of methodologies and data sources provides me a sufficiently diverse base of data to undertake a rigorous comparative analysis of how the process of land acquisition varies across different projects types and communities, and the impact this has on the nature of resistance to this process.

The rest of the paper is structured as follows: in section 2, I provide a short explanation of my usage of the key terms of compulsory land acquisition and land grabbing. Section 3 then proposes a detailed analytical framework to understand variations in the process of compulsory land acquisition, in terms of its impact on affected communities and the role played by the state in this process. In Section 4, I look at how such variations influence the political character of resistance to compulsory land acquisition. Finally, section 5 concludes with a broad discussion on the implications of the proposed framework for existing theorizations of resistance to land dispossession and land grabbing, and limitations of the research.

Chapter 2 Compulsory Land Acquisition and Land Grabbing: An Overview of Terms

Given its specific focus on resistance to compulsory land acquisition by the state for public purpose projects in India, my research does not look closely at private land transactions between landowners and private companies executing such projects. The specific focus on compulsory land acquisition is motivated by two considerations. First, this remains the primary mechanism through which land has been acquired for large scale ‘public purpose’ projects executed by both state-owned and private companies in India. State involvement in intermediating such transfers has typically been justified by arguments that it is a fairer and more efficient process than individual, private market transactions between companies and affected persons (Banerjee et al. 2007: 1487, Bardhan 2011: 56). Second, since compulsory land acquisition involves the explicit use of state power to enforce the non-consensual transfer of private, common or forest land, it is also actively opposed by those who are unwilling to sell their land. This is not to say that private transactions are always consensual and do not include elements of extra-economic coercion.⁶ Rather, I argue that the central and explicit involvement of the state in compulsory land acquisition is likely to influence the dynamics of compulsory land acquisition and the political reactions to this process in ways that are different from the responses to unfairness or illegality in private land transactions, thereby meriting a separate discussion.

Moreover, I situate compulsory land acquisition as a subset of the broadly formulated and evolving definition of contemporary land grabbing proposed by Borras et al. (2012: 851) and Borras and Franco (2013: 1725). These authors argue that the primary characteristics of contemporary land grabbing include the capture of control over land and other natural resources, the use of extra-economic coercion and a shift in resource use towards a more extractive character. Land grabbing is seen as capital’s response to multiple crises, and the involvement of large-scale capital and the capitalist imperative of accumulation are regarded as essential characteristics of recent land grabs. Such a definition also does not restrict itself to transnational capital flows, acknowledging the crucial role played by domestic capital and the resource demands of ‘newer hubs of global capital’ (Borras et al. 2012: 851).

This broad conceptualization of land grabbing accounts for the specificities of compulsory land acquisition in India. First, it does not restrict itself to

⁶ Hall (2013: 1593) also discusses how making a clear distinction between economic and extra-economic coercion can also be challenging in many cases of land grabbing.

instances where land is transferred from non-capitalist to capitalist uses, but instead focuses on the extent to which the nature of its use becomes more extractive. This becomes relevant in the Indian context where compulsory land acquisition involves not just the private sector, but also state-owned public companies. However, irrespective of whether the entity for which land is acquired can be regarded as a capitalist enterprise (at least, in the strictest sense of the term), land acquisition for public purpose projects invariably leads to more extractive land use and its greater integration into capitalist systems of production.⁷ Moreover, much like the rest of the world, land acquisition in India rarely involves the acquisition of land being used purely for subsistence. As discussed later, however, the extent to which such land is already integrated into capitalist production relations definitely varies. Second, the emphasis on the role of domestic capital is crucial in the Indian context, where land has been acquired primarily for domestically owned and operated private sector companies (Levien 2013b: 396-7).

⁷ It is also important to note that in the post-liberalization period in India, changes in the ownership structures of public sector companies (through partial privatization) and in their stated aims (away from more developmental objectives earlier to a greater emphasis on profitability and competitiveness) means that they are often as closely linked to capitalist production relations as private enterprises.

Chapter 3 Conceptualizing Resistance to Compulsory Land Acquisition in India

My analysis of the resistance to compulsory land acquisition in India draws primarily on the conceptualization of political reactions to land grabbing ‘from below’ proposed by Borras and Franco (2013). These authors argue that communities affected by land grabbing are highly diverse and therefore the impacts of and perceptions towards land transfers can vary widely, both across and within such transactions (Borras and Franco 2013: 1724). The differing political reactions to land grabbing, they propose, are particularly influenced by contestations over the meaning of land between the various actors involved and the role played by the state in this process. These factors influence the responses of communities to land transfers – which can take a number of different forms, ranging from an absence of opposition, to struggles against expulsion from the land (either for improved terms of expulsion or explicitly opposed to the process) and struggles for incorporation into land deals – and the political trajectories of such struggles (Ibid: 1730-8).

Borras and Franco, and others examining the variable nature of political reactions to land grabbing within and across communities (for instance, Hall et al. 2015) have looked primarily at land deals for agricultural concessions. My attempt in this paper is to adapt this framework to the wider range of projects for which compulsory land acquisition has been undertaken in India, in order to understand how such resistance differs across the affected communities and types of projects for which land is acquired. Therefore, while I look at variations in contestations over the meaning of land and the role of the state, I focus on such differences *across* affected communities and *across* major project types for which compulsory land acquisition is undertaken in India. In doing so, I place relatively less focus on the varied nature of political reactions *within* communities affected by a particular project and situations where resistance to land acquisition does not emerge. This, however, reflects the specific focus of this paper, rather than an attempt to downplay the importance of such scenarios in the context of compulsory land acquisition in India, and land grabbing more generally.

3.1 Contestations over the meaning of land

Land has very different meanings, not just between private and state actors seeking to acquire land and the communities that own or control this land, but also for different members within a community. Often, it functions not just as a factor of production, but also as a secure store of value, insurance against external shocks, or a cultural and religious resource to be protected. Such con-

siderations mean that affected persons and communities are often unwilling to give up their land at a given 'market price' which does not adequately account for such highly variable, non-economic values (Borras and Franco 2013: 1733).

An important factor influencing the impacts of land acquisition on affected communities and the nature of resistance to this process relates to the ways in which such contestations over the meaning of land, between the state seeking to acquire land for a project and members of the affected community whose land is required for the project, are managed. In practice, this involves negotiations around the terms on which persons are dispossessed from their land and/or are incorporated into the project.

