State and Violence in Contemporary India: A Study of Select Cases from Odisha

A Dissertation submitted to the University of Hyderabad in partial fulfillment of the degree of

MASTER OF PHILOSOPHY

In

SOCIOLOGY

by

Akankhya Panigrahi
20SSHL01

Department of Sociology

School of Social Sciences

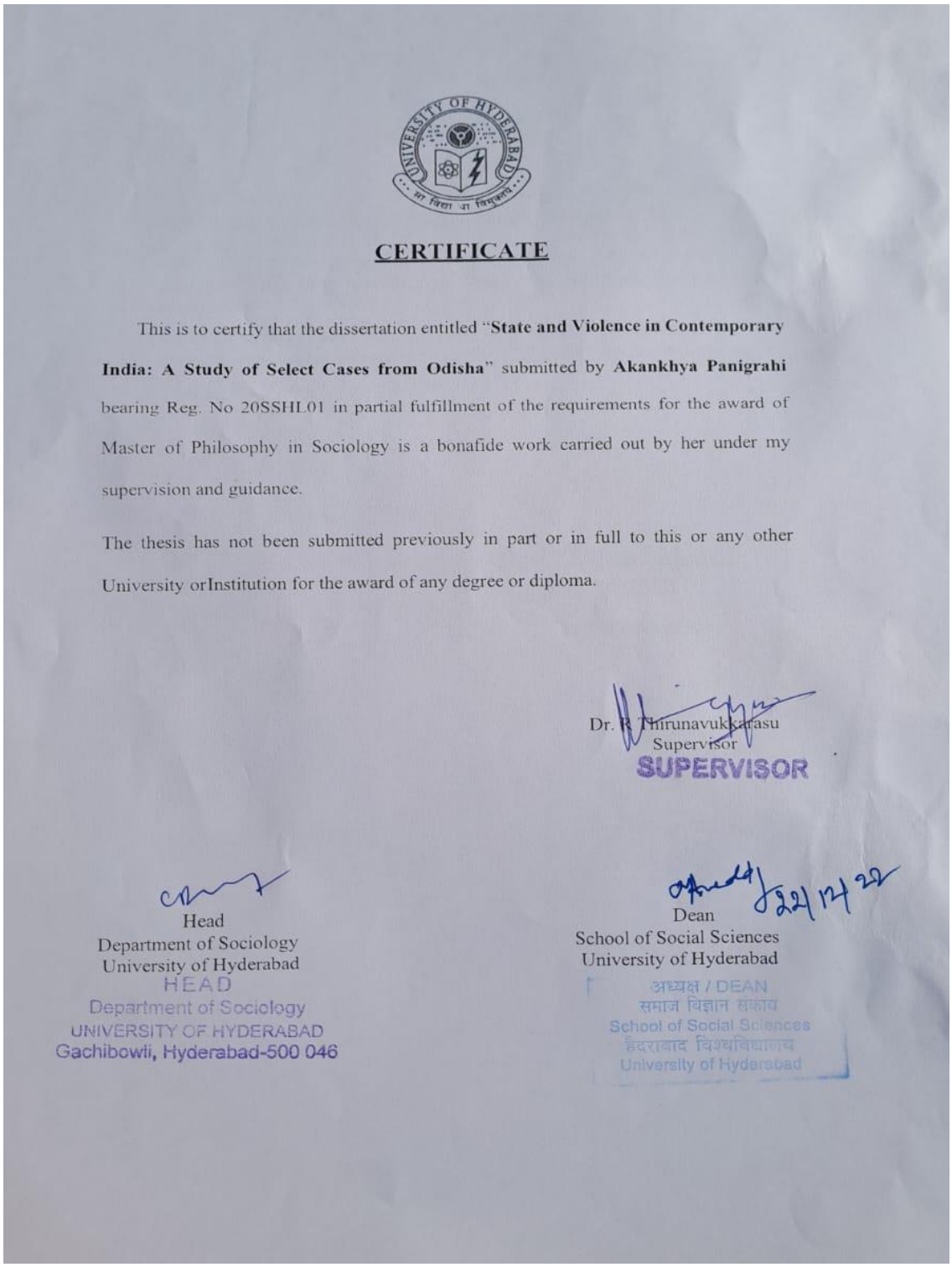
University of Hyderabad

(P.O) Central University,

Gachibowli, Hyderabad – 500046

Telangana, India

CERTIFICATE



CERTIFICATE

This is to certify that the dissertation entitled "**State and Violence in Contemporary India: A Study of Select Cases from Odisha**" submitted by **Akankhya Panigrahi** bearing Reg. No 20SSHL01 in partial fulfillment of the requirements for the award of Master of Philosophy in Sociology is a bonafide work carried out by her under my supervision and guidance.

The thesis has not been submitted previously in part or in full to this or any other University orInstitution for the award of any degree or diploma.

Dr. R Thirunavukkarasu
Supervisor
SUPERVISOR

Head
Department of Sociology
University of Hyderabad
HEAD
Department of Sociology
UNIVERSITY OF HYDERABAD
Gachibowli, Hyderabad-500 046

22/12/22
Dean
School of Social Sciences
University of Hyderabad
अध्यक्ष / DEAN
समाज विज्ञान संकाय
School of Social Sciences
हैदराबाद विश्वविद्यालय
University of Hyderabad

DELARATION

DECLARATION

I, Akankhya Panigrahi, hereby declare that this Dissertation entitled "**State and Violence in Contemporary India: A Study of Select Cases from Odisha**" submitted by me under the guidance and supervision of Dr. Thirunavukkarasu is a bonafide research work. I also declare that it has not been submitted previously in part or in full tothis University or any other University or Institution for the award of any degree or diploma.

Date: 22/12/2022

Place: Hyderabad

Akankhya Panigrahi

Name: Akankhya Panigrahi

Registration No.- 20SSHL01

ACKNOWLEDGEMENT

I extend my utmost gratitude to my supervisor Dr. R. Thirunavukkarasu who guided me throughout the process. His knowledge and ideas on the area of my research were very insightful. He has been immensely patient and encouraged me to pursue the research through my own lens. I am particularly grateful for his guidance in the writing process.

I am very grateful to the member of my Research Advisory Committee Dr. Asima Jena whose insights were very helpful throughout my research work. She helped me strengthen my literature and guided me on how to read and interpret theoretical as well as empirical texts.

I thank the department of sociology, University of Hyderabad- its faculty, staff and students who have helped in fulfilling each and every aspect of the research process. I am grateful to the department and university office staff for their help in processing my fellowship. I thank the library staff for their assistance and the staff at the canteens.

I am thankful to people I met in the university from different departments. I would specially like to thank my friend and batch-mate Chawang. We both went through the ups and downs of the journey of M.Phil together. I would also like to thank Ananya and Shahla, who supported me throughout the course.

I would like to thank my close friend, Soham for his immense support, my school friend Pritam for believing in me and people who became like family in the city of Hyderabad- Iti ma'am, Aditi ma'am and Gyandeep Sir. A special thanks to Rupak Sir who supported me in difficult times and helped me in completing the thesis.

My utmost respect and gratitude belong to my parents who have always been my support system. I appreciate all their hard work to make my thesis a better one. I would

like to dedicate my work to my late grandparents who live in my thoughts and emotions. My special gratitude goes to my sister, Anwesha, who has always been a friend philosopher and guide to me. Her patience and love are very much the essence of all my efforts.

This work is a dedication to all those who are struggling for survival and peace.

CONTENTS

LIST OF TABLES

CHAPTER 1

INTRODUCTION

The pursuit of studying the State is a complex task in the social sciences. The conventional wisdom in political science claims that the study of State is the solemn mandate of the discipline. In Sociology, the State became a central focus only recently. The state has been predominantly defined as a political administrative apparatus which governs a territory with its use of power and force (Abercrombie et al. 1988, 378-379). Research in social sciences, political sociology and anthropology in particular, has moved further to redefine the state as socially constructed and constituted, embedded in the society. The state is not an abstract political organization governing a territory, but a contingent, fragmented social reality embedded in everyday lives of people (Sharma and Gupta 2006).

According to sociologists like Max Weber, the state becomes distinct with its legitimacy to use violence. Weber defines the state as a political organization whose administrative staff uphold "the claim to the monopoly of the legitimate use of physical force in the enforcement of its order" (Weber, Roth and Wittich 1978, 54). He believes that the use of force in the modern state can be considered legitimate as long as it is permitted or prescribed by the state (Ibid.). But it has not been sufficiently justifiable to say in a circular manner that the legitimacy of violence and the state are essentially related to each other. Studies have further asked how and why state violence is legitimized, to what extent it can be legitimized, how it impacts the rights and lives of citizens etc. This research aims to contribute to these queries and the overall sociological understanding of the state and state violence.

Every state has specialized institutions and agents for inflicting violence which makes such violence formally legitimate and powerful (Tilly 2003, 4-5). Generally,

institutions like the law, the police, the military etc. are closely associated with violence. Among them, the police and the military are particularly important for they have the legitimate right to use direct violence and possess modern equipment of violence. Recent literature on the sociological perspective of the state has widened the definition of state and state violence (Gupta 2012; Khanikar 2018). It is not limited to violence by "repressive" apparatuses alone. Althusser states that repressive institutions practice ideological social control and ideological institutions practice violence as well. But he segregates them because repressive and ideological institutions predominantly use violence and ideology respectively (Althusser 2006, 93). The shift towards studying violence in ideological institutions like school, religion, health etc. is important and has scope for further sociological research. The focus of this research is, however on violence by the police, predominantly characterized as a repressive institution. We can begin with the common observation that police violence is increasingly being used in India. It is important not to ignore these visible practices of police violence, such as custodial deaths, encounters, torture, arbitrary arrests and detentions which are increasingly making headlines (The Times of India 26 July2022). This research aims to identify the roots of this problem from sociological perspective. It believes that police violence needs to be understood in relation to the state and unequal social relations of our society, not just an incidental act by the police. This research proposes to view police violence as a part of state violence. Police violence can therefore be defined as violence perpetrated by the state through the police force. How the state uses police violence and how police violence aids the state are the fundamental aspects of this research.

There is another reason why studying police violence is important. Police violence is the most visible but unacknowledged (or worse, acceptable) form of violence. What counts as violence becomes important (Das 2013, 798). Police violence is no longer

a secret, though the scale of visibility might differ according to the context. It is well known that violence (both legal and illegal) is used by the police but often complimented with the narrative that such violence is necessary to 'maintain social order'. It is important to critique such narratives and study the sociological reasons for why police violence occurs. This research believes that without looking into the relationship between police violence and the state as well as social inequality, the analysis of police violence will be incomplete at best (Neocleous 2000, xi-xv). By looking at particular cases of police violence, this research aims to comment on the nature of state and state violence in India. The dream of capitalist growth and a liberalized economy after the 1990s has not yielded expected results. The state has been trying since the last three decades to overcompensate by rapidly expanding capitalist development. The state mechanisms used to facilitate such development have colonial roots. It is by exploiting marginalized groups that development is being imagined. This research aims to argue that police violence appears to have become an essential part of such exploitation. It is through violence that the state is able to support capitalist exploitation and suppress any resistance against it. This chapter begins by introducing the concepts of the state and state violence. It tries to elaborate different theories on the state and different ways in which police violence has been looked at in available literature. It moves onto the objectives, research questions, and methodology of the research.

1.1 Review of Literature

Defining the State

Numerous debates are being invoked in the study of state. Some fundamental questions that have been addressed by sociologists and need constant reflection that include: What is a state, how it varies in different societies, what is its relationship with 'society', is state neutral, whether it is a macro abstract structure or a micro reality etc.

There is no single sociological definition of the state but sociology has predominantly viewed the state as a social institution (Abercrombie et al. 1988, 378-379). The state has most often been defined in functional terms though its function might differ according to different perspectives. Most sociological works have focused on the modern state. The approach has been to describe how the state shapes and is shaped by social relations. Classical sociological theories viewed the state as a unified organization defined by its political character, shaping and shaped by social, economic and cultural factors (for a review see Nash 2010; Badie and Birnbaum 1983). Recent works (see for example, Sharma and Gupta 2006) have questioned the unified character of the state to the extent that the existence of an entity called the state itself has come into doubt. Literature has also moved towards analyzing micro and routine aspects of state practices (including violence), finding contradictions within the state and questioning its rationality. This section will try to elaborate a few works on the notion of the state and variations in defining it (For example, Desai 1975; Poulantzas 1969; Sharma and Gupta 2006).

Durkheim saw the formation of the modern state based on the division of labour itself (Nash 2010). In societies with no division of labour, there is a need to impose social control in order to bring about mechanical solidarity. Division of labour creates differentiation and an interdependence of individuals creating an organic solidarity. In evolved societies with more division of labour, social control is no longer needed and the strength of collective representation declines (Durkheim 1973). The state thereby starts developing as a distinct component (organ and function), according to Durkheim, and ought to remain separated from class, caste, religious etc. interests and act impartial. A 'normal' state helps in emancipation of citizens and ensures liberty of individuals over social groups as it gets stronger (Badie and Birnbaum 1983). Durkheim therefore believed the state to be a neutral organization. Liberal perspectives on the state also

believe the state to be a neutral entity protecting the freedom and interests of different sections of the population (Fazal 2016, 13). The modern state is often thought to be a rational entity of rule based on some principle. Weber's idea of the modern state exemplifies the same. According to him, the modern state is predominantly characterized by legal-rational authority. Weber did not see the state as entirely dependent on mode of production or division of labour. Social change can be brought about by means of administration as well (relations of dominance, subordination, power, authority). Laws, at least formally, supersede the economic and social norms of the society and take on a general character, become their own legitimizing principle (Trubek 1972).

Though theoretically the state was considered rational, both Weber and Durkheim recognized that the state may not always be rational or neutral in practice. Though Weber did not see the roots of the modern state in capitalism, he saw however a reciprocal support between the money economy and the bureaucratic state (Badie and Birnbaum 1983). As the state becomes institutionalized as a distinct authority, the ties of patrimonialism end and state officials become salaried. The state aims to eliminate all private rival forces and gain monopoly over administrative-military power. Weber's historical analyses of different societies, however, provide a picture of how actual bureaucracies differ from the ideal model. Specific historical circumstances may not allow the state to be completely independent of private property or become absolutely rational (Ibid.; Nash 2010). Durkheim also recognizes that the state can become dominating if it gets too strong and can curtail individual freedom (Durkheim 1973). Marxist perspectives strongly argue that the state is not neutral. The state rather functions to maintain the interests of a particular class group and a particular socio-economic order. Initial works of Marx do not completely align with the view that formation and nature of the state is based on particular class interests alone. Rather, he acknowledged the

possibility that different forms of state can develop in capitalist societies depending on specific historical trajectories (not just capitalist but feudal conditions). Formalization of the state and bureaucracy resulted from the separation of civil society from its political character (Nayar 2014). Capitalist societies share in common the dominance of private property and modern bourgeois ideology. However, the autonomy of the state could differ in terms of how differentiated the political organization is from the civil society. In some societies, the state falls completely into the hands of the bourgeoisie (Badie and Birnbaum 1983). In his later works, Marx shifted his attention to the critique of these states whereby he described the state as an instrument of the ruling class (Chatterjee 2001; Marx and Engels 2021). The existence of the state itself is said to be dependent on capitalism in some Marxist understandings. They suggest that "the state did not always exist" (Mandel 1971, 11). It emerged when social division of labour took place and society was divided into classes. The state functions, which were carried out by the collective, now became concentrated in the hands of a few people. That, as Mandel suggests, is the essential characteristic which defines the state. "It is born from the division of society into classes and will disappear at the same time that this division disappears' ' (Ibid).

Marxist sociologists like A.R. Desai emphasize that the state's essential function is to maintain the dominant mode of production and its corresponding social order (Desai 1975). Many Marxist thinkers look at how the state favours the bourgeois class in a capitalist society. This relation has been explained in different ways. Miliband suggests that, in the context of advanced capitalist societies, most of the members of the state apparatus (the Army, Police, Judiciary, Administration etc.) are themselves from the ruling class or have personal relations with them. Poulantzas countered this by saying that irrespective of their class origin, members of the state occupy a 'class position', by

the virtue of being part of the bureaucratic apparatus. These members' role is to fulfil the state's function, its institutional materiality which itself resonates with interests of the ruling class (Poulantzas 1969).

> "The bureaucracy, as a specific and relatively 'unified' social category, is the 'servant' of the ruling class, not by reason of its class origins, which are divergent, or by reason of its personal relations with the ruling class, but by reason of the fact that its internal unity derives from its actualization of the objective role of the State. The totality of this role itself coincides with the interests of the ruling class" (Ibid., 73)

Recent literature has also focused on how the state is not entirely rational and is contradictory in its own rules and regulations. Along with this, recent literature in sociology and anthropology has critiqued this idea of an abstract political entity separated from civil society. The state has overall been conventionally picturized as a political entity which is abstracted from civil society. It is through this separation that the state is said to be formed. Whether it is the Marxist conception of the state influenced by ruling class interests, the notion of the state being a rational entity based on rules or ensuring freedom of individuals, it was seen as a separate political entity. Now, however, the state is considered a dispersed social-political practice embedded in everyday lives of people. The approach is to locate the state *within* other social institutions and relations like family, economy and civil society. The methodological focus is now on micro aspects of the state that people encounter in their mundane lives which helps emphasize the dispersed nature of the state (Sharma and Gupta 2006). The modern state is not always legally-rational. It is not always clear what the legal rules expect people to do. It is this very illegibility and negotiability that characterizes the state (Ibid; See also Das 1995). This is an important shift in theory as well as practice. The state cannot be thought of as a unified well-functioning entity whether guided by legal-rational rules or by particular class interests. It is now believed to be dispersed and fragmented with internal

contradictions to the extent that it is considered incorrect to imagine the state as a unified entity in the first place (Gupta 2012, 41-72).

The conceptualization of power of the state has also faced similar theoretical and empirical revisions. State power is considered to be dispersed in everyday lives. Additionally, Foucault argues that power is not concentrated in the state apparatus alone. To overturn domination and bring about social change it is equally necessary to address the minute powers that operate alongside and outside of the state apparatus (Foucault and Gordon 1980, 60). That is, state power interacts and intersects with other sources of power in our routine lives. Drawing from this perspective, many ethnographical works have focused on state violence at the level of the everyday. Through the analysis of violence, researchers have shown the fragmented and dispersed reality of the state (Khanikar 2018; Das 2007; Gupta 2012).

So, how do we define the state sociologically? We can conclude that the state is not merely a political organization rationally governing society. Political perspectives have helped in designing the state to be a governing institution possessing certain powers necessary for the functioning of society. Social-historical analyses reveal that the state has failed to be always rational or neutral. A political sociological perspective helps establish that the state is embedded in social relations- governed by economic, political, cultural factors- in a particular context. It contributes to the theory of the state by establishing how the state is embedded in our social reality.

The study of the state in sociology has involved a theoretical and methodological redefinition of the state itself. Some thinkers further ask ‘If the state is so minutely dispersed, is there a need to study the state separately?’ or ‘Does the state really exist?’. Philip Abrams proposes that there is no material reality called a state. It is an idea that is reified as real precisely to hide the reality of discontinuities within “the state”, to mask

actual political practice. He suggests that we need to sociologically treat the state as an ideological construction made to legitimize certain practices. The state can be a social fact but we should not believe in its actual material existence. The practices and institutions we claim as "the state", he says, can be thought of as 'the state-system' which can be analysed without believing in the reality of the state (Abrams 2006, 122). This research disagrees with Abrams that there is no material reality of the state even though the ideological presence of the state is undoubtful. Ideology necessarily has a material reality (Althusser 2006, 103). The material and ideological practices of the state construct and reinforce each other. Particularly, this research believes that the practice of violence is both shaped by and reinforces the ideological control of the state. The way we define the state will influence our understanding of how and why state violence is used. The reverse is equally true. The way we view state violence helps us understand the nature of the state itself.

The modern state and violence

Weber's definition of the state explicitly covers its relationship with violence. For him, the modern state is a political organization essentially characterized by bureaucratic administration and monopoly over 'legitimate violence'. Weber further argues that the use of force in the modern state can be considered as legitimate as long as it is either permitted or prescribed by the state (Weber, Roth and Wittich 1978, 56). This seems to be a circular understanding where the essence of the state is legitimate force and the essence of legitimate force is its relation to the state. Despite being circular, it is somewhat convincing. But, as sociological and anthropological works have shown, the brand of the state is neither static nor sufficient to claim its monopoly over legitimate violence. In other words, social, cultural and political forces in interaction with each other and the state create and sustain practices that continuously legitimize state violence as

well as state's control over violence. In many contexts, the legitimacy of the state is retained despite extreme and illegitimate use of violence (Khanikar 2018, 1-34). That is, it goes beyond the definition of 'legitimate force' based on legal rules as defined by Weber. Yet, such violence is legitimized through social sanctions.

The predominant way of looking at the relationship between the modern state and violence has been through analyzing the aspects of law and punishment (for a review see Garland 1991). Durkheim in the essay *Laws of Penal Evolution* theorizes that punishment in modern society gradually became limited to imprisonment alone. It happened due to a change in social and moral attitudes, a shift in focus towards individuals rather than the community (Durkheim 1973). Simple societies had more public forms of punishment than private. Imprisonment was considered unnecessary as the responsibility of violation was not just on the individual but a collective (clan or kinsmen). With centralization of governance, smaller familial groups disintegrated and the total mass of population was governed. The responsibility of violation became the sole responsibility of the individual. Both these laws do not involve a sudden shift but gradual evolution.

Michel Foucault has analysed in depth how liberal democratic bourgeois societies engage in coercive practices. His description involves a historical shift, rather than an evolution, into more productive forms of punishment, which does not repress but shapes the violation itself. He describes how the pre-modern practice of punishment where public torture and executions were common and the sovereign power had the right over death of its subjects historically shifted to a hidden form of power over life which manifested in dispersed forms (Foucault 1977). Violence inflicted in the form of punishment involves a number of state institutions but mainly the police, courts and prisons. A lot of work has been done on how these institutions individually and the

system as a whole uses violence in different ways. But violence is not limited to these institutions. Foucault's analysis of the carceral system used in institutions of prison, school and family alike is an effort towards the understanding of power as dispersed. He argues that it is discourses (patterns of speech and thought which construct knowledge) and techniques of power which are involved in punishment. His notion of bio-politics conveys that regulation of populations, their locations and everyday activities constitutes governing power or governmentality in modern society in which both state and non-state apparatuses can be involved (Foucault 1977; Foucault 1984). Foucault has argued that state power needs to be seen in connection with other sources of power. Focusing on violence by state institutions alone therefore can be misleading (Foucault and Gordon 1980). This corresponds with the larger idea that state power is dispersed. However, this should not lead to a conflation between state and other forms of violence. It should lead us to investigate how state violence works with other forms of violence in a particular context.

It is not only the boundary between state and non-state that has been contested. The definition of violence within the state itself has also been redefined. Scholars like Akhil Gupta have tried to broaden the definition of state violence. Gupta's analysis of state institutions, for example, in the health and welfare sector questions the limited way in which state violence has been defined. He argues that state violence is not limited to the incidental physical torture by repressive state institutions like the police, but is an everyday structural violence that is pushing people further into poverty, to the margins (Gupta 2012). He writes

> "with what should be considered exceptional, a tragedy and a disgrace, but is not: the invisible forms of violence that result in the deaths of millions of the poor, especially women, girls, lower caste people, and indigenous people. What makes such violence invisible? How does one think about not only deliberate acts of violence such as police brutality, but also political, administrative, and judicial action or

> inaction that prevents poor people from making a living, obtaining medical aid, and securing such necessities of life as food, clothing, shelter, and sanitation?" (Gupta 2012, 5)

Alarming number of deaths can become normalized in a society. Gupta draws Foucault's concept of biopower and Agamben's notion of *Homo Sacer,* among others, to understand how and why this takes place. Foucault has argued that in the apparatus of security, the focus is on the population as a whole. It is managed by regulating statistics on life, death, health etc. Through this *a* normal can be "discovered and established" (Gupta 2012, 15). Gupta critiques Foucault by arguing that the notion of biopower may not be helpful in understanding why certain sections of the population are allowed to live, and others' deaths are normalized. The poor and marginalized sections in India whose deaths are being normalized could fit the notion of *homo sacer* (sacred man) who Agamben defines as someone who can be killed without it being a sacrifice (Agamben 1998, 12). *Homo Sacer* being considered both inside and outside of the law, their death will not be illegal or violate the sovereign's legitimacy. Similarly, the state's legitimacy stays intact and innumerable deaths go unpunished as deaths of certain sections of the population are considered legitimate or acceptable. Extreme and unnecessary violence involves depriving someone of their human-ness by the state or even one's own social group (Das 2007; Pathy 2003, 2832). which legitimizes their death. In everyday life, people are constructed to be not worthy of any social-political identity and of life itself (Das 2007). The point in which Gupta differs from Agamben is that in India, those very groups who are the centre of state's policies and politics become the target of legitimate suffering and deaths. They are neither outside of the law nor politically invisible (like Agamben's notion of "bare lives"- those who are stripped of their political life). Gupta tries to address how and why the state engages in arbitrarily deciding whose life could

be ‘killed without sacrifice’, whereby some people are subject to more suffering (or killing) than others even if they may be in similar social locations (Gupta 2012, 6).

Borrowing from works of Johan Galtung and Paul Farmer, Gupta defines structural violence as more than direct bodily violence inflicted on people. It is characterized by the feature that there is no single perpetrator of such violence. Paul Farmer defines such violence as being systemically inflicted by all members belonging to a particular social order and is closely associated with oppression (Farmer 2004, 307). It is not a victimless crime, but a “crime without a criminal” (Gupta 2012, 21). It is not accidental but caused by deliberate actions or inactions. Some social agents and groups wish to maintain a social order in which extreme forms of violence become acceptable. They support and benefit from such violence. Gupta states that not only upper classes but middle classes (emerging faces of global capitalism) in India benefit from such violence. These agents may or may not be part of the state institutions. However, it is important to study the role of the state in perpetuating structural violence as it causes immense suffering and deaths by depriving people of basic necessities and rights.

Gupta further reflects that if he had focused on other kinds of state institutions like taxation, infrastructural administration “...or if I had concentrated on state agencies engaged primarily with repressive functions like the police, I might have emerged with a very different view of the state’s role in structural violence” (Gupta 2012, 28). This research is an attempt to study the role of repressive institutions, particularly the police, in perpetuating not just direct-physical violence but also structural violence. The rationale behind this research is to refute the understanding that violence and the state have a relationship that is ‘given’, that the state uses violence because it is capable of doing so. Therefore, we need to further look into what forces factor in while building the

relationship between state and violence and what are the reasons for increasing violence in a particular context.

Capitalism, Contemporary Indian state and Violence

A modern state in India is said to have been organized under colonial rule. Among other things, the British took over the management of the economy, facilitated commercialization and industrialization, created a rational-legal bureaucratic apparatus and transferred property majorly to the state. Partha Chatterjee argues that the passive revolution (concept by Antonio Gramsci) in post-colonial India was characterized by the relative autonomy of the state from dominant classes, the state supervised by an independent judiciary and elected political representation, regimes discouraging foreign capital, sectors like heavy industries, infrastructure, banking, telecommunications etc. being owned by the state, the state's control over private sector through licensing, negotiations of class interests etc (Chatterjee 2008, 56). To put it bluntly, the state in India has since never really ceased to support industrial development and capitalist accumulation (Kohli 2012, 1-19), though post-colonial regimes attempted *additionally* to bring about policies of socialism and economic redistribution of land and resources.