3.1.1 Incorporation of affected communities into projects

Hall et al. (2015: 474-5) document a number of instances where land grabbing has not led to the dispossession of affected communities, but rather their incorporation into the projects, often through contract farming arrangements. Such possibilities for incorporation provide an important avenue for managing contestations over land, one that is largely ignored in Levien's theorization of the politics of dispossession, which differentiates primarily between resisters that are fundamentally opposed to the loss of their land and those seeking higher compensation for their dispossession (Levien 2013a: 372). While dispossession is almost always a reality in the case of land acquisition for public purpose projects in India, this does not preclude the presence of other avenues for incorporation of affected communities into the project. In turn, variations in the nature and scope for such incorporation across different projects for which land is acquired is also likely to have an impact on resistance to this process.

While Li (2011: 286) argues that many instances of large scale land acquisitions for agriculture expel people from their land but do not result in the employment in the projects, the continued use of land for the production of labour intensive crops can also create situations where, despite changes in land use and land property relations (Borras and Franco 2012), both the land and labour of affected persons is required. In such cases, Borras and Franco (2013: 1735) highlight the mechanisms by which they can be incorporated into the project, through employment as landless workers or small-scale contract farmers. While this does not preclude the possibility of a fundamental opposition to land acquisition or land use change by the affected community, it can reduce such a likelihood and instead result in negotiations focussed on the terms on which they are incorporated into the project.

In cases of compulsory land acquisition for public purpose projects in India, the incorporation of communities into such projects can differ substantially from similar transfers for agricultural concessions. In particular, the nature

of land use change, from agricultural to non-agricultural purposes, limits the possibility for inclusion of affected persons as workers within projects like large dams, mines and SEZs. Essentially, the jobs being created through such capital intensive projects are both inadequate in number and inappropriate for those who stand to lose their lands and livelihoods due to such projects. Kennedy (2013: 4) and Levien (2013b: 397) highlight the skewed nature of job creation in SEZs, many of which primarily employ educated urban youth in the information technology services sector, rather than the peasants and agricultural workers dispossessed by such projects.

Arguably, such mismatches between available jobs and skill sets are even greater in the case of projects like dams and mines, which have historically led to the large scale displacement of marginalized indigenous *Adivasi* and lower-caste *Dalit* communities. The large majority of workers in public and private sector coal mining projects in Raigarh, Chhattisgarh, as well as mining projects more generally (Fernandes 2007: 204), are hired from outside the affected community. The limited extent of incorporation that is possible within such projects, in terms of jobs and small contracts to supply particular services, are typically used as bargaining tools to secure the consent of the more landed and influential members of the community. In many instances, there is a conscious effort to not employ local residents who are perceived to be lazy or more likely to strike work (Bharadwaj 2016, personal interview).⁸

There are also differences across project types, in terms of the availability of other non-labour related mechanisms through which affected communities can be incorporated into the project. Levien (2012: 946) documents the case of a private SEZ in Rajasthan, where the terms of acquisition included the provision of small developed plots of project land to land losers. As Levien (2013b: 395) highlights, a major motivation for SEZ developers is the high returns possible from development of real estate within the project area. The provisions of such plots to members of the affected community meant that they could benefit from the large subsequent land appreciation associated with development of the SEZ. However, the attractiveness of such incorporation mechanisms has much to do with the geographical location of most SEZs in relatively urbanised districts and regions of the country (Jenkins et al. 2014: 8, Kennedy 2013: 3). The provision of similar land is unlikely to be of much interest to communities losing their land to projects like large dams and mining, given the geographical location of such projects in remote rural areas and the very different motivations behind such projects.⁹

⁸ Personal interview with Sudha Bharadwaj, lawyer, Bilaspur city (16 August 2016). See also Li (2011: 286).

⁹ Indeed, the different nature of these projects influences not just their ability to incorporate affected communities, but also in the compensation they are able to offer

Such variations in the nature and scope for incorporation across project types, and thereby in managing contestations over the meaning of land, imply that land acquisition is likely to have different impacts on communities affected by different projects. In turn, these variations have an influence the nature of resistance by affected communities.

3.1.2 Relationship of affected communities to capitalist production relations

Differences in how persons and communities affected by land grabbing view land are closely tied to their existing relationship to capitalist production relations. In particular, besides differences in the intrinsic socio-cultural value attached to forest and agricultural land, such land may be utilized primarily for subsistence, or may be integrated to varying degrees with broader markets of production and exchange (Borras and Franco 2013: 1726).

There are contrasting views on the extent to which land grabs are motivated by a sole focus on bringing previously unavailable land into capitalist production relations or also by the need to create a proletarianized workforce for capitalist firms (Hall 2013: 1596). Irrespective of the motivation being this process, land grabbing inevitably results in the closer integration of land and associated labour into capitalist relations of production. And while those impacted by land grabbing are rarely outside the domain of capitalism (Ibid: 1597) or similarly extractivist non-capitalist production relations (Adnan 2013:100-1), the nature and extent of their existing relationship with the market economy does vary.

Such differences, in the extent to which affected communities and their members are integrated into capitalist relations of production and labour, are also evident with compulsory land acquisition for public purpose projects in India. It is instructive, for instance, to look at such differences between middle-sized and large peasants, and the indigenous *Adivasi* communities. Lutringer (2010) refers to the former as ‘subsidized capitalists’ who were the primary beneficiaries of green revolution techniques pushed by the state in the 1960s and are now well integrated into capitalist systems of production and market exchange. On the other hand, Baviskar (2004: 156-7) documents how widespread ecological destruction and state control of forests has severely limited

them i.e. the terms of their expulsion from the land. With projects like dams and mines, it remains difficult to adequately compensate communities for their losses without substantially restricting the benefits for elites that seek to benefit from the cheap exploitation of these ecological resources. In contrast, the real estate driven orientation of many SEZs results in very high profits for the private sector from such projects, which also provide greater scope for securing the consent of affected persons through improved compensation.

the ability of *Adivasi* communities in central India to maintain their self-sustaining economies. This, she argues, has facilitated an ongoing process of increased commodification of their produce and labour, through increased participation in markets and migration. The extent and terms of the incorporation of these two communities into capitalist production relations are thus very different.