The contemporary state in India is considered to be semi-feudal and semi-colonial in complex ways (for example, Vanaik 1990, Pati 2011, Kaviraj 2000). Transitions to capitalist relations have not eliminated feudal ties but created complex class polarizations based on feudal ranking, as well as caste (Vanaik 1990, 18-26; Pati 2011). Unlike classical Marxist understandings, the constitution of dominant class groups in India is complex. Democratic principles influenced the ideals of post-independent regimes starting with Nehru's government. However, the formal bureaucratic state structure was kept intact and could remain less influenced by democratic ideals. The post-colonial state continued to expand industrial development and facilitated capitalist gains. The educated

elite supported and took control of the same bureaucratic structure whose practices they critiqued during colonial times. Socialist policies and reform initiatives could be diverted to fulfil private interests by gaining control over state administration (Kaviraj 2000, Harrison 1960). The continued semi-colonial apparatus often becomes a hindrance to implementing socialist and democratic policies (Kaviraj 2000).

Many social groups, constituted mostly by the upper and middle classes benefited from the era of what can be called 'state capitalism'. Sudipta Kaviraj identifies four such groups- entrepreneurs and contractors who could benefit more from state policies than the free market; rich farmers who wished to divert the benefits of rural agricultural reforms meant for the poor peasantry instead of changing the socio-economic conditions; organized sections of the working classes whose interests could be formally recognized by the state and the state administrators themselves (Kaviraj 2000). Pranab Bardhan has identified three broad class categories resonating the above- the industrial bourgeoisie, the agricultural bourgeoisie and the professional classes (mostly officials of the state itself) (Vanaik 1990, 18-21). With an exception of the professional class, Achin Vanaik also argues that the state in India has benefited the dominant classes. He believes that state policies can be influenced more by forces outside of the state offices than lower officials within the state (Vanaik 1990, 22-23). In his work *The Painful Transition*, Vanaik looks at the complex class character of the state in India. He argues that the state in India has facilitated a capitalist path of development and represents the interest of the dominant classes, which is constituted by both agrarian and industrial bourgeoisie. The political and bureaucratic elites of the state shape their decision making according to the interests of these groups, though varyingly. That is, while political elites at the centre are more likely to be influenced by pressure from both the agricultural and industrial elite, the bureaucratic elites at the central level are more influenced by the industrial elite.

Localized bureaucracy, however, is influenced more by the rural agricultural bourgeoisie (Ibid., 11-66).

However, in a democratic set up, the state was not able to do away with its responsibility of providing basic subsistence to people. The transition to capitalism involves primitive accumulation. Primitive accumulation, according to Marx, denotes the process of separating the producer from means of production and subsistence, turning producers into wage labour which sets the pre-conditions for capitalism (Levien 2015, 147). However, this notion of primitive accumulation has been found inadequate to explain the changes in Indian society (Chatterjee 2008, 54; Levien 2015, 147-148). Borrowing from the theory of Kalyan Sanyal, Partha Chatterjee argues that the narrative of transition does not remain valid under the contemporary conditions of post-colonial development in a globalized economy. This is because there is a consensus globally that governments much ensure a minimum means of subsistence be provided to people. If the national or local government is unable to do so, the role should be taken up by other actors like the state, non-governmental organizations or international agencies. So, along with primitive accumulation, there is the simultaneous process of "reversal of the effects of primitive accumulation" (Chatterjee 2008, 54-55). The developmental role of the state, however, transformed with increasing emphasis on private capital since the 1990s (Ibid, 56-57; Levien 2015).

The state could not efficiently fulfil numerous promises of economic growth as well as social equality under state capitalism (Kaviraj 2000). In the late eighties and nineties, the Congress government liberalized the economy, encouraged free flow of capital to drive the state out of indebtedness. These changes in the political economy brought about a transformation in class dominance. This involves opening up of important economic sectors to foreign capital, increased opportunities and fearlessness

of domestic capitalist class, change in composition of the capitalist class as many new players entered and the increasing influence of industrial bourgeoisie than the landed elite over political decision-making (Chatterjee 2008, 56).

Though the role of the state is supposed to reduce in a liberalized economy, the Indian state has rather facilitated the running of the economy by property owning and business classes, who have attained both indirect and direct power over political decision making (Kohli 2012, 42). Atul Kohli in his work *Poverty Amid Plenty in the New India* tries to uncover the fundamental contradiction of abundance of resources along with extreme poverty and depravity. He argues that since the late 1980s the Indian governments have given up any effort or pretence at incorporating socialistic reforms and led the economy in the direction of liberalization, privatization and globalization. The state has facilitated the improvement of the position of the Indian bourgeoisie both within India and internationally (Vanaik 1990, 8). This model of capitalist development was supposed to bring about economic growth and reduce poverty. Rather, socio-economic inequality has increased in the past few decades even though rapid economic growth was seen for a few years (Kohli 2012, 10). Moreover, if we look at multiple dimensions of poverty and social inequality, India has been ranking lower with every passing year (Global Hunger Index 2022, under "India"). A direct incorporation of poor and marginalized communities in economic policies has been negligible and no attempts are made anymore to redistribute resources which are disproportionately owned (Kohli 2012, 8-9).

Michael Levien proposes the concept of 'regimes of dispossession to understand the various forms of land dispossessions. Socially and historically specific regimes of dispossessions involve a state (or owner of means of coercion) dispossessing land from its current users or owners for various economic purposes catering to particular class

interests in an institutionalized manner. It also involves ways that the state seeks to obtain compliance to such expropriation (including material compensation, legitimizing norms or force). Levien suggests that in India, there was a shift from regime of dispossession for state-led infrastructural and industrial development to that for private capital since the 1990s. This new regime is less focused on infrastructural development and development of basic amenities (Levien 2015).

Chatterjee argues that the democratic mechanisms for development did not vanish under the neo-liberal regime but became a constant process of negotiation for the political society (constituted by urban poor and rural peasants) as distinguished from civil society (constituted by urban middle classes influenced by capitalist hegemony) (Chatterjee 2010, 7-9). After such system is ensured, Chatterjee argues, electoral democracy becomes the field for negotiation of transfer of resources through governmental mechanisms for the livelihood of the poor and marginalized sections (Chatterjee defines marginalized sections as excluded even from peasant societies, constituted by low-caste groups and tribes dependent on non-agricultural resources) (Chatterjee 2008, 61-62).

The formation and the continuing existence of the Indian state have involved an extraordinary amount of violence. The claim of a post-independent democratic state to be less violent than the colonial one is a myth. It was not well thought out what changes would be necessary in the state structure and practices to promote this new regime of economic growth (Kohli 2012, 82). The emergence of policies of economic liberalization had a huge impact on state structure and practices. The nature of the state changed in the opposite direction of the liberalization ideal of less intervention by the state (thereby it has been characterized as neo-liberal economy). Rather, it became actively interventionist, reaching even the poorest sections of populations which were heretofore

neglected (Gupta 2012, 32). This increasing presence of the state among poor and marginalized sections has been extremely and arbitrarily violent.

A Critique of Police violence

Police violence in India is mostly recorded in terms of torture, custodial violence and deaths, encounter killings, arbitrary arrests and detentions etc. It has majorly been critiqued as being unconstitutional and a violation of fundamental human rights. Anand Chakravarti states that "the conscience of the wielders of state power fails to resonate with the conscience of the constitution" (Chakravarti 2012, 38). He also argues that marginalized sections (lower class, lower castes, tribal communities and Muslims) have been denied their fundamental rights provided by our constitution by the blatant use of police violence by the state (ibid). It is the foremost task of social analyses of violence including this research to recognize that police violence has been used predominantly against poor and marginalized sections. It cannot be studied isolated from caste, class, gender, ethic etc. inequalities.

A number of factors have been considered as reasons for the use of police violence. One of the major causes is thought of to be frustration among police officials. Many such acts are arbitrary or unnecessary (A newspaper report depicts how police personnel threw the articles of a woman street vendor selling *balita* (wick) in an act of rage near the Jagannath temple in Puri (*Dharitri* 10 Nov. 2021, 4). Such frustration is said to result from hierarchical organization of police institutions, pressure of work, political influence, media influence etc. That the occupation of policing itself makes one violent is a popular notion, depicted in movies like *Ardha Satya* (Nihalani 1980) which attempt to critique police brutality (The protagonist in *Ardha Satya* is a police officer who engages in custodial torture- one of which results in death for which he gets suspended. The movie deals with the life of a police officer, pressure by political parties

and work environment of the police). Upendra Baxi argues along similar lines when he provides ‘structural’ bases of frustration resulting in violence. He emphasizes that we need to focus on the poor working conditions of the lower order police officials in the hierarchical institution and work towards reform. He also majorly critiques governmental influence in organizing police violence (Baxi 1982, 1-40). Although analysis of working conditions of the police and critique of hierarchical ranking are important, these factors alone cannot explain police violence. Nor can these conditions justify the use of violence. Baxi’s support for “judicious” use of violence by the police is problematic both factually and conceptually (Balagopal 1986, 2028). In other words, the use of violence by the police is not always ‘necessary’ like in self-defence.

The image of the police as protector of society boosts violent action against what is considered dangerous for society. But very often what is termed as ‘dangerous’ is not a heinous crime but demand for basic needs denied to the poor and marginalized sections (Eckert 2014, 298). Thereby, law improvises crime itself (Marx 1993, 54). This image is accompanied by cultural notions. Veena Das has shown how the Indian nation-state has taken up the role of protector of women, a patriarchal role traditionally situated in the institution of family. She talks in the context of post-partition India where it became the responsibility of the state to “rescue” Hindu women and children from the neighbouring country who were abducted during partition and “return” them to their families. The state thereby created the category of “abducted persons”. Das has shown that many women were “rescued” against their will forcefully (Das 2007, 18-37). The state continues to take up such roles frequently and the police become significant agents to carry out tasks which involve violence. What actualizes in practice is the protection of a particular section (determined by caste, class, religion etc.) or a particular value (like the patriarchal notion of ‘honour’) at the cost of lives of vulnerable sections.

Some of the above-mentioned reasons may be the immediate precedents to police violence, or rather justifications for it, but cannot form the basis of why police violence occurs. This research believes that in contemporary India, we need to locate the roots of police violence in the relationship between state, governance and capitalist relations. The role of violence in the state's support for capitalism needs to be emphasized. Miliband reflects that in democratic capitalist societies there is demand for reducing social inequalities. When the state fails to effectively 'reform' the social order mainly through welfare measures, it resorts to repression and police power (Miliband 1969, 271). Social-historical and legal analyses have shown how laws were passed and violence was used to push people towards industrial labour. Both the legal apparatus and police institution were significant in the early stages of industrialization in organizing the labour force. Taking away land from peasants for industrial set up and urban development spared them with no option to earn but to join the labour force. There were laws that criminalized idleness and beggary so people would join what started to be considered actual "work" (Radhakrishna 2008, 16; Chandavarkar 1998, 159-160). Not only was a moral apparatus created around the 'danger' of criminality, but violent policing was used to punish those who broke the law as it continues till date. The social order to support capitalism was not only reproduced but fabricated with the help of policing (Neocleous 2000). Through certain examples, this research mainly argues that violence aids the state in facilitating capitalist expansion. The state and violence have a reciprocal relationship. While the state perpetuates violence to achieve certain goals, violence perpetuates the authority of the state. How this plays out in the Indian society where capitalist interests are tied with democratic principles constitutes the scope of this research.

1.2 Context of the Research

The relationship between state and violence is often assumed to be given especially when it comes to police violence. Therefore, it is considered legally doubtful but not morally wrong and the legitimacy of the state remains intact despite the use of extreme violence (Khanikar 2018, 1-34). Appropriating the means of violence and legitimizing them by virtue of being part of the state has no doubt been an essential aspect of the modern state. But sociological enquiry moves deeper into this fact. We need to ask further questions like- to what extent violence can be legitimate and who decides, how is state violence different in different kinds of society, what are the social roots of state violence, how is state violence legitimized etc. This research begins with refuting that the use of violence by the modern state is accidental or inevitable. In other words, the state does not use violence just because it can. The modern state is violent in all types of society, capitalist as well as socialist. But the structural basis as well as consequences will differ in the two (Desai 1975, 19-39). While there is a hype in academic as well as popular culture about how socialist countries have turned tyrannical, violence in democratic capitalist countries often goes unnoticed, or worse gets accepted. This research is an attempt to sociologically understand the unique relationship between capitalism, state and violence. Increasing state violence in our society has lately drawn attention as news. Records of increasing state violence in terms of human rights violations have been documented in official reports (see Table 1 & 2) Police violence constitutes a major part of this.

Table 1. Number of Human Rights Violations cases, Intimations about Custodial deaths/rapes and Encounter deaths in India registered with National Human Rights Commission (1995-2022).

Year (1st April to 31st March each year)	Number of Human Rights Violation Cases Registered	Number of Intimations about Custodial Death/Rapes	Number of Intimations about Encounter deaths
1995-1996	9751	444	-
1996-1997	19623	891	-
1997-1998	35779	1012	62/71[b]
1998-1999	39427	1297	76/65
1999-2000	49541	1093	85/115
2000-2001	70510	1045	110/109
2001-2002	67776	1307	58/113
2002-2003	67354	1342	83
2003-2004	71427	1463	100
2004-2005	72775	1504	122
2005-2006	72548	1739	157
2006-2007	80325	1607	301
2007-2008	98332	1999	177
2008-2009	89109	1660	132
2009-2010	80260	1601	111
2010-2011	82779	1574	199
2011-2012	93446	1433	179
2012-2013	105659	1705	181
2013-2014	96135	1719	148
2014-2015	112062	1722	192
2015-2016	115616	1823	206
2016-2017	89846	1763	180
2017-2018	77589	1785	164
2018-2019	87406	1936	158
2019-2020	74737	1700	127
2020-2021[a]	61865	1814	78
2021-2022	111082	2542	152
2022 (1st April-31st Nov 2022)	79610	1771	91

Source: Annual and Monthly Reports published by National Human Rights Commission 1995-2022 (NHRC 2022)

Note: Human rights violation cases reported commonly include custodial deaths, encounter deaths, labour violations, violence against Scheduled Castes, Scheduled Tribes, women and children, violations against health and environment, prison violations, inaction by state/government officials and violations by police (includes false implications, extortion, torture, illegal arrest/detention etc.) and paramilitary forces. Most violations are registered against the police (NHRC 2020, 1-2, 26-27).

[a] Data unavailable for the month of November 2020.

[b] Intimations received by state government/Intimations received by media and other sources.

Table 2: Number of cases/complaints, Custodial deaths, rapes, firing occasions and Human Rights Violations in India registered with National Crime Records Bureau (1995-2022)

Year	Total Number of cases registered against the Police	Number of Custodial deaths registered[a]	Number of Custodial Rapes registered	Number of occasions the Police resorted to firing	Number of Human Rights Violations registered against police[d]
1995	7866	31	6	905	-
1996	2214	49	6	765	-
1997	2276	40	6	790	-
1998	3242	46	4	1038	-
1999	4036	80	4	1190	-
2000	4056	103	2	1333	210
2001	7297	90	0	1417	183
2002	8978	100	3	2366	95
2003	8167	112	1	834	85
2004	3362	101	2	791	44
2005	9965	143	7	777	34
2006	13546	103	2	1363	29
2007	7908	141	1	865	64
2008	5445	120	0	1529	253
2009	14975	101	2	1280	191
2010	10470	82	6	1421	37
2011	11171	123	1	482	72
2012	2,289	129	1	548	205
2013	1989	133	1	684	178
2014	2601	93[b]	197[c]	176	98
2015	5526	97	95	156	94
2016	3082	92	10	184	209
2017	2005	100	89	-	56
2018	5479	70	60	-	89
2019	4068	85	47	-	49
2020	4720	76	29	-	20
2021	6164	88	26	-	26

Source: Annual Crime in India Reports published by National Crime Records Bureau 1995-2021 (NCRB 2022)

Note: Not all of the registered cases are charge-sheeted and sent for trial. The trial and arrest of police officers is slow and many cases remain pending each year (NCRB, Vol. III: 1037).

[a]Custodial deaths are the total of death of persons remanded to police custody by court, deaths of persons not remanded to police custody by court and deaths during production/proceeding in courts.

[b]From 2014, deaths during production/proceeding in courts have not been separately reported.

[c]Custodial rapes shifted from the section on 'Custodial crimes and crime against police personnel' to the section on 'Crime against women' in CII reports from 2014.

[d]Human rights violations by the police in India, accounted separately since 2000, includes encounter killings, custodial deaths, illegal detention, torture, extortion and other violations.

Visible physical violence by the state is a very important part of state violence. Defining violence only in terms of physical violence (Tilly 2003, 4-5) has its own benefits theoretically and practically. When we limit the definition of violence to the

aspect of physical torture, it becomes easier to imagine (ideally) functioning of the state without violence. In fact, we need to imagine a capitalist state at least devoid of brutal physical violence. So, the immediate task would appear to be that of reducing physical torture practiced by the state. However, state violence has been defined beyond its physical aspect. It is considered also structural and systemic in nature (Gupta 2012, 1-41 & Zizek 2008, 9-15). This wider notion of violence makes it difficult to imagine a state, particularly in a capitalist society, to be devoid of violence without any structural change in the existing apparatus. This does not mean that extreme violence and exploitation is an inevitable part of our society (Levien 2015, 147). It is necessary to understand police violence also within this framework in order to provide a holistic picture. The research aims to sociologically analyze the practice of police violence in India, supposed to be a democratic society with a mixed economy, where the state conveniently supports capitalist exploitation and ends up reproducing social inequality.

Police Violence in Odisha

Relatively less focus has been given to the state of Odisha in the study of police violence as compared to states like Uttar Pradesh and Mumbai (Belur 2010, Jauregui 2016). The reason could be that UP consistently reports highest cases of human rights violations, according to National Human Rights Commission reports (NHRC 2022). Police excesses form a significant part of these violations. However, cases of Human rights violations have increased in Odisha in the last ten years, with a drastic increase in the year 2015 to 2017 (see Table 3, 4; NHRC 2016, 377), when the number of cases were the second highest after UP.

Table 3: Number of Human Rights Violations cases, Intimations about Custodial deaths/rapes and Encounter deaths in Odisha registered with National Human Rights Commission (1995-2022)

Year (1st April to 31st March each year)	Human Rights Violation Cases Registered	Intimations about Custodial Death/Rape	Number of Intimations about Encounter deaths
1995-1996	487	10	-
1996-1997	695	13	-
1997-1998	702	23	0
1998-1999	464	68	1
1999-2000	595	46	1
2000-2001	907	57	0
2001-2002	805	56	0
2002-2003	837	42	0
2003-2004	1127	53	0
2004-2005	814	43	0
2005-2006	708	44	4
2006-2007	833	55	1
2007-2008	1147	56	1
2008-2009	750	50	0
2009-2010	1075	48	1
2010-2011	1852	55	10
2011-2012	3337	37	5
2012-2013	5781	52	8
2013-2014	5368	52	12
2014-2015	5790	55	6
2015-2016	16215	51	8
2016-2017	8682	51	9
2017-2018	4909	58	7
2018-2019	4902	65	14
2019-2020	4081	65	3
2020-2021	4515[#]	-[*]	-[*]
2021-2022	2774[#]	-	-
2022(1st April-31st June 2022)	646[#]	-	-

Source: Annual/Monthly Reports published by National Human Rights Commission 1995-2022 (NHRC 2022)

[*]The latest NHRC annual report (2019-2020) available online was published in 2020. Since then, monthly reports have been published in the official website, which does not include state-wise data.

[#]Source: Odisha Human Rights Commission statements published in the official website (OHRC 2022).

According to a newspaper report, 43 custodial deaths and 421 deaths of prisoners have been reported during 2015-July 2022 in Odisha as informed by Odisha Police Human Rights Protection cell (*The Samaja* 2 Nov. 2022, 1, 4). There is a need therefore to look into why police violence has increased by analyzing the social-historical as well

as the contemporary context in which the practice is taking place. The ruling political establishment in Odisha has been the same for the past twenty years. Yet, there has been an increase in human rights violations and police excesses in the last decade. Change in the national political context since 2014 may have influenced the perception of police violence within the decade. Apart from that, living conditions of underprivileged sections in Odisha must have been affected by cyclones and floods, which have been more frequent in the past ten years, not to mention the years of the COVID-19 pandemic. How the state and governments (at national and state levels) respond to crises like these and demands for basic necessities is important for understanding the context of police violence. In other words, how political decisions interact with the social realities of people is important in this analysis.

This research shall analyze a few major issues to explain why police violence might have increased in Odisha. One of the issues is the use of police violence by the state to suppress resistance. Several parts of Odisha remain under-developed with people struggling for basic necessities. The government's support for capitalist expansion, both public and private in the name of "development" has allowed constant exploitation of land, labour and resources in these regions. Several ethnographic works on resistance movements against capitalist development in Odisha and the role of police violence in suppressing these movements highlight the same (see for example, Padel 2009; Padhi and Sadangi 2020; Sarangi et al. 2005; Pathy 2003). How the relationship between state and capitalist expansion and a shift in favour of private interests might have led to an increase in police violence is one of the major concerns of this research.

The second issue that this research will look into is the issue of anti-Maoist violence by the state. Maoism and Naxalism have been a major concern in several parts of India. There is a constant effort by the state to suppress any kind of challenge to its

legitimacy or its policies. Granted that Maoist violence has caused chaos in the lives of vulnerable sections, but using this excuse to perpetuate extreme and arbitrary counter-violence has rather caused deterioration of lives and living conditions. It has also caused a constant fear among those living in regions where both Maoist violence and state violence is rampant (Sundar 2006; Khanikar 2018). In an ethnographic study of Batla encounters, Sayeed has pointed out "the likelihood that the encounter was not fake was as terrifying as its converse" (Sayeed 2020, 60). Hundreds of people are killed and tortured merely on the basis of suspicion by the police and 'special' forces, for which they are rarely held accountable. Nandini Sundar's work in the context of Bastar gives useful insights to understand the context of this form of police violence (Sundar 2006). Analysis of anti-Maoist police violence in Odisha, where Maoist encounters are simultaneously considered a "last resort" as well as a "success", is important (Orissapost 6 July 2020, 1).

Both these issues have a few things in common which are important for this research. First, both types of movements are trying to raise their voices against capitalist exploitation, state-capitalist relations and atrocities by the police and the government. Second, police violence is being used increasingly in both suppressing legitimate resistance movements as well as Maoist movements, which are considered illegitimate by the state. By analyzing the cases and existing literature, this research finds that police violence in both the issues is not just used against challenges to the legitimacy of the state posed by Maoist groups but also to suppress any voice against capitalist expansion.

The location of the researcher as an upper caste, upper middle-class female hailing from eastern Odisha might be crucial for the reader. This research aims to study the lives of marginalized tribal communities mostly in under-developed southern districts of Odisha. A few of these districts have been clubbed together as in need of development

by the state administration including the districts studied in this case[1]. While the government highlights the success of several development projects in these districts, the extremities of destruction and continuing prevalence of poverty has been neglected. There is increased dominance of non-tribals in these areas not only due to industrialization but also creation of state administrative posts. Perhaps the colonial narrative of non- tribals being more "industrious" still exists (Pati 2011). They are being recruited to govern tribal societies which facilitates their domination. Such symbolic forms of domination exist along with violence which the study focuses on.

1.3 Research Objectives

The focus of this research is on police violence. The police institution has been one of the major ways through which the state inflicts violence. The literature suggests that police violence involves gross violation of human rights and has acted against demands of basic rights of marginalized sections. There is a need to further theorize why such violence can keep increasing in a democratic society. Even after years of criticism, the Indian state has been increasingly engaging in the use of police violence. This research will attempt to explain this stubborn tendency. The hypothesis is that the relationship between state, violence and capitalism is key to understanding increasing police violence in India.

Many scholars reflect on how the change in the political economy and emergence of neo-liberal policies influenced practices of the state. Violence, being an important part of state practice, has also been influenced by this shift. This thesis proposes that the contribution of police violence has been crucial in imagining new development policies based on private capitalist expansion. More importance needs to be given to the study of the state and state violence in sociology. By analyzing particular cases of police violence,

[1] Basic information can be taken from (**National Informatics Centre Koraput, n.d.).**

this research broadly aims to contribute to the sociological understanding of the relationship between violence and the state in India.

The objectives can be put as the following:

1. To contribute to the understandings of state and violence in sociology.
2. To analyze the reasons for increasing police violence in contemporary India.

1.4 Research Questions

Based on the above objectives, the following research questions have been formulated:

1. What is the relationship between state and police violence?
2. What are the social roots of the use of police violence by the state?
3. Why has police violence been increasing in contemporary India particularly in the state of Odisha?

1.5 Methodology

The objective of this research is to understand why police violence is increasingly being used in contemporary India and thereby analyze the relationship between state, police violence and capitalist exploitation. In order to address this, this research takes two case examples from the state of Odisha. The issues dealt with in these cases are: police violence against resistance movements and police violence against Maoism (also termed as Naxalism or Left-wing extremism). This research believes that a qualitative analysis of these cases will help address the objectives and research questions.

This research considers it important to contextualize these cases in terms of time-space as well as the socio-political environment in which they took place. The first case analyzed is of police violence against the resistance movement in Kashipur, in Rayagada district of Odisha against the set up and functioning of UAIL (Utkal Alumina International Limited), a private mining company. It is not one particular incident of violence, but a series of violent actions that have tried to suppress this movement in the

past couple of decades, which this research will look into. Second is the case of an incident of police firing in Gumudumaha in Kandhamal district aimed at Maoists which resulted in the death of five civilians in 2016. An enquiry commission was set up by the state government which submitted its report on the case to the government but it has not been made public yet. This case has not been used for detailed theoretical analysis so far, which this research will attempt to do with the help of mostly news reports. It will situate this case within the broader issue of police violence against Maoism.

The research is based on secondary data collected from different sources including academic texts, news reports and documentaries. Social-historical studies, anthropological studies as well as documentaries used in this research have been very helpful in drawing a holistic picture of the context, the movement and its interaction with police violence. Works of Felix Padel, Biswamoy Pati, Padhi and Sadangi, Deba Ranjan Sarangi have directly addressed the issue of underdevelopment and resistance movements in parts of Odisha. Some also address the inter-relations between resistance movements, Maoism and the state. Works of K. Balagopal and Nandini Sundar have extensively looked at Maoist violence and state violence against Maoism mostly in the contexts of Chhattisgarh and Andhra Pradesh. They have also been used to understand the cases in Odisha which share a similar context.

By looking at the above-mentioned cases, the research hopes to identify social causes of increasing police violence, define the relationship between the contemporary Indian state and police violence as well as get insights of how to define the contemporary state itself. Certain classical sociological insights are very powerful and still relevant in understanding the state, though they have needed modifications over time and space. The very definition of the state provided by Weber and Marxist perspectives binds the state with violence. The research proposes that capitalist exploitation cannot be left out of state

violence, especially when we analyze the contemporary Indian state. Marxist understandings have helped in understanding the social (mostly in class terms) character of the state (Miliband 1969; Poulantzas 1969; Desai 1975; Vanaik 1990). More recent work, both influenced by Marx and his critiques, have tried to look at the social character of the state as more than class relations. Some have also shown how social exclusion in terms of caste, class, gender, ethnicity etc. is as much a tool for capitalist exploitation as class (Lerche and Shah 2021). The task in this research is to locate the use of violence in relation to the state defined by its social character.