In turn, such variations across persons and communities influence how they are impacted by their further integration into the capitalist system as a result of compulsory land acquisition. Essentially, they provide a useful analytical lens to understand how different communities are positioned to deal with their dispossession from their land. The experience with land acquisition for large coal mining projects in Chhattisgarh suggests that the primary beneficiaries of this process have often been upper-caste landed peasants and better educated members of the community. These groups have been able to directly negotiate with private companies in the initial stages of the project to secure better compensation for their land. In other instances, through a combination of incorporation into the project, in the form of jobs or small contracts, and the investment of the proceeds from the acquisition of land, they have been able to better manage the impact of land acquisition (Rath 2016, personal interview).¹⁰ In contrast, *Adivasis* in particular have often found it difficult to manage the rapid transition to a purely cash-based economy that has been facilitated by the acquisition of their land (Tripathi 2016, personal interview).¹¹

Levien (2012: 952-60) similarly documents how, in the case of land acquisition for the SEZ in Rajasthan, upper-caste peasants with larger landholdings were generally better equipped to manage the livelihood impacts associated with the loss of land, and were also able to benefit significantly from the intermediary roles created through the process of land acquisition. On the other hand, poorer peasants and landless agricultural workers were made significantly worse off from the land transfers. The eventual benefits realised from the sale of developed land plots provided as part of the land acquisition process also varied widely within the community, with richer, upper caste peasants able to gain substantially more from the land speculation than this enabled (Ibid: 954).

Broader agrarian and social processes may also influence perceptions of the value of land and the ability of communities to manage their greater integration into capitalist relations of production. Vijayabaskar (2010: 38) argues that the long term crisis in agriculture in the relatively highly urbanised and industrialised state of Tamil Nadu, coupled with strong social mobility and educational levels, has meant that peasants and landless agricultural workers have

¹⁰ Personal interview with Savita Rath, local activist, Raigarh city (10 August 2016).

¹¹ Personal interview with Rajesh Tripathi, local activist, Raigarh city (9 August 2016).

been more willing and better equipped to move out of agriculture into readily available jobs in the non-agricultural sector.

Differing views on land across and within communities affected by land acquisition are thus closely linked to their existing relationships to capitalist production relations and how they are impacted by their closer integration into capitalist structures due to this process. Such variations in how communities experience land acquisition also influences if, and how, they choose to resist their dispossession. These differences are, however, one component of a range of closely overlapping divisions based on class, caste, ethnicity and gender, among others, that tend to influence the impact of land grabbing (Borras and Franco 2013: 1727).

3.2 The role of the state in compulsory land acquisition

The state's role in contemporary land grabbing represents a continuation of its historical role in capitalist development, of facilitating private capital accumulation through the use of extra-economic coercion (Borras and Franco 2013: 1729). In the case of compulsory land acquisition, this involves the explicit use of extra-economic coercion by the state to expropriate land. Yet there are a number of less direct ways in which the state can be involved in land grabbing, including through its power to shape the regulatory framework governing land transfers and to formulate policies in related areas like agriculture, environment and indigenous rights.

State actions in the context of land grabbing have included efforts to legitimize and justify this process, commodification of land through its classification as marginal, under-utilized or empty, and the use of coercion and violence to ensure compliance (Ibid: 1729). At the same time, while the state is closely implicated current land grabs, the nature of its involvement can vary widely, depending on the motivations and relative influence of various state and non-state actors involved in the process, state capacity and existing political cultures (Wolford et al. 2013: 191). Borras and Franco (2013: 1729) similarly suggest that the state's need to perform contradictory roles, as both a facilitator of capital accumulation and a legitimate representative of communities adversely affected by this process, influences how it intervenes in processes of land grabbing. Moreover, since the state itself is not a coherent and unified entity (Hall et al. 2015: 475), divisions between actors at different levels of the state and variations in how they interact with communities affected by land grabbing also influence the state's role in this process (Milgroom 2015: 600-1). Such differences in the nature of state intervention are helpful to better understand the variable political reactions to land grabs.

Discussions on the role of the state in the context of compulsory land acquisition in India and resistance to this process need to also account for the changing nature of the Indian state in the post-liberalization period since the early 1990s. Gupta and Sivaramakrishnan (2011) trace the evolution from a developmental state to a post-liberalization state in India as a result of the economic ‘reforms’ initiated in India after a severe balance of payments crisis in 1991. They argue that these measures resulted in a fundamental change in the relationship between state and economy, involving not just increased integration with international markets, but also a process of privatization of crucial sectors which were earlier the exclusive domain of the state (Gupta and Sivaramakrishnan 2011: 2). Accompanying economic liberalization was the increased pace and consolidation of an ongoing process of political and economic decentralization in India, through the greater devolution of power to the regional and local levels of the state (Ibid: 2). These factors have facilitated a change in the structure of the Indian state; whereas the developmental state was under the control of a dominant class coalition involving industrial capitalists, rich farmers and a bureaucratic salaried class, the post-liberalization Indian state has marked a clear shift towards promoting the interests of the class of industrial capitalists (Chatterjee 2008: 57, Gupta and Sivaramakrishnan 2009: 5-6).¹²

At the same time, the political imperatives of representative democracy and the risk that groups marginalised by this accelerated pace of capitalist development will turn into ‘dangerous classes’ (Chatterjee 2008: 62) mean that governments cannot ignore the needs of these sections of society. Sanyal (2007) and Chatterjee (2008) argue that this has resulted in the state simultaneously implementing a range of policies and programmes that seek to manage the negative impacts on the process of primitive accumulation¹³ that results from capitalist growth, as a means of ensuring the continued dominance of such a model. By distinguishing between civil society – made up primarily of the urban middle classes who are under the hegemony of the capitalist class – and political society – which comprises the peasantry and other groups in the informal sector who do not subscribe to this capitalist logic and seek the state’s

¹² Gupta and Sivaramakrishnan (2011: 5-6) attribute this shift in influence of dominant classes on the state to the disproportionate benefits secured by industrial capitalists from the opening up of the Indian economy and the increased competition among states to attract capital due to economic decentralization.

¹³ Both primitive accumulation and its reformulation as ‘accumulation by dispossession’ by Harvey (2003) have been utilised to analyse the processes of modern capitalism more generally, as well as specific phenomena like land grabbing. Hall (2013) provides an excellent review of the use of these concepts in the context of land grabbing. For the purpose of this paper, I do not engage with these debates since my focus is on understanding how different groups and the state respond to the negative impacts of the existing capitalist growth model.

intervention to manage the negative impacts of capitalist growth – Chatterjee (2008: 57-8) attempts to conceptualize the variable nature of state-society interactions in the context of a shift in state-capital relations due to increasing liberalization and decentralization.

The concept of political society however tends to ignore the heterogeneity within this group. In particular, Chatterjee (2008: 57) argues that unlike civil society, members of political society rely on unstable and informal arrangements with the state based on highly contextual political negotiations, rather than making a claim to their rights as legitimate citizens. However, not only are members of political society increasingly demanding formal legal recognition and protection, but they also differ in terms of the extent to which they oppose or collude with civil society, and are themselves tied to the logic of capitalism (Baviskar and Sundar 2008: 88-9). Levien (2013a: 358) similarly critiques the use of a broad concept like political society to understand anti-dispossession politics in India, arguing that it fails to capture the differing goals of movements opposing land dispossession, as ‘bargainers’ demanding improved compensation or other benefits for the loss of their land (which Chatterjee would term as reversing the impacts of primitive accumulation) or ‘barricaders’ who are not willing to be dispossessed at any price.

Thus, while the division between civil and political society provides a useful analytical lens to understand differences in the nature of state-society interactions more broadly, it is important to also acknowledge the diversity within political society and how the interactions between different groups in political society and the state also do vary. Equally, such a contextual understanding of state-society interactions would look at how the changing nature of the Indian state has opened up, albeit to varying extents, new spaces for participation and resistance to the state for members of political society (Corbridge et al. 2005).

I argue that in the specific context of compulsory land acquisition for public purpose projects, public perceptions about the legitimacy of state involvement in acquiring land and the political influence of communities affected by the acquisition are two key factors influencing the state’s role in this process, particularly in terms of its willingness to use extra-economic coercion. Such variations in the state’s actions impact how land acquisition impacts affected community, as well as their responses to this process.

3.2.1 Perceived legitimacy of state involvement in compulsory land acquisition

In keeping with the broader priorities of the post-liberalization state in India, there is a clear emphasis on facilitating the transfer of land to public sector and private companies across the different types of projects for which compulsory land acquisition occurs. This is evident in the strong tendency for the state to

intervene actively to acquire land not just for its own use, but also for private companies executing ‘public purpose’ projects. Such state intervention to facilitate private profit has generally been justified on the grounds of greater efficiency and lower transaction costs, given the highly fragmented landholdings across the country (Bardhan 2011: 56).

The experience with coal mining projects in Raigarh, Chattisgarh also highlights how the state has also often been unwilling to provide adequate information to affected communities about their rights and existing safeguards during the process of compulsory land acquisition. In a more indirect way, the state and its agents often facilitate the continued accumulation of capital by not intervening to check irregularities and unethical practices in direct transactions involving private companies and affected communities.

However, many instances of the state’s use of land acquisition laws can be highly questionable. Since compulsory land acquisition does not require the explicit consent of affected communities, the ability of the state to effectively exercise its power to forcibly expropriate land is contingent on broad public legitimacy for its actions. In other words, while there may be a general acceptance of the logic of capitalist development within civil society, the state still has to justify the ‘public purpose’ for which it engages in compulsory land acquisition.

There are clear differences, for instance, in the role that the state sees for itself in projects depending on the nature of the entity executing the project. Where compulsory land acquisition is undertaken for state-owned public sector entities, there is generally a presumption that such projects will serve a legitimate ‘public purpose’, in contrast to acquisition on behalf of private companies, where such interventions facilitating private profit have to be more explicitly justified. This assumption itself is increasingly tenuous in the post-liberalization period, as public sector companies are pushed to compete with the private sector and have given up on many of the developmental aims, both towards directly affected communities and society more broadly, that had earlier characterized their functioning (Bharadwaj 2016, personal interview).¹⁴ Nevertheless, the variable nature of state intervention in land acquisition depending on the ownership structures of the entity executing the project is explicitly recognized in the new central land acquisition law, which requires minimum levels of consent from affected communities when the acquisition is undertaken for private companies. The mandated levels of consent are 80 per cent of project affected persons in the case of privately managed projects and 70 per cent in

¹⁴ Personal interview with Sudha Bharadwaj, lawyer, Bilaspur city (16 August 2016).

the case of public-private partnerships. In contrast, mandatory consent for land acquisition is not required for projects by public sector companies.

Differences also exist in the nature of state intervention within different public purpose projects being executed by private entities. The widespread opposition to land acquisition for SEZs, for instance, can be seen as being a result of the low perceived public legitimacy of what Levien (2013b) describes as the current 'regime of dispossession'. He argues that compulsory land acquisition for such projects, given their clearly non-developmental and real estate driven motivations, has implied a fundamental change in the role of the Indian state, from that of a landlord acquiring land to build on or rent for a public purpose, to a land broker serving the interests of private capitalists, by dispossessing peasants for projects with questionable public purpose (Levien 2013b: 395). The state's exercise of its power of eminent domain in such cases has much less legitimacy with the wider population than the earlier regime, where dispossession for state-managed industrial developmental projects could be justified as being necessary to facilitate strong economic growth and job creation. Such instances of land acquisition are difficult to defend as being in the broader public interest and opposition to such projects by affected communities that are unwilling to be dispossessed and displaced from their land may not be resolved through the use of state violence and coercion.

More broadly, however, the nature of public acceptance of state involvement in land acquisition is itself like to vary across different project types. It is unlikely that low public perceptions of legitimacy, which are evident in the case of SEZs and certain industrial projects, also apply to projects like large dams and mining projects which, at least in terms of public opinion, are generally seen to serve a legitimate 'public purpose'. Though the role of the private sector in such projects has increased in the post-liberalisation period in India, this has primarily been perceived as being necessary to facilitate the development process in a more efficient manner than the public sector, which has historically executed such projects. As a result, arguments questioning the legitimacy of state involvement in acquiring land for such projects are less likely to find broader public acceptance than for projects like SEZs, where the nature and extent of private gain is more clearly evident.