The idea of "structural violence" proposed by Akhil Gupta is closer towards bridging the gap between violence and social reality of the state. In other words, by viewing violence as structural (not to be defined only in direct physical terms) Gupta aims to show how state violence contributes to pushing people to the margins and increasing social inequality. This research attempts to locate this in relation to capitalist exploitation supported by the state in India, which Gupta hints at in his book *Red tape: bureaucracy, structural violence, and poverty in India* (Gupta 2012, 279-294). Gupta's insights on how violence are embedded in the bureaucratic structure of the state is especially helpful to look at police violence. A disclaimer is necessary for any sociological work on police violence. A critique of police violence does not necessarily mean attacking individual police officers who are violent. Structural violence essentially means that we cannot identify a single individual to be the perpetrator of violence, it is structurally embedded in the bureaucratic apparatus itself. A major debate has been around whether police officials should be blamed for the role they "have to" play in society. We need to move beyond the notion of a few bad apples or a few 'dirty harrys' in the police institution who engage in extreme violence. However, Balagopal suggests that to relieve the police officials of any accountability is not a solution, pointing out

extreme cases of violence which cannot be explained by "the obligatory role" (whereby the police feel obligated to take violent action) that police play (Balagopal 1986 & Tilly 2003, 19). While this research supports that police officials should be legally held accountable for their action, a sociological understanding of violence should look into how construction of discourses leads people to become violent (Das 1995, 10) and how the bureaucratic system can make state officials structurally violent without them intending to do so (Gupta 2012, 23). To analyze police violence under this lens would mean asking what discourses are involved in making police officials violent and how the system of policing, as part of the state, engages in structural violence. In the concluding chapter, the complexities and contradictions of structure and agency involved in police violence are analyzed.

This research believes that any study on police violence needs to distinguish between the nature, type, motive and actual consequences of police violence. The types of police violence can be many- like custodial violence, torture, killing, assault, rape, verbal or emotional abuse, threat, arbitrary arrests and detention or even inaction. Nature of police violence connotes something different. It can be planned violence, unintentional, obligatory etc. depending on the context (sometimes seen as a religious or cultural obligation- see Belur 2010). Police violence in India, many studies argue, is becoming increasingly arbitrary. The sheer number of cases and the extremities of police violence (Balagopal 1986) suggest that it has been legitimized to such an extent that the violence has become arbitrary (may not have a reason or justification for it). Motive signifies the purpose of police violence in a particular context. It might be to "protect people from dangerous criminals", might be an act of revenge, an act of frustration, an act to achieve a particular goal- like eliminating Maoism or extortion of money (Ibid.) The actual consequences of police violence should not be conflated with the above three

categories. This research seeks to highlight more on the actual consequences of police violence in a particular context. Immediate consequences of police violence can include physical injury, pain, suffering death etc. which are important. But they also have larger social consequences. This research works along the lines that police violence results in aiding capitalist exploitation and reproducing inequality in the context studied. Motives and consequences may or may not match. This view supports Akhil Gupta's argument that as violence is structural and state officials might engage in such violence without intending to do so. State violence may have severe consequences even though the motive behind such violence was not to achieve them. These distinctions are being pointed out here to argue that it is not sufficient to say that police violence is arbitrary. The nature of violence may be arbitrary but the consequences or motives can tell a different story all together.

Brief Note on Chapterization

The second chapter titled *Exploitation, Resistance and Police Violence* focuses on how police violence is engaged in suppressing resistance movements which are raising their voices against the exploitation of poor and marginalized communities. It argues that police violence facilitates capitalist exploitation and thereby aids the state in perpetuating an unequal social order. The third chapter titled *Anti-Maoist Police Violence* argues that police violence against the Maoist movement has actively increased in the contemporary context. Such violence is not only being used to suppress Maoism but also arbitrarily being used against people. This increasing use of violence is not only legitimizing the state's monopoly over violence but in the process also aiding capitalist exploitation. The fourth chapter titled *Structural Violence, Welfare and the State* engages with the concept of structural violence by the state and tries to establish how police violence is essentially

a part of structural violence. The final chapter will provide concluding remarks to the thesis.

This research presents a case for the rights of tribal and lower caste communities which the Indian state has failed to provide. However, scholars have argued that communities can be as imposing on the individual as the state is on the community. Veena Das suggests that both the community and the state try to reinforce their legitimacy by the following. The state engages in creating the interrelated components of homogenous national narratives, monopoly over law and force and territorial integrity of the nation-state. In emphasizing cultural rights, the community engages in creating similar components- homogeneous history of the community, control of violence and dissent, alternative legal system and the idea of a new state. How the conflict between individual and community plays out is not included under the scope of this research. It deals more with the conflict between demands of marginalized communities and action of the state. But it is important to note that the context dealt with here not only speaks of cultural rights of the community but basic rights needed for the survival of individuals within the community. However, it has not been ignored that there is heterogeneity within a tribal community, based on gender, caste, class etc. and differences based on political ideology (Das 1995, 15-17).

Although the research tries to gather a variety of sources, it is based largely on secondary sources. An ethnographic approach and primary data may reveal nuances and detailed realities of the phenomena being studied. The topic of police violence is complex. Much of the data is unrecorded or under-reported. Different sources of data do not match. Official sources differ from everyday experiences and unofficial sources. Though this itself is an insight at how the amount of violence is kept hidden, it becomes difficult to deduce facts with certainty. Also, there is a range of feminist literature on

state violence which can provide great insights but could not be covered within this research due to lack of time and feasibility. An incorporation of various literature and ethnographic approaches may enhance research on this topic further.

CHAPTER 2

EXPLOITATION, RESISTANCE AND POLICE VIOLENCE

2.1 Introduction

Police Violence and the Capitalist State in India

The way in which state is characterized necessarily impacts the understanding of police violence in a particular context. A study of police violence must engage with what has been called the social character of the state (Vanaik 1990). In Marxist terms, it refers to the relation of the state with the dominant mode of production and class relations. Scholars argue that we first need to clarify ourselves with the fact that the Indian state chose a 'capitalist path of development' (Desai 1986, vii-xxiv). Desai argues that whether governmental regimes are democratic, authoritarian or totalitarian, the modern state fundamentally aims to maintain the dominant mode of production in the society, which can either be capitalist or socialist, not both (Desai 1975). He further suggests that both socialist and capitalist states have chosen the path of modernization (based on mass production and mechanization) but there are fundamental differences between the two. Mainly, in the socialist societies, the means of production are owned by the state whereas in capitalist societies, the means of production are owned by the dominant class. The state is coercive in all kinds of societies but that will have peculiar consequences depending on the nature of the state. Desai denies that India can be characterized as partially a socialist society. He believes that socialism and the welfare state discourse is just a pretence under which the capitalist class are being benefited (Ibid). Two questions need some reflection here. First, how do we characterize the state in contemporary Indian society? Second, how is state coercion unique in a democratic capitalist society? The thesis will try to address these questions.

Even though the means of production in India are not exclusively owned by the capitalist class, decades of state practice have supported the profit-making of capitalist classes and basing the idea of 'development' mainly in large-scale industries mostly owned by bourgeois classes. Since the late 1980s private capital has been allowed to take the lead through the processes of liberalization, privatization and globalization. The state is now supposed to play a more supportive role and governments are giving up the pretence of socialist mode of development (Vanaik 1990, 31-32; Kohli 2012, 1-19). However, Indian society still remains semi-feudal. Transitions to capitalist relations have not eliminated feudal ties but created complex class polarizations based on feudal ranking, as well as caste (Vanaik 1990, 18-26; Pati 2011) The state has catered to both agricultural and industrial bourgeoisie in the process of transition from a feudal to capitalist economy (Vanaik 1990, 18-26) and engages in facilitating exploitation of resources and labour for industries.

With the formation of the colonial state in India, the British took over the management of the economy, facilitated commercialization and industrialization, created a bureaucratic apparatus and transferred property in the name of the state. Since then, the state has never really ceased to support industrial development and capitalist accumulation. The post-independent state has not been anti-private per se (Kohli 2012, 4-9), though some regimes attempted *additionally* to bring about policies of socialism and redistribution of land and resources. Though the constitution of India envisioned to establish a social-democratic society which enabled equitable distribution of resources and ensured individual rights, it did not go far enough to determine the economic structure as socialistic (Bhatia 2019). The constitution provided fundamental changes like non-communal political representation, universal suffrage along with reservations for marginalized communities the distribution of power between the union and federal

states (Chatterjee 2010, 3-4). However, the formal bureaucratic state structure was kept intact and could remain less influenced by democratic principles (Chatterjee 2010; Kaviraj 2000). Socialist policies could be diverted to fulfil private interests by gaining control over state administration (Kaviraj 2000, Harrison 1960). Many social groups, constituted mostly by the upper and middle classes benefited from this era of what can be called 'state capitalism' (Kaviraj 2000 and Vanaik 1990, 11-66). The continued semi-colonial apparatus often becomes a hindrance to implementing socialist and democratic policies (Kaviraj 2000).

In the first few decades (1950s-1980s) in post-independent India, the policy makers adopted policies of economic growth through industrial development (in the sector of intermediate and consumer goods) as well as emphasized provision of public services by the state like health, education and poverty reduction (Chatterjee 2010, 4). However, the state could not efficiently fulfil numerous promises of economic growth as well as social equality under state capitalism (Kaviraj 2000). In the late eighties and nineties, the congress government planned to liberalize the economy, encourage free flow of capital to drive the state out of indebtedness. Since the 1980s the state has facilitated the improvement of the position of the Indian bourgeoisie both within India and internationally (Vanaik 1990, 8). Similar class groups have majorly benefited from the policies and over the years and thereby socio-economic inequality has increased.

The role of the state did not reduce in this liberalized economy (Kohli 2012). The state played a major role during the Indira Gandhi government with emphasis on centralization and executive role (Chatterjee 2010). Rather, the Indian state has facilitated the running of the economy by property owning and business classes, who have attained both indirect and direct power over political decision making, characterizing what many have called 'neo-liberalism' with a bourgeois political economy (Levien 2015). The ideal

that the neo-liberal model will bring about rapid extensive growth will drive the entire society out of poverty has not been realized since the past three decades. Though rapid growth was seen in the first few years, there has been an increase in socio-economic inequality and poverty (Anand 9 Dec. 2021). A direct incorporation of poor and marginalized communities in economic policies has been negligible and no attempts are made anymore to redistribute resources which are disproportionately owned (Kohli 2012, 8-9).

It is clear that socialist development was not adopted for India's economic development and the approach to development is moving from socialistic principles with more and more resources being privatized. Nor has the economy completely transformed into advanced capitalism where feudal ties remain nominal, economy is governed by the market and the state's role is minimized. Classes are not completely polarized and not isolated from other hierarchies, though there is an increasing influence of the bourgeois class groups on economic and political decision making. A complex of caste, class, ethnicity, gender etc. relations exist which are used to benefit capitalist exploitation (Chakroborty 2021; Lerche and Shah 2021). Such is the nature of capitalist social order in India which influences and is influenced by the nature of the state. How the state maintains this order through violence is the scope of this chapter. This insistence on rapid industrialization and privatization is being accompanied by extreme forms of state violence. Police violence in India also needs to be understood in this context. The chapter will argue that police violence is playing a predominant role in perpetuating capitalism and social inequality. The structure and practices of the Indian state, even after years of independence and democracy remains semi-colonial. The perils of the modern bureaucratic system- delays, exclusion, corruption, elitism and violence (not mutually exclusive practices) persist. Brutal forms of violence which were practiced by the

colonial state and condemned by activists during pre-independence are now being practiced with ease and in fact appreciation. Such violence is becoming a major approach to support capitalist expansion and suppress voices against it (Padel 2009).

This chapter will try to contextualize police violence in Kashipur, Odisha in contemporary times where privatized industrial development is being pushed forward. It begins with describing the context of capitalist exploitation in parts of Odisha. It then goes on to analyze a series of incidents and an atmosphere of violence that constitute police violence against Adivasis and dalits fighting against capitalist exploitation and struggling to survive it. It finally analyzes police violence as becoming an essential part of capitalist exploitation and helping the state in reproducing social inequality.

2.2 Context of Exploitation and Police Violence in Odisha

Social-history of tribal regions in Odisha

Several parts of Odisha are known to be rich in agricultural land, forest as well as mineral resources. Paradoxically, a significant section of the population in most of these regions lag behind in terms of basic developmental indicators like poverty, health, education and food security. Ranging from 30 to 60 percent of population being multidimensionally poor, districts of southern Odisha have the highest poverty rate in the state (NITI Aayog 2021, 156-161). Extreme poverty with plenty of resources is the fundamental irony or contradiction that social scientists are trying to address (Kohli 2012, Gupta 2012). At different times in history, the resources in these areas have been exploited while simultaneously limiting the local communities' access to their source of living. The communities who are being pushed into extreme margins due to such exploitation are mostly Adivasis and Dalits.