Such variation in the perceived legitimacy of compulsory land acquisition for different project types is a key determinant of the state's involvement in acquiring land to facilitate private profit and how it responds to opposition to this process. In Goa, for instance, strong resistance by local communities to the transfer of private and common land to SEZ developers has led to the cancellation of all such projects and the land allotments made to them by the state government. Even though much of this land had been previously acquired by the state industrial corporation, the anti-SEZ protestors in Goa have success-

fully argued such projects would severely threaten local livelihoods and resource use, and the distinctive ‘Goan identity’ (Sampat 2015: 781-2). Yet, the government has remained a strong proponent of continued iron ore mining in the state, despite the widespread environmental damage it has caused (D’Mello 2014). In the latter case, the state’s rich history of environmental activism and resistance to land and resource grabs, mobilized so successfully in the anti-SEZ protests (Sampat 2015: 775-6), has been unable to challenge the public legitimacy of state intervention and support of privatized iron ore mining. This variation derives in large part from the fact that the iron ore mining sector is regarded as a crucial driver of economic growth and employment in the state.

More broadly, land acquisition for SEZs has faced widespread opposition across the country (Levien 2013b: 398, Intercultural Resources 2009: 33-49), ultimately resulting in a central government decision to not undertake compulsory land acquisition of agricultural land for SEZ (Levien 2013b: 400). In contrast, the post-liberalization Indian state, at both the regional and central levels, has continued to actively use its eminent domain powers to acquire land for large hydroelectric, thermal power, mining and industrial projects, including in the increasing instances where such projects are executed by the private sector. If at all, the pace of such project has increased. Based on estimates by the Centre for Science and Environment, for instance, environmental clearances granted in the period from 2007 (incidentally, the same year that the government changed its stance on land acquisition for SEZs) to 2011 for coal mines and thermal power projects was more than double their existing production capacity (CSE n.d.). Environmental clearances have also been granted for a number of large dams in Northeast India, a region which has become increasingly important for hydroelectric power generation in recent years (Vagholikar and Das 2010: 3). Such environmental clearances are an important precursor to the start of land acquisition proceedings for such projects.¹⁵

Moreover, such state involvement has continued despite the widespread and continued opposition of affected communities. This suggests the different role that the state sees for itself in relation to projects like large dams, mines and thermal power plants, which have also been a characteristic feature of the ‘high-modernist’ Nehruvian developmental state (Scott, as cited in Levien 2013a: 358), and its view of the broader public legitimacy of compulsory land acquisition for such projects, even when they serve private profit.

¹⁵ Vagholikar and Das (2010: 4-6) also detail the highly flawed nature of environmental clearance process in India, which has resulted in an approximately 95 per cent approval rate for such clearances by the central Ministry of Environment and Forest.

3.2.2 Political influence of affected communities on the state

As discussed above, variations in the public perception towards the legitimacy of state intervention in acquiring land across different types of projects has an important influence on state involvement in this process, specifically in terms of its willingness to use its powers of eminent domain to acquire land. This section moves on to discuss how the existing nature of interactions between the state and directly affected communities, in particular the political influence of these communities, also determines the extent to which they can similarly influence the state's role. Such variations in how the state intervenes in cases of compulsory land acquisition have important impacts on how affected communities are impacted by and react to this process.

Irrespective of the extent of broader public legitimacy for compulsory land acquisition for different public purpose projects, it remains in the state's interest to reach a compromise with affected communities resisting this process. Chatterjee (2008) argues that this involves the state's implementation of measures to reverse the impacts of continued private capital accumulation on these groups, which form part of what he defines as political society. However, as discussed earlier, since political society is not a homogeneous entity, measures like improved terms of compensation and rehabilitation are only likely to address the concerns from some affected communities. For the category of resisters who are fundamentally opposed to the dispossession of their land, the state essentially has two choices – to not acquire the land or to acquire through the explicit use of force and intimidation. Such decisions about the degree of extra-economic coercion utilized in the process of compulsory acquisition of land are influenced, in particular, by differences in existing levels of political mobilization of affected communities and the influence they exert on the state.

Lutringer (2015) discusses the uneven nature of political mobilization of agrarian movements across different regions of India, linking this to variations in trajectories of agrarian development in these regions. Regions like Western Uttar Pradesh, which have been the primary beneficiaries of India's green revolution, are among the major grain producing regions of the country and are well-integrated into the agrarian economy in India. Agrarian movements in this region therefore have strong political influence and have successfully mobilized to secure access to state subsidies on agricultural inputs and procurement prices, and more recently, to oppose reforms in the agrarian sector (Lutringer 2015: 70-1). In contrast, a region like Chhattisgarh is relatively peripheral to India's economic geography and is characterized by a primarily indigenous *Adivasi* population dependent on rain-fed agriculture and a relatively limited integration into the broader agrarian economy (Ibid: 72). As a result, agrarian movements in Chhattisgarh have mobilized around very different issues and

have been less politically influential at the national level than movements in Western Uttar Pradesh (Ibid: 78-81).

While Lutinger's analysis examines such variations in political mobilization and influence of agrarian movements in relation to the governance of agriculture, it also proves useful in the context of understanding variations in the state's role in compulsory land acquisition. Historically, land acquisition for public purpose projects in India has been responsible for the large scale displacement of primarily indigenous *Adivasi* and lower-caste *Dalit* communities in remote areas of the country. However, the acquisition of land for SEZs and similar projects in recent years has increasingly impacted affluent farmers in peri-urban plain areas and regions (Levien 2013a: 368-9) which, similar to Western Uttar Pradesh, have a history of organized and politically influential peasant movements. The strong mobilization of these movements in opposition to this has been a crucial factor influencing recent changes in the state's role in the land acquisition process in these regions. In addition to the moratorium on forcible acquisition of agricultural land for SEZs, this has included substantial increases in compensation levels by a number of state governments (Ibid: 373).

The politically influential nature of affected communities also limits the ability of the state to impose its will through explicit coercion or violence in the process of land acquisition. Both Bedi (2013: 46) and Sampat (2015: 784) highlight how the relatively strong political influence of groups opposing SEZs in Goa and their close proximity to the political class in this small state meant that high levels of public protest did not attract state repression. In other instances, the state's use of violence against politically mobilized resisters has resulted in a substantial backlash. This was the case with a large proposed SEZ and chemical hub in Nandigram, West Bengal, where attempts to suppress opposition to land acquisition for the project resulted in the death of 14 protesters (NHRC 2008). The state response in Nandigram provoked widespread media coverage and interventions by civil society organizations and political opposition parties, as well as a broader national debate around land acquisition for such projects (Levien 2013a: 370). The proposed SEZ was ultimately scrapped in the face of this widespread resistance.

Examining the state's role in the process of compulsory land acquisition in India also demands a focus on the varied levels of political influence that affected groups exert on the regional state. While the Indian constitution empowers the central government to formulate the broad framework governing land acquisition, land itself is a state subject and the actual process of acquiring land is undertaken by state governments. In the context of federal structure of governance in India, there is also substantial competition among states for attracting capital. This, in combination with the specific political, social and eco-

conomic contexts in which the regional state operates, translates into distinctive official and unofficial state level responses towards land acquisition (Bedi and Tillin 2015). The sub-national level of the state thus functions as the primary avenue for affected communities seeking to influence the state's role in this process.

In proposing an analytical framework for understanding compulsory land acquisition for public purpose projects in India, I seek to highlight how variations in its impacts on communities and the role played by state can influence the nature of resistance to this process. More specifically, I have argued for an examination of differences in four key areas – the nature and scope for incorporation of affected communities into projects, the relationship of these communities to broader capitalist relations of production, the perceived legitimacy of state involvement in compulsory land acquisition, and the political influence exerted by affected communities on the state.

At the same time, my proposed framework examines how these above-mentioned factors may influence what Levien (2013a) regards as characteristic features of land dispossession. In particular, I argue that whereas a large, one-off and sudden impact on affected communities defines most instances of land acquisition, this is unlikely to be a uniform process. For some projects types, like SEZs, mechanisms for incorporation may exist to mitigate such impacts. Similarly, while land acquisition tends to have an indiscriminately impact over a given geographical area, it remains important to focus on variations in how groups within the community with different linkages to capitalist relations of production experience land acquisition. Moreover, the state's use of extra-economic coercion and ability of affected communities to politicize their forcible dispossession can vary significant across different project and communities. The next section discusses in greater detail the impact of such variations in processes of land dispossession, and more specifically land acquisition, on resistance to this process.

Chapter 4 Differentiating the political character of resistance to compulsory land acquisition

Building on the analytical framework presented in the previous section, I further attempt to examine how the types of variations identified in the process of land acquisition, across projects types and affected communities, are useful to understand differences in the political character of resistance to this process. In doing so, I acknowledge the risk of essentializing the characteristics of particular project types and communities, and thereby ignoring the widespread variation within them. However, I argue that the factors highlighted above remain important for understanding the tendency of resistance against particular types of projects and involving particular communities to exhibit similarities in their goals, discourses, strategies and alliances.

4.1 Goals of resistance to compulsory land acquisition

Goals of resistance movements vary widely and it is often difficult to clearly link them to the characteristics of particular project types and communities. In part, this reflects the very different impacts that land acquisition has on members of what are often highly heterogeneous communities (Borras and Franco 2013: 1730). Where resistance does emerge, this can also make it challenging to distinguish between the public goals of movements and the individual motivations of different persons who come together to oppose the project. For instance, stringent resistance may primarily reflect attempts to secure improved terms of expulsion and/or incorporation into the project for some members of an affected community, but a more fundamental opposition to such expulsion for others. Moreover, the state's bias towards facilitating such land transfers to private capital means that often affected communities face coercion and intimidation, or are inadequately informed about their rights and the procedural safeguards available to them, making the acquisition process seem inevitable. Thus, even when communities do agree to land acquisition, it may not truly reflect their consent to the project and a willing acceptance of the terms of acquisition (Shukla 2016, personal interview).¹⁶

Nevertheless, the interviews with activists and communities resisting coal mining in Raigarh, Chhattisgarh, as well as some existing research (see, for instance, Levien 2013a: 374, Baviskar 2004: 203) suggest that opposition to land acquisition by *Adivasi* communities and to projects like large dams and mines has often tended to be more fundamentally opposed to land acquisition, irrespective of the terms on which this process occurs. This tendency can partly be

¹⁶ Personal interview with Alok Shukla, activist, Raipur city (22 August 2016)

explained the poor historical record of rehabilitation of persons affected by such projects (Fernandes 2007)¹⁷. However, it likely also reflects the limited scope for incorporation of affected communities within such projects, as compared to projects like SEZs. The location of many SEZs in peri-urban areas and the real estate driven imperatives underlying such projects allows for the greater possibility of mechanisms for incorporation of affected communities into the project – for instance, through the provision of developed land plots to enable their participation in subsequent real estate appreciation resulting from the project – and more broadly, for the payment of higher levels of compensation.

The central importance of land to the economic and socio-cultural lives of many *Adivasi* communities, coupled with the relatively limited and poor terms of their existing relationship to capitalist relations of production, makes the dispossession of their land due to compulsory land acquisition a highly disruptive process. This in turn is likely to lead to a more fundamental opposition to the loss of their lands. Levien similarly points to the relatively lower possibility of a compensation-based compromise with affected communities for projects like dams and mines, which are the main drivers of land acquisition in *Adivasi* areas, as well as the lack of suitable jobs, the greater dependence of these communities on ecological resources, and the influence of cultural identity and political histories of resistance to the state, as key factors impacting the nature of opposition to land acquisition by *Adivasi* communities (Levien 2013a: 374-5).

In contrast, there tends to be greater variation in the goals of organized resistance to SEZs. Arguably, however, these differences are also likely to be influenced by the specific characteristics of the projects being opposed. For instance, local communities resisting projects like the Reliance Maha Mumbai SEZ in Raigarh, Maharashtra and the POSCO SEZ in Jagatsinghpur, Odisha (both of which were ultimately cancelled by the project proponents), were fundamentally opposed to the land acquisition process. Yet, these projects were somewhat atypical of the real estate oriented nature of most SEZs, in that they were proposed in relatively remote rural locations and involved the acquisition of significant amounts of forest and wetland areas, in addition to agricultural land (Intercultural Resources 2009: 44, 46, Kale 2010: 11). In contrast, opposition to SEZs in peri-urban areas of western Uttar Pradesh and Haryana has

¹⁷ There is, in fact, a high degree of overlap between two categories, of *Adivasi* communities and persons affected by dams and mining projects. For instance, an estimated 70 per cent of coal reserves in India are located in three Indian states - Chhattisgarh, Jharkhand and Odisha – which are home to about a quarter of the country's *Adivasi* population (Amnesty 2016: 6). Fernandes' estimates also highlight how *Adivasi* communities have historically borne the brunt of development induced displacement in post-independence India (Fernandes 2007: 203)

often been led by politically influential farmers' organizations who are focussed primarily on securing higher compensation for their lands (Levien 2013a: 373).