The tribal communities in Odisha had relatively independent economic and political systems during pre-colonial times and property was mostly communally owned. With the emergence of private property, feudalization and colonialism, there was a shift whereby the lands became either private or state owned (Kumar and Choudhary 2005, 44-45). Biswamoy Pati argues that a complex of processes in pre-colonial times which were reinforced with colonialism led to the marginalization of tribal populations in Odisha and a change in their socio-economic and cultural practices. The emergence of feudalization in pre-colonial period along with caste formation shifted the position of many tribes to that of lower castes (*sudras*) and semi-serfs (some tribal chiefs were integrated into *Kshatriyas* or *Karanas*). Reinforced by colonialists, such caste polarization, emergence of private property and loss of land, increasing settlement of non-tribal Hindu castes in the plains (reinforced by colonialists as they considered non-tribals as more industrious), other factors such as insecurities and uncertainties about rapid changes, violence etc. led to the displacement of tribals to the hills. They adopted shifting cultivation as a response to these changes which were external and out of their control. The cultivation and food habits of crops also shifted from rice to dry crops due to lack of water in the hills (Pati 2011). There was also a significant shift in the political environment with the emergence of the colonial state. Historians like Hermann Kulke, drawing from Burton Stein's concept of "segmentary states" reflect that prior to colonial administration the state in India was constituted by "little kingdoms". These kingdoms exercised their own sovereignty as well as worked in cohesion because of their very segmented nature. Their kings depended earlier on the legitimacy provided by tribal populations (Schnepel 2001). After the colonial state was established, the kings were empowered by the British officials to collect revenue from agricultural cultivation. This

resulted in more and more transfer of tenured land to non-tribals who practiced settled (not shifting) cultivation and could generate more revenue (Pati 2011).

Many tribal groups were rendered landless or pushed to marginal lands due to these changes. This monetization of the economy led to heavy indebtedness among them (Kumar and Choudhary 2005, 22). This was accompanied by socio-cultural alienation of marginalized sections and shifts in identities, with the affluent sections incorporating themselves in the brahmanical-Hindu fold and the poorer sections becoming 'tribal agricultural labourers' and 'outcastes' (Pati 2013). Tribal groups were not passive victims of these changes but resisted in several ways which ranged from negotiations to attacks on non-tribals settling in their lands (Pati 2011). In parts of southern Odisha, they were resisted mainly by Kond and Bonda Adivasis (Deba Ranjan 2013). These uprisings were suppressed not only by administrative but also military power (Kumar and Choudhary 2005, 22). Pati argues that the practices like shifting cultivation, changing food habits and identities etc. were coerced survival strategies adopted by tribal communities due to external factors, and not inherent part of their identities, as the colonialists constructed. These strategies in themselves constitute acts of resistance (Pati 2011).

The post-independent state tried to propose some laws and measures of economic redistribution. But the bureaucratic state system was least influenced by democratic and socialist principles which impacted the implementation of such reforms (Kaviraj 2000). Many loopholes were taken advantage of by the rich farmers who could influence the state. For example, the Orissa Land Reform Act, 1960 provided for permanent land rights to the tiller, but also allowed landlords to keep a certain amount of land (33 acres in 1960 to 10 acres in 1972) for personal cultivation ("resumable land"). What resulted was the

eviction of tillers and transfer of their lands to landlords and their relatives (Kumar and Choudhary 2005, 20-33).

The pre-existing Rayatwari system allowed ‘intermediaries’ to sell or lease out land including wastelands for cultivation. Later, the process became regulated by the state and power was given to state officials to regulate the sale of land. The Orissa Estate Abolition Act, 1960 and the Orissa Government Land Settlement Act, 1962 disallowed the intermediaries to lease or sell any communal, private or forest land without permission of the collector. The collector (later, revenue officer) was in charge of deciding in relation to allotment of land and supposed to prioritize Scheduled Castes, Scheduled Tribes and Backward Castes (Kumar and Choudhary 2005, 27-28). The sketchy part of the land settlement acts combined with the Land Encroachment Act, 1972 was that in order to claim a right on the land, the Adivasis had to first “encroach” on the land illegally. Then, it was the authority of the state official to decide whether he can be granted the land or not. What resulted was demand for bribes by officials and further indebtedness of the landless Adivasis (Ibid, 27-28). The Adivasis could also not claim non-cultivable waste lands according to these laws, which they could earlier by renting it out from intermediaries. Some areas under shifting cultivation were declared as uncultivable wasteland and some were utilized for plantations (Ibid.). The major loss of land from tribals during these legal settlements was due to the dis-incentivization of shifting cultivation and allocation of those lands to the state and non-tribals. The state thereby denied the right to survival based on shifting cultivation, which the Adivasis were pushed into in the first place (Pati 2013, 50). Such laws which criminalize the very forms of life and labour give more space for state repression (Eckert 2014). They are not a thing of the past, nor restricted to rural areas. Contemporary laws of ‘beautification’ of cities,

slum clearance, laws against “illegal” encroachment have provided state institutions with excuses to take violent measures against the urban poor (HLRN 2019).

With the establishment of the constitution, the demarcations of ‘scheduled areas’ and identification of ‘scheduled tribes’ was formalized. Both in colonial and post-independence period, there were laws passed to restrict the selling of lands to non-tribals. Most of them have had loopholes and have been poorly implemented. Laws like the Orissa Scheduled Areas Transfer of Immovable Property (by Scheduled Tribes) Regulation, 1956 (the OSATIP Regulation) and Orissa Land Reform Act (OLR), 1960 (amended in 2002) have stringent provisions disallowing the sale of lands to non-tribals (Kumar and Choudhury 2005; Pathy 2003). The Samatha judgement of 1997 also ordered against the buying of tribal lands by non-tribals which was supposed to act as a deterrent for occupation of tribal lands by private companies. However, state governments initiated public-private partnerships to bypass such restrictions (Padel 2009). The 2002 amendment of OLR also provides for inspection of transfer of lands from 1956 to 2002 and restore tribal lands. On paper, there are many records of lands being restored (Kumar and Choudhary 2005, 33-34). However, many illegal transfers continue to occur (Pathy 2003, 2833).

An Adivasi activist fighting for land rights was forcefully captured, beaten the entire way to the CRPF camp and injured severely (Debaranjan 2013). He narrates his story in a documentary:

> “My grandfather mortgaged the land for 500 rupees. The land has been passed on to three people in turn since then. The Revenue Inspector told us that ‘your grandfather mortgaged it, then why are you grandsons fighting for it’. They informed the administration and got us arrested as suspected Maoists" (Debaranjan 2013, 40:30)

These narratives show that the reality does not correspond to official reports. The status of ‘Scheduled tribes' has been denied to some communities to take away their rights

to land, health and education (Padhi and Sadangi 2020, 202; Das 2003, 8831). What small and marginal lands that tribals own are being sold or mortgaged both formally and informally (Kumar and Choudhary 2005, 39; Pathy 2003, 2833). Overall, therefore, the involvement of the state in the political economy of the communities, though sometimes reparative, most often has not favoured the landless or marginalized Adivasis and dalits. The state could also use both cultivable and non-cultivable lands for industrial and other development projects, which the state has increasingly utilized (Business Standard 2017; Reddy 2006, 86-89). The entire process of land alienation and resettlement has been carried out not by using legal procedures only, but by forceful evictions by violating basic human rights. The process of surveying, surveilling, controlling, criminalizing, policing and punishing tribal communities became a task of the state both during and after British rule, conveniently done with a legal apparatus and the police/military institution.

2.3 Development, Resistance and Police Violence in Kashipur

Post-independent development in India was imagined through industrialization and infrastructural development unlike the colonial period. Several dams and developmental projects proposed under five-year plans in post-independence led to large-scale displacements and devastations - the effects are felt even today. Since the 1990s, the paradigm of 'Liberalization, Privatization and Globalization' has taken priority in developing the economy in India (Kohli 2012, Levien 2015). Within this paradigm, the government of India relaxed the Industrial act and Mining Act to allow Multi-National Corporations (MNCs) into the bauxite-mining sector in 1991. Following this, the government of Odisha granted a prospecting license to the Odisha Mining Corporation to allow leasing of land to private companies for bauxite-mining (Reddy 2006, 12-17). A number of leases since then have been granted to private mining companies. Such policies and practice of capitalist accumulation, actively supported by the state, have

severely affected the lives and livelihoods of the marginalized tribal population native to the land that the companies acquire.

Michael Levien proposes the concept of 'regimes of dispossession' to understand the various forms of land dispossessions. He believes that land dispossessions should not be thought of as necessary or inevitable pre-conditions for capitalism. Socially and historically specific regimes of dispossessions involve a state (or owner of means of coercion) dispossessing land from its current users or owners for various economic purposes catering to particular class interests in an institutionalized manner. It also involves ways that the state seeks to obtain compliance to such expropriation (including material compensation, legitimizing norms or force). Levien suggests that in India, there was a shift from regime of dispossession for state-led infrastructural and industrial development to that for private capital since the 1990s (Levien 2015). With help of the cases analysed, this thesis attempts to argue that the continuing regime of dispossession paired with shift in the political economy and change in nature of the state (Gupta 2012) has led to increased exploitation of marginalized communities. The dispossession is not just of land but lives, livelihoods and social reality as a whole. This chapter argues that resistance against such exploitation is increasingly being suppressed by police violence which thereby facilitates capitalist accumulation and reinforces social inequality.

Kashipur is a block in Rayagada district of Odisha. Rayagada is one among the districts where more than forty percent (44.41 percent) of geographical area is covered by forests and is rich in bauxite (Environmental Information System India 2022). Major regions of Kashipur are dominated by the Khond tribes (constituting of several groups such as Dongria Khonds, Pengu Khonds and Kutia Kondhs) (Pathy 2003, 2833). In 1992, a Memorandum of Understanding was signed between the government of Odisha and Utkal Alumina International LImited (UAIL), a private company now owned by Aditya-

Birla group, to set up an aluminum plant at Doraguda, currently in Kashipur block of Rayagada district in Odisha. The Company extracts bauxite from Baphimali hills and entirely exports the refined product. Since its inception, the project has been resisted by the residents of different villages in Kashipur which have been affected by the project (Padhi and Sadangi 2020, 191-213). Despite resistance and without complete legal clearance, the industry was constructed (Reddy 2006). It was done by luring people with job prospects and money as well as by coercion (Padhi and Sadangi 2020, 191-213) which constitutes some of the major tactics used by the state for dispossession of land (Levien 2015, 150). It has been more than a decade since the company started the production. The Dalit and Adivasi communities, snatched of their land and livelihood now have to live (and die) with toxic pollutants released by the industry. This process of capitalist exploitation has made their lives immensely precarious. With low quality of living, most people are engaged in daily wage labour or *dangar* (shifting cultivation) (Naik 2009, 147).

Odisha continues to be a major bauxite producing state in India used for both domestic consumption and exports[2]. There are continuous efforts by the state government to expand mining as it is a major source of revenue (*The Economic Times* 6 Aug. 2017; Pradhan 2020). Whether the revenue from mining-related production reaches other countries through MNCs or remains within India, the profit goes to a few capitalists who get richer (Sarangi et al. 2005). Mining and its industry require vast acres of land to extract minerals as well as set up plants. An *essential* part of such industrial "development" entails uprooting several communities from their land as well as depriving them of their source of livelihood by "acquiring" cultivable land and forests. With the emergence of liberalization in India, the state's role did not shrink as it was

[2] For official data one can refer (Department of Steel and Mines Government of Odisha 2022)

envisaged (Kohli 2012, 4-9, Levien 2015). It actively engaged in providing clearances and resources including vast areas of land to industrial bourgeois classes which they would not have acquired through the operation of market forces (Levien 2015).

The use of force has become a regularized instrument in coercing villagers in Kashipur to give up their lands which constituted their livelihood (Padel 2011). Any attempt at democratic resistance against industrial exploitation is increasingly being suppressed by the police and armed forces, with strong support from the government and the state administration (Ibid.). In some contexts, the extent of violence is such that the very meaning of governance for tribals gets related to brutal force (Das 2003, 4430). How police violence has been used to suppress the resistance movement in Kashipur will be particularly focused in this chapter. This is not the story of Kashipur alone, but several regions of Odisha as well as other states in India where lands, lives and labour of people are being exploited in the name of "development". The irony is that for years, these regions are known to be "backward" and have not seen real development in terms of health, education, employment and food security (Padhi and Adve 2006, 187). The focus on public development in terms of agriculture, food, health, electricity etc. has declined in the new regime of dispossession since the 1990s. The focus is diverting towards private establishments and profit making (Levien 2015, 153). The violence by police and armed forces inflicted on people of Kashipur who are resisting the UAIL project, needs to be located in the larger understanding of resistance against exploitation by the state with corporate collaboration. This chapter attempts to understand the precarity of the lives of people living in under-developed regions of Odisha who are historically living in deprivation with enormous suffering due to police violence. Their suffering deepens with the capitalist exploitation and the state's repression in support of it.

About 92 MoUs have been signed between industrial units and the Odisha government, of which 46 have so far started production. Most of these enterprises constitute mining-related industrialization (Business Standard 16 Mar. 2017). The UAIL project is functional and expanding despite years of resistance. As many activists and scholars have shown, it was through coercion, manipulation and taking of lives that the industry was set up. In scheduled areas (as per fifth schedule of the Indian Constitution), obtaining free and informed consent of residents whose lands are relocated is a legal requirement. However, it has often been ignored and manipulated (MTA and UNDP 2021 47, 61). In Kashipur, after the government signed the MoU in 1992, people were gathered and a feast organized to *let them know* about the industrial establishment and the kindness of the government in setting it up (Padhi and Sadangi 2020, 196-197). The hierarchical structure and processes involved in land acquisition (through the Land Acquisition Act of 1984) like court proceedings and police action resemble colonial British administration (Padel 2011). People protested in various ways. Gradually a "war of nerves" began with the villagers coming up with different methods of resistance and the company officials coming up with various tactics of manipulation (Padhi and Sadangi 2020). There were various methods used in "purchasing" consent like communicating, convincing and offering compensation to the villagers in which government officials and police officers were also engaged, apart from the company officials (Ibid). The resistance became more organized throughout the years. Prakrutika Sampad Surakhya Parishad (PSSP) was formed in 1996 to carry forward the struggle (Reddy 2006).

The methods used by governments and state machinery turned more and more violent as the villagers refused consent and resisted through various means. In 1993, some people visited the Chief Minister to demand cancellation of the project which resulted only in a temporary halt. The villagers have tried to stop surveyors and destroyed

their camps on some occasions to make their stand clear which has led to police arrests. In 1998, a barricade was raised to restrict the company from entering the villages. The police attempted to forcefully break the barricade and resorted to lathi charge in which about fifty people got injured (PSSP 2003). Governments usually attempt to convince the inhabitants of the land which they wish to take away from them. This involves various methods which have been broadly categorized by Michael Levien into normative rules, compensation (usually monetary) and force. The use of force has been the dominant means of dispossession since the emergence of the neo-liberal regime as normative rules and compensations have been actively resisted by people (Levien 2015, 156). Debaranjan Sarangi, activist and scholar working with anti-mining movements, puts it bluntly, "The establishment of the Utkal Alumina Company would not have been possible had there been no police firing" (Debaranjan 2020, para. 8). The following sections analyze incidents and the everyday reality of police violence which became significant in establishing the industry by suppressing voices of resistance.

The Maikanch Firing: Legality-Illegality and Legitimization of Violence

According to letters written by PSSP to the government, a Public Interest Litigation was filed in the High Court in 1998 to which the court declared in its verdict that the project would not affect the environment as it is using the latest technology. The verdict also rejected that it will impact the lives of tribal people or affect the fauna of the areas (PSSP 2003). Contrary to this, the project did not receive environmental and forest clearance for a long time. The construction of the industry started in the early 2000s. The environmental clearance received by the company to produce 3 million tonnes per annum (mtpa) bauxite per annum and mine around 1388 hectares of land (which does not include forest area) in 1995 had lapsed as they did not start work within the validity period (MEFCC 2017). Moreover, the clearance was given without receiving the required

submissions (Reddy 2006). In 2009, the company received environmental clearance for 8.5 mtpa production and started mining activities in 2013 (*Times of India* 18 Sept. 2016) While receiving environmental clearance, it hid the fact that forest land will be mined as well. The National Green Tribunal has ordered an investigation into whether forest land is being used for mining in 2016 (Ibid). Ambiguities in the official narratives itself are enough to reveal that the industry has not cleared the legal requirements. Activists and scholars have pointed out more severe illegalities took place which go unreported. Rather than being punished for this, the industry has been set up and is expanding with the help of political and administrative support on the one hand and police repression on the other. The state government approved the company's proposal for another alumina refinery in Rayagada in January 2020. The Chief Minister of Odisha inaugurated the expansion of capacity of the refinery at Doraguda, Kashipur from 1.5 mtpa to 2 mtpa in September 2021 which was opposed by the local people (Bisoyi 2021; *OrissaPost* 26 Sept. 2021, 1).

The police firing in Maikanch on December 16th, 2000 became a hallmark of what is called the first phase of state repression in Kashipur (Sarangi et al. 2005). Following is a brief account of the incident. A meeting was being held on 15th December 2000 to discuss an upcoming local bandh at Rapkana square. In the meeting there was a clash between people in support of and against the mining company. The next day, with the district collector's consultation and Superintendent of Police's order three platoons of armed forces and other state officials barged into the villages to apparently investigate previous day's incidents as well as earlier incidents of theft. The police refused to talk to women who confronted them and asked them to move away. When the women denied the officers entry into the village, they were beaten with lathis and assaulted by the police. The men came rushing down the hills when people thought that one of the women was dead. The police, at this point, started firing. Three people, Raghunath Jodhia, Damodar

Jodhia and Abhilash Jodhia were killed and many were injured[3]. Most probably to the disappointment of the company and the state government, the movement grew stronger after the firings. More than ten thousand people participated in the roadblock at Rapkana to mourn the dead, express their pain and resolve not to give their land to the company (Padhi and Sadangi 2020, 191-213)

The Maikanch firing is one of the few cases which led to setting up of an enquiry commission. Enquiry commissions against police firings are set up by the state government and often take years to publish their findings. The Mishra commission set up for investigating the Maikanch firing published its report in 2003, where it only condemned the police in charge for firing excessive rounds and manipulating FIRs. Otherwise, the police was excused as they were following orders of the district magistrate. Compensation promised to the families of the deceased was not provided in time (Sarangi 2008). Additionally, the commission also commented that the industry would not cause any pollution to the environment. Neither police nor district administration, was held accountable or punished. In some newspaper accounts, the report was lauded as a success for the company as against "environmentalists" and "locals fearing displacement" who come in the way of economic growth (*Financial Express* 20 Oct. 2003).

Police officers often have complete immunity from going through legal procedures which are required in the incident of homicide or murder. Section 46 of the Criminal Procedure Code, 1973 provides for directions for arrest by police officers. It allows the police to use force to an extent if the person being arrested resists the arrest. The extent of force is not determined by the amount of force itself, but by the nature of

[3] An activist leader in Kashipur, Bhagaban Majhi, has portrayed the incident through a song (see Majhi 2015)

criminality. If the crime that the person is accused of invites a punishment of death or life imprisonment, the police can use force up to causing death while making the arrest. Most cases do not lead to arrest or conviction of police officers (NCRB 2021, vol. III: 1037) and cases where there is outrage from the public leads to an enquiry commission at most. Many deaths due to police firing or custodial violence become hidden under categories used to define the "accused" or the victims, be it 'left-wing extremists' 'dacoits' etc. The police register false cases against many victims (in the context of Kashipur, they register false cases of murder against the victim) as if it legally justifies their killing.

. After efforts by Human rights activists, police violence to some extent has been recognized officially. Since the 1990s there has been official reporting of custodial deaths, police firings etc. However, much of the deaths are attributed to causes like suicides, natural deaths and illness (NCRB 2021, vol. III: 1035). No one is held accountable for such deaths which occur on a regular basis. Delays in court decisions, prolonged detentions, negligence and inactions are prevalent all over India including Kashipur. They result in equal or more suffering but go unaccounted. They are nothing short of structural violence by the state (Gupta 2012). Several laws provide a space for the police to use "extra-legal" ways of violence. The boundaries between legal and illegal, routine and extra-ordinary forms of violence have blurred providing space for increased violence (Singh 2008).

Phases of Repression: State Violence and Disruption of Social Reality

In acts of pretence and manipulation, the government and administration conducted surveys after the Maikanch firing incident to know about the opinion of the people regarding the project. As Padhi and Sadangi (2020) put it "was there anything to know about people's opinion after 12 years of resistance and that too when three people had laid down their lives opposing the project?" (Padhi and Sadangi 2020, 203). They

also tried to lure people by increasing compensation amounts. People's determined resistance against the industry was then replied with increased use of violence by the police.

The government decided to increase the use of police force in the areas where the industry was planned to set up. On 1st December 2004, the district collector and Superintendent of Police came along with ten platoons of force to set up a police outpost at D. Karal (near the UAIL plant) In fact, the outpost was being set up in the land already acquired by the company. Three to four hundred protestors gathered to oppose this move and demanded hospitals and irrigation instead of police outposts, to which administrative officials were indifferent and unresponsive (Sarangi et al. 2005). Apart from D. Karal, another outpost was also established in Maikanch which is the entry point to Baphlimali hills. More recently, in 2012, Odisha government has also sanctioned the creation of Odisha Industrial Security Force (OISF) to protect state and private industrial undertakings (Odisha Police 2022). The police, on the day of the outpost establishment, had announced *"Womenfolk clear the road, otherwise we will rape you"* (Sarangi et al. 2005, 1314) after which the older women came forward to take a stand saying that they would not go back, nor give their lands even if they get raped. The police then blank-fired three rounds and started lathi-charge and tear-gas shelling. Six people got injured. The police arrested and detained them (Ibid.).

Since December 2004, an atmosphere of terror was created for over two years within which the company started construction of the industry. Platoons of police forces were permanently deployed at five police stations in Kashipur. They conducted flag marches, raided villages, interrupted meetings, regularly visited weekly markets, resorted to beatings, molestations, threats and arrests. This became a regular occurrence for several months (Reddy 2006, 57-58). Details of violence ought not to be dismissed as

trivial or gory. People who have lived through violence find the details very significant and wish to narrate them to others (including researchers) even though it is painful (Das 1985). Sini Soy, whose son was among the thirteen people who were killed by police firing in Kalinga Nagar in 2006 for protesting against the Tata Steel plant, reflects in a documentary that the government has adopted the policy of threatening and killing to give tribal lands to the company. She describes

> "The Police took them away. On the way they tortured them immensely, killed them, cut their hands, penises, breasts and the like." (Debaranjan 2021, 3:05)

The documentary goes on to show the bodies of those killed, some with hands cut off and some with holes in their heads, people crying around them. The central and state governments, on different occasions, have spoken that peace and non-violence are necessary steps for development and requested Maoists to come into the "mainstream" to engage in peaceful development (Mohanty 2018). In the colonial context, Padel argues, the Britishers applied the policy of 'peace based on repression' (Padel 2009, 293). Padel has argued that police firings aiming to support exploitation in contemporary society had roots in colonial exploitation and prejudices. The firings in Maikanch or Kalinganagar, for Padel, resemble the Jalianwala Bagh massacre during the British rule. The support from upper and middle class for the use of violence to 'teach them a lesson' continues since the colonial era to the contemporary times (Ibid). The peace that is being imagined in contemporary India does not entail the absence of violence, but is essentially through violence.

Several people have been arrested and detained by the police on false charges to suppress resistance movements. Within four days of setting up of the D.Karal outpost, 15 people were arrested from Kashipur (Sarangi et al. 2005, 1314). Over fifty people have been arrested within three years since 2004 (Debaranjan 2008). In this period, due

to this terrorizing atmosphere served along with monetary compensations and false promises of employment, many villagers left their land and the company started to build boundary walls with the Armed forces guarding them (Padhi and Sadangi 2020, 191-213). Resistance as well repression still continues. Between 2004 and 2012 at least a thousand Dalit and Adivasi people have criminal cases filed against them. From 2012 up to 2019 over two hundred people have been arrested for criminal intimidation and trespassing (Dash 2020, 28-29).

The Kashipur anti-mining movement is said to have weakened after the repressive measures taken by the government to establish the plant, which frightened people for almost half a decade. Many people had to give up their land and settle for the compensation provided. Some accounts suggest that the very social environment and relations in Kashipur changed after emergence of corporate notion of land (Pathy 2003, 2836; Reddy 2006, 48-53). Some of the locals believe that there was increased consumption of liquor (as a result of company officials providing liquor to lure people into consenting in favour of the industry), increasing vehicles and concrete houses, increased conflict and violence and declining trust among people. People got scattered and divided. Some accepted compensation against their land either due to *"tanka lobha"* (greed of money) or as a strategy for survival (Padhi and Sadangi 2020; Debaranjan 2021, 16:00). Yet, the struggle against the project did continue in fragments.

Incidents of violence disrupt the economic, religious, material, political and social lives of people. They create an atmosphere of fear and distrust, lack of control or power over people's lives and resources, and a sense of disconnection with one's own context (Padel 2011, Das 2007, 8-9). People cannot escape this atmosphere as it forms part of their daily lives. It impacts not only their behaviour but their body, soul, emotions and thoughts (Das 2007). Not only are these incidents regularized but the everyday itself

becomes eventful through violence (Ibid, 8-9). Policing becomes a complex of both isolated events which mark episodes of brutal violence as well as structural violence at an everyday level as described in the previous section.

Maoism and the resistance struggle

By 2009, CPI(M) Kashipur-Lanjigarh *dalams* (cadres) made their presence more prominent in the Kashipur area and listened to concerns of lack of access to their basic rights, like access to the Public Distribution System, and people's exploitation by the state and the company. They strongly oppose to the MOUs being signed between the government and private companies. Some youths of Kashipur who had seen industry-related oppression since their birth took up arms and joined the cadres to fight against the company (Debaranjan 2013, 53:50). On January 9, 2011 Paramilitary forces opened fire on a group of cadres resting in their camp in the Basangmali hills. The following is a local newspaper's account of the same.

> "To organize *Taleem Sibir* (Training camp) from Sunday, 10 Maoists had camped since the past 2 days under Basadara division Commander K. Rabi's leadership. On receiving information regarding this, under Muniguda SPO R. Prakash's direction, one SOG (Special Operations Group[4]) team began on an operation by Saturday 5 pm. They reached the hill at night and waited for the right time to climb it. On Sunday early morning 5 am, some Maoists were bathing in a stream while others were resting. During this time, while the Jawans (SOG) climbed the hill, unprepared Maoists were not able to retaliate. Some tried to flee but tumbled as they were hit by bullets" (Translated from Odia from *Dharitri* 10 Jan. 2011, 1, 5)

Such accounts describe anti-Maoist violence as it is perceived by the state- as "operations" or "war" (Ibid, 1). In this incident, nine people were killed and the villagers were forced to carry their corpses uphill as police threatened them with arrests (Ibid; Padhi and Sadangi 2020). The people who were shot were alleged to be Maoists by the

[4] The SOG was created especially to carry out anti-Maoist operations (analysed in detail in the next chapter)

paramilitary forces and thereby their death is legitimized. Those who were killed in Maikanch firing were declared “anti-development” and “anti-national”. In the 2011 firing, those who died were also declared as Maoists. The action of the police- to kill- was no different in both the cases (Debaranjan 2013).

The annual report, 2019-20 by Ministry of Home Affairs shows that tentatively 349 people have been killed by “Left-wing Extremists' ' in Odisha between 2010 and 2019, but with a decline in deaths throughout the years (MHA 2020, 10-11). The current Chief Minister of Odisha Naveen Patnaik said in the assembly that around 263 civilians have been killed since 1990 (till 2015) in Maoist violence, of which some were killed in crossfire (Pradhan 2015). According to government of Odisha reports, 138 people, mostly Adivasis, had been killed by Maoists by being suspected as ‘police informers’ in 2006-2011 (Debaranjan 2013, 1:00:50). After such incidents, combing operations by the state government have increased. A number of encounters have taken place especially after 2010 near the plant and mining areas targeting ‘Maoists’ in which mostly local youths have been killed (Ibid.). The actual numbers of civilian deaths could always be more than the official data. But the first step taken to reduce Maoist-violence by both central and state governments is to increase the capacities (in terms numbers and ammunition) of police and other security forces in the areas where Maoist presence is high. *Additionally*, governments spend for development in these areas. The development work proposed by the central government seems to be more with the intention of better connectivity of security forces and state officials to “Maoist-effected areas" or to prevent people from joining Maoist cadres rather than the betterment of residents of these areas (MHA 2022). The only residue left for victims of violence by the Maoists as well as the state is compensation.