4.2 Discourses of resistance compulsory land acquisition

There are similarly variations in the discourses by affected communities resisting land acquisition. Central to decisions around how discourses are employed in a given context is, I argue, a consideration of the broader public perceptions of the legitimacy of state involvement in land acquisition and the political influence of the affected communities.

Given the nature of most SEZ projects – as mechanisms that purely and transparently facilitate private capital accumulation through the transfer of agricultural land into real estate (Levien 2013b: 396) – compulsory land acquisition by the state for such projects has low levels of public legitimacy. Discourses by opposing such acquisitions therefore usually target the role of the state in facilitating land acquisition for private companies. By denoting them as 'real estate scams' (Levien 2013b: 399, Sampat 2015: 769), anti-SEZ protestors have focussed on mobilizing this low public legitimacy to challenge the state's use of its eminent domain powers to forcibly dispossess affected communities. Such discourses are often not opposed to industrialisation or SEZs per se (Levien 2013a: 373, Sampat 2015: 781), but rather the active role of the state in facilitating private profit by dispossessing land at lower than its perceived or market value.

For projects like large dams and mines, where the nature of 'public purpose' has greater public legitimacy, challenging the state's role in compulsory land acquisition can be more difficult, particularly in instances where such projects involve public sector companies. In addition, the goals of such resistance tend to coalesce around a fundamental opposition to land dispossession, rather than an effort to negotiate the terms of such dispossession or seek incorporation into projects. Resistance here therefore often relies on discourses that challenge the hegemonic development paradigm which legitimizes such projects, at times in combination with discourses around ecological sustainability and protection of indigenous rights. Essentially, movements seek to challenge the dominant view that these projects are in the public interest. For instance, in its opposition to the Sardar Sarovar dam project, the Narmada Bachao Andolan (NBA) has tried to rally public opinion by pointing out irregularities in land acquisition procedures, in terms of inadequate information provided to the affected communities and the state's use of repression and violence to counter opposition to the dam (Baviskar 2004: 201-2, 211). At the same time however, it has attempted to challenge the validity of the state's claims about the overall benefits of the project and the existing model of development the serves elite

groups, while causing the large scale displacement of marginalized communities (Ibid: 222-4).

Movements opposing land acquisition for coal mines in Raigarh, Chhattisgarh have similarly employed discourses challenging the current framework of capitalist development and state-capital alliances, and calling for a greater recognition on the interests of directly affected communities. Villages affected by the proposed Gare Pelma IV/6 coal block have proposed community mining as an alternative to mining by private companies, arguing that this will allow for a more environmentally sustainable and socially just exploitation of resources (Patel 2016, personal interview).¹⁸

More broadly, it remains important to distinguish between the factors influencing the decision of directly affected communities to resist a project, and the discourses employed by organized resistance to it. Baviskar (2004) illustrates such a difference in the efforts of the NBA to influence public opinion around the Sardar Sarovar dam project by challenging the discriminatory character of the current development paradigm. She argues that such discourses employed by the movement are the result of outside activists working to translate the particular concerns of affected communities, which are primarily focused around immediate questions of the loss of land and livelihoods due to the dam, into a more generalised critique of the current model of development (Ibid: 228). It is therefore a strategic attempt to build public support for the movement among national and international elites, by reframing struggles for sustenance being denied by the state into a broader struggle for an ecologically sustainable and socially just alternative development model (Ibid: 236-7).¹⁹ Such a consideration applies to an understanding of discourses of resistance movements more broadly, rather than just those opposing projects like large dams and mines.

Lastly, the discourses of resistance by politically less influential communities and those mobilizing against projects with high public legitimacy tend to include an explicit avowal towards non-violent protest. The use of terms like *Koyla Satyagraha* (Coal Satyagraha) by anti-mining movements in Chhattisgarh (Drolial 2016) and *Jal, Jangal, Jameen Haq Satyagraha* (Satyagraha for Water, Forests and Land rights) by the NBA (NBA 2016) are aimed at invoking Gandhian ideas of non-violent resistance against injustice²⁰. Through such active attempts to highlight the non-violent and legitimate nature of their protests, these

¹⁸ Personal interview with Harihar Patel, community leader, Gare village (9 August 2016)

¹⁹ Parts of this paragraph are based on a previous term essay titled 'Resistance to Large Dams in India: An Analysis Using Social Movement Theory'.

²⁰ *Satyagraha* can be loosely translated into English as a 'struggle for truth'.

movements seek to pre-empt the very real threat of state coercion and violence to suppress resistance. While state repression can, and is, used to enable land acquisition across a range of cases, the community's direct political influence and perceived public legitimacy of a project have important impacts on the ability and willingness of the state to employ such means.

4.3. Strategies of resistance to compulsory land acquisition

Strategies of movements resisting projects like SEZs and those resisting projects like large dams and mines also tend to diverge in terms of how they seek to engage with the state. Opposition to land acquisition generally tends to be targeted at the regional governments and local levels of the state, which are most closely implicated in the land acquisition process. For Levien (2013a: 369), such localized, politically autonomous and single-issue resistance is a key characteristic of the nature of dispossession politics. Bedi (2013: 40) also argues that most anti-SEZ struggles across the country have been localised in nature, focussing on specific context of a given project and targeted at the state government.

While resistance to projects like mines and big dams shares similar characteristics, affected communities have also increasingly relied on the court system and advocacy efforts targeted at the central government for a number of reasons. In part this is because, unlike projects like SEZs, such projects are typically initiated and approved by the central government, even though the land acquisition process itself may be facilitated by regional state governments. Moreover, to the extent that such opposition, unlike that against SEZs, seeks to challenge the existing development paradigm that legitimizes these projects, it also needs to engage with broader public opinion and the central government, alongside challenging the regional and local state.

More importantly, for relatively less politically influential affected communities resisting projects with high public legitimacy, the Indian court system has proved to be an increasingly effective alternative to the state for contesting land acquisition. Rights and protections against land dispossession under relatively progressive central government laws – in particular, the Panchayats (Extension to the Scheduled Areas) Act 1996 (commonly known as the PESA Act) and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (commonly known as the Forest Rights Act) – have strong provisions for prior consultation or mandatory consent of indigenous communities in cases of land acquisition and diversion of forest land respectively. These protections are in stark contrast to the very limited rights available for land losers to directly oppose the land acquisition process. They mean that, in principle, indigenous communities threatened by displacement due to such

projects often have alternative avenues to challenge the loss of their land. A number of judgements have highlighted how the judiciary can be utilized as a means of pushing for the effective implementation of the provisions under such laws. This includes two prominent recent cases – in Niyamgiri, Odisha and Lippa, Himachal Pradesh – where local communities were able to effectively stall compulsory land acquisition for public purpose projects executed by the private sector after the court ruling called on the government to enforce existing laws that mandate the consent of affected communities for the acquisition of forest land (Pradhan 2016).

This does not mean, of course, the movements resisting projects like SEZs do not approach the Indian court system; in fact, they often do (Levien 2013a: 364). Yet, such progressive laws on indigenous rights and transfers of forest land often do not apply to land acquisition proceedings for projects like SEZs, which have typically involved agricultural land of non-indigenous farming communities in peri-urban areas. Many of these movements are also better positioned to directly challenge the regional state's role in the land acquisition process, on account of their relatively strong political influence and the low public legitimacy of such projects.

4.4. Alliance building in resistance to compulsory land acquisition

Resistance to land acquisition for most projects tends to have a cross-class character. Levien (2013a: 370) argues that this is an inherent feature of anti-dispossession struggles, since this process indiscriminately impacts persons, irrespective of their class positions, within a specific geographical space. Thus, while different relationships to land and capitalist production relations – which often overlap with class divisions – can lead to differentiated views on land acquisition and resistance within a community, when opposition emerges it generally involves alliances between different classes.

Baviskar (2004) similarly discusses how the resistance to the Sardar Sarovar Project, through the Narmada Bachao Andolan (NBA), has involved two diverse groups – indigenous *Adivasi* communities in the hills and Hindu Patidar farmers in the plains. These groups have had a historically antagonistic relationship – due to the steady alienation of *Adivasi* land in the plains areas as a result of state-sponsored resettlement of non-*Adivasi* farmers in these areas (Baviskar 2004: 71) – as well as different socio-cultural relationships to land and existing linkages to capitalist relations of production (Ibid: 92-3, 217-8). Baviskar argues that such an alliance has been possible because opposition to the dam has coalesced around common concerns of displacement and social justice; as people who are all affected by the displacement caused by the project, participants of the movement have largely disregarded internal contesta-

tions over land, based on existing class and caste relations, and focused rather on how the project will benefit the Indian state, urban elites and wealthy farmers in neighbouring states, at the expense of local populations being displaced by it (Ibid: 220-2).²¹

Opposition to land acquisition against at least some private and public sector coal mining projects in Raigarh, Chhattisgarh has also involved cross-class mobilizations by affected communities (Patel 2016, Rinchin and Mahant, 2016, personal interviews).²² Discussing the opposition to SEZs in Goa, Sampat (2015: 771) similarly illustrates how the protests involved a broad coalition of both peasant and citizen groups who were motivated by common concerns about the adverse impacts that the establishment of such projects were likely to have on their access to community land and other resources.

²¹ Parts of this paragraph are based on a previous term essay titled 'Resistance to Large Dams in India: An Analysis Using Social Movement Theory'.

²² Personal interview with Harihar Patel, community leader, Gare village (9 August 2016), and personal interview with Rinchin and Manadas Mahant, activists, Sakta village (19 August 2016)

Chapter 5 Conclusion

In proposing an analytical framework for understanding the varied nature of resistance to compulsory land acquisition for public purpose projects in India, this paper argues for a more contextual understanding of how the process of land acquisition unfolds across different communities and project types. It looks, in particular, at variations in four factors – the incorporation of affected communities into projects, their existing relationships to capitalist production relations, public perceptions of the legitimacy of state involvement in land acquisition, and the political influence of affected communities – and the influence such variations have on how communities experience land acquisition and the role played by the state in this process. Differences in the political character of resistance to land acquisition across communities and project types are, it argues, closely linked to specific interactions of these interrelated factors. The goals, discourses and strategies of movements opposing compulsory land acquisition for projects like large dams and mines are often qualitatively different from those resisting projects like SEZs. Likewise, there are differences in the nature of resistance by indigenous *Adivasi* communities and that of relatively more affluent and politically influential peasants.

The research paper thus engages with Levien’s theorization of a politics of dispossession influenced by specificities in the process of land dispossession (Levien 2013a). It illustrates how some of the specific characteristics of dispossession that he identifies – namely, the state’s explicit and transparent use of extra-economic coercion, its sudden, one-off and indiscriminate impacts on a given area, and the engagement of existing political and social movements with this issue – exhibit variations across communities and projects, thereby influencing how this process is resisted. Levien’s focus on presenting a politics of dispossession that is distinct from labour and agrarian politics results in a relatively limited emphasis on such differences.

More broadly, the paper seeks to engage with the existing literature on variable political reactions to land grabbing, much of which has focussed on the context of large agricultural concessions (Borras and Franco 2013, Hall et al. 2015). In looking at the varied nature of resistance to land acquisition for non-agricultural projects like large dams, mines and SEZs, it highlights, in particular, how the nature and scope for incorporation of affected communities into such projects is different from that for agricultural concessions, and also varies significantly across these different project types. The diversity of ways in which movements opposing land grabbing interact with the state, particularly in terms of the level of the state they engage with and their use of legal mechanisms to assert their rights (Hall et al. 2015: 475-6), are also echoed in the strategies of anti-land acquisition movements in India. It remains unclear to what

extent such diversity in mobilizations against land grabbing reflects attempts by less politically influential communities to challenge projects with relatively high public legitimacy, as I argue is the case in India.

Given the specific focus of this paper, on analysing the variable nature of resistance across communities and project types in India, it places relatively limited emphasis on cases where such land acquisition does not emerge. However, the factors proposed in the present analytical framework can also be applied to understand instances of non-resistance. At the same time, unlike the broader literature on political reactions to land grabbing, this paper does not engage in much depth with issues of state-capital relationships and interactions between the central and regional state, and the impact that variations in these areas are likely to have on the process of compulsory land acquisition and resistance to this process. Given their increasingly important role in the context of the continued process of liberalization and decentralization of the Indian state (Gupta and Sivaramakrishnan 2011), these remain important agendas for future research.

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