This “repetitive cycle of violence”, as Nandini Sundar put it, has no benefit but blatant ignorance of actual development of the so-called backward regions (Sundar 2006). The state, in this process, does not entirely distinguish movements against state exploitation and movements against the state itself. Although on paper, the state does not target democratic movements by people, thousands of people are being killed without actually fighting to overthrow the state. Governments have restricted the Maoist movements as merely a ‘law and order’ problem and are not treating it as a political movement (Bhaduri et al. 2008). This approach significantly increases police violence against people, whether they are categorized as “Maoists” or “civilians”. In areas like Kashipur where people are fighting against relentless state-supported capitalism the ‘battle against Maoism/Naxalism’ is intertwined with suppressing of democratic demands for basic necessities. The cycles of violence are benefitting only the capitalists and the dominant classes. The issue of Maoism, resistance struggles and police violence is analysed in detail in the next chapter.

The industry and after- Livelihood, Labour and Police Violence

After the long struggle of about two decades to demand the cancellation of the industrial unit, the people in Kashipur now have no choice but to survive with its presence. Contrary to the promises by the company and the government the industry did not create adequate job opportunities. It displaced and destroyed the livelihoods of much more people than those compensated for. While the state government claimed that less than 3 lakh people would be displaced by mining projects in Odisha, more than 10 lakhs are being displaced (Sarangi et al. 2005). It devastated more than twenty thousand people from more than eighty villages (Ibid). People who wish to be economically self-sufficient are now being forced to demand for work in the factory with precarious working conditions. They are also being forced to live in environmental conditions severely

affected by industrial waste which is causing severe health issues (Mohanty 23 Aug. 2017; Reddy 2006). They do not have an alternative apart from low-paid industrial labour in the mining areas or migrating to urban cities for menial jobs (Dash 2020). This shows that the process of dispossession of land for capitalist accumulation and alienation of the producer from the means of production (or, primitive accumulation in Marxist terms) is a continuous one occurring at all stages and contexts of capitalism (Levien 2015, Pandey and Bandyopadhyay 2022). People's dependence on precarious work is being termed as "development".

Violence by the police has become a regularized response to demand for basic rights of work, health and survival in areas like Kashipur. On 25th August 2014, some villagers had gone to the mining site in Baphlimali hills seeking jobs. A huge number of armed police with authorization from the magistrate, reached Baphliali and started beating villagers of Paika Kupakhal village, which is the entry point of the hill. Popular media has not covered this incident. One local journalist who tried to write about the incident was harassed (Dash 2020).

A few villagers narrate the incident in a documentary:

> "Around 25-30 vehicles came along with a bus. The police got down from the vehicles and surrounded us from all sides. We said 'it is already 1 pm, let us take our food and then we will go. Why are you beating us?' but they struck us from behind and started pushing us. Both local police and paramilitary forces came; The Kashipur Inspector-in-charge (IIC) shouted "..magya ta, sala (derogatory slang) did your father own this land? Why have you come here!". They threatened us "Go to Naveen Patnaik. Go to Collector" The police gheraoed us. They had guns and batons. Female police pushed women, male police pushed men, someone's leg got broken, someone's knee got broken. In that condition they chased us to the village." (Debaranjan 2014, 1:00)

'Gali' (derogatory slangs), beatings, threats, arrests and killings have become a common practice of the police to deal with any kind of resistance. It is not only people who protested against the company but those who had to give up their lands and work in

the factory (or become incomeless) that have been subject to police violence. Workers are not just dying of adverse working conditions and health issues but also being arrested and tortured by the police for protesting against their work environment. On 1st November 2019, fourteen Dalit men were arrested from protest site in Dwimundi village in Kashipur. It was reported in a few news channels which show protesters being chased by the police (OTV 2 Nov. 2019). The protestors were subjected to casteist remarks, beatings with lathis and arrests for "doing politics" as the state officers claim (Dash 2020, 28). It is not an untrue statement, but the meaning of politics should not be narrowed down. People's politics entails their fight for basic survival. People are being arrested and killed for doing politics not for committing any crime (Chandavarkar 1998; Eckert 2014). Such politics, even if violent at times, cannot be treated as criminality (Balagopal 1992, 1222).

The construction of the industry has directly affected the livelihood and health of the villagers. Any kind of complaint or protest against it invites nothing but brutal police action. One of the villagers in Kashipur whose house is adjacent to the road in which materials are carried to and fro the plant talks about dire living conditions in a documentary:

> "The company road is blocking our house from the front. Heavy rain is causing landslides at the back. We live in such conditions. Now if we give a complaint or *DabiPatra* (letter of demands) they put a police case on us, the police suddenly comes, takes us in their vehicles and produces it before the Rayagada (district) court. We have so many problems living here. Company vehicle runs very close to my house. The mud and dust from the road is entering our home. We do not get any sleep at night, our children are getting sick by eating (inhaling) the dust." (Debaranjan 2014, 9:50)

The tragic irony is that some of the villagers in Kashipur who fought against displacement by the company are now having to fight for displacement, as they are unable to live in the lands where they have been breathing toxic fumes every day for the last decade or so. On paper (even less in practice), there is resettlement provided only for

residents whose land is taken for mining or setting up the plant. No resettlement is provided for those who live close enough to the factory to inhale toxic waste or those who lost cultivable land to the company. For over a decade now, several villages have been demanding jobs, alternative livelihoods, and reduction in pollution. Some villages have been demanding displacement and rehabilitation (Dash 2020). In 2014, a petition was filed in the Odisha High Court asking for rehabilitation. Three years later the High Court ordered the Sub-collector to look into the issue to which he responded in 2018 that such concerns were not found among people (Ibid). "Communicating" with villagers which was an important tactic for the company officials to manipulate their consent in favour of the company has now shifted to indifference and sheer refusal to communicate (Ibid; Padhi and Sadangi 2020).

A few months after the brutal arrests in Dwimundi village, on 3rd January 2020, forty-two Dalit women and seven minors were arrested from a protest site in Paika Kupakhal village. Section 144 of the Criminal Procedure Code was imposed after both the incidents restricting assemblies, and the presence of paramilitary troops increased creating an atmosphere of fear (Dash 2020, 26). People in Paika Kupakhal were protesting to demand jobs and other facilities like nursery as promised by the company. Mainstream Odia media did not report this incident. Only a few articles published after a week of the incident in some online media platforms (Mishra 2020; Pal 8 Jan 2020). Only a few of these incidents get public attention, after which the measures taken are compensatory, if any.

The recent years of pandemic has reflected how closing down of mines and other measures like lockdown has pushed people to starvation and deaths (Bandyopadhyay, Banerjee and Samaddar 2022). False cases were filed against People in Kashipur and were beaten up on the pretext of violating Covid 19 regulations imposed by the

government (Dash 2020). The nature of policing itself has historically shifted from providing administrative services to an obsession with "crime" and its violation. This obsession helps in constructing and maintaining a social order which facilitates capitalist expansion (Neocleous 2000).

Despite brutal police violence, several resistance movements continue in various parts of Odisha and other states through which people are opposing exploitation of land, livelihood and labour (*Orissa post* 5 Jul. 2015, 6). For example, regular protests have been going on against steel companies such as POSCO and Jindal Steel Works (JSW) in Dhinkia village, Jagatsinghpur district. This came into light recently when police lathi-charged hundreds of protesters on 14th January, 2022. Both police personnel and several protesters were injured in the incident and many were arrested. The protest was against JSW company, the expansion of which would destroy the livelihoods of betel farmers (*Orissapost* 15 Jan 2022, 1 and *Sambad* 15 Jan. 2022, 1, 5).

Even though organized movements against mining projects are being constantly suppressed by police violence, it should not be assumed that resistance itself does not exist anymore (Bandyopadhyay 2004, 408). The reluctant adaptation to this industrial environment by tribals, their submission to brutal police force and their efforts to seek displacement, jobs or compensation are not acts that support capitalist development. They need to be seen as survival strategies adapted because of external forces and social changes. Various survival strategies have been adapted after industries have failed to provide adequate livelihood, for example distress migration (Dash 2020, 38). Some betel farmers of Nuagaon village had sold their land to Odisha Industrial Infrastructure Development Corporation (IDCO) for the setup of industry by a South Korean steel company POSCO in hopes of better employment. However, the project was put on hold. The compensation provided to the farmers has been spent on medicinal and cultural

expenses. The promise of providing alternative livelihoods and pension by the government has also not been fulfilled. The farmers have therefore started cultivating on the lands handed over to IDCO to earn their survival (*Orissapost* 20 Jul. 2015, 6). Such strategies in themselves constitute acts of resistance (Pati 2011).

2.4 Conclusion

Capitalism, Social Inequality and Increasing Police Violence

What gets reflected in the analysis of the particular case of Kashipur in Odisha is that the state facilitated exploitation of land, labour and natural resources for modernized industrial production, whether owned by the state or private companies. Since the 1990s, governments in India have openly favoured exploitation by private entities from both within and outside the nation. More and more MoUs are being signed by governments with private companies to lease them lands belonging to the state (which have historically been acquired from communal property) and lands belonging to marginalized communities mostly. State-owned enterprises including developmental institutions and projects are being 'handed-over' to private corporations, bulk of which is owned by dominant classes. Whether it is the facilitation of foreign investment or "make in India", profits of capitalist classes are increasing at the cost of lives of poor and marginalized sections (Sarangi et al. 2005).

It has been rightly observed that capitalism expands not only due to economic exploitation but social oppression as well. Oppression of Adivasis and dalits has contributed majorly to capitalist expansion. Lerche and Shah argue that this occurs through three processes. One, "inherited inequalities of power" allow the dominant social groups and the state to control capitalist processes. Two, Adivasis and dalits form a significant part of casual migrant labourers who are employed in informalized low-paid precarious jobs. Capital exploits cheap labour from them while denying them human and

labour rights. Three, capitalist expansion occurs through "conjugated oppression" which combines class oppression with ethnic and social discrimination (Lerche and Shah 2021, 13-14). From labelling certain social groups as 'dangerous classes' 'Naxalites' '*maobadi'* 'anti-national' etc. to assaulting and killing them, all forms a part of this conjugated oppression. People are being exploited based on their social position of class, caste, gender, ethnicity etc. Repressing their voices has become a regularized way by which the state is making "matters easier for capital" (Padhi and Adve 2006, 186).

The sheer number of incidents of police violence in India is very high. Also, many cases go unreported, so it is difficult to determine the exact number. Many sociological works on police violence invariably reflect the violence practiced against poor and marginalized communities (Eckert 2014, Desai 1986). It is the very people, who become the ideal figure for implementation of most government schemes and whose development and political participation is important for political parties' publicity, that most often bear the brunt of violence by the state (Gupta 2012, 6). The horrific fact about the dominant idea of development as practiced by the state in contemporary India is that - it has become rare to imagine the establishment of a development project without the presence of a repressive force. Whether it is a government, private or a mixed initiative, the deployment of force is considered necessary. Increasing emphasis on capitalist development at the cost of survival of the deprived sections has left people with no option but to resist this idea of development imposed by the state. Platoons of forces are being deployed to protect capitalist establishments and prevent or suppress voices against them. A democratic regime is supposed to understand the sufferings and incorporate ideas communicated through various forms of resistance from people. However, looking at the extremities of violence used against resistance movements, it seems that resistance is no longer a political concern but merely an obstacle which needs to be removed.

It is important that we stop hesitating to admit that the state in India is increasingly supporting capitalist development through social exclusion. It is not a coincidence, nor merely situational (so we can blame everything to the pandemic, for example) that the gap between the rich and poor sections has increased in the last decade (Anand 2021). The neo-liberal economic policies have resulted in rapid economic growth as well as increased poverty and inequality (Kohli 2012, 10). The struggles of Kashipur and many others in Odisha as well as other states provide a clear picture of how this has become the dominant method of "progress" or "development" in contemporary India. Increasing use of police violence is an aid to this form of oppression, facilitated and legitimized by governments at both the state and the central level. It is necessary to realize that the state is becoming more ruthlessly repressive. Capitalist exploitation may not be the exclusive use of police violence as the state uses police violence in every society, whether capitalist or non-capitalist. Within India also, police violence has been used in various contexts. The arbitrary and extreme use of police violence is serving the needs of capitalist exploitation paired with social marginalization. It is thereby aiding the state in reproducing social inequality.

CHAPTER 3

MAOIST MOVEMENT, POLICE VIOLENCE AND LEGITIMACY OF THE STATE

3.1 Introduction

In the previous chapter, an attempt was made to establish that police violence is increasingly being used by the state to suppress resistance movements which are fighting for the rights of marginalized communities against capitalist exploitation. This chapter looks into another emerging issue- police violence against Maoism. The discourse against Naxalism (or Maoism or left-wing extremism)[5] and state violence associated with it are major concerns for studying the contemporary Indian state. 'War against Naxalism/Maoism' has become a common and somewhat acceptable practice in the past couple of decades in India. Anti-Maoist violence by the state has been legitimized, in the sense that the government or state institutions need not justify such violence any more. It is constructed as a necessary and victorious endeavour. This masks the motivation behind such violence and its consequences.

Police violence against Maoism is currently a very active and enthusiastic practice in Odisha and other states. Daily headlines report operations being carried out by police teams especially designated for this task. What is resulting in actuality is a 'repetitive cycle of violence' by Maoists and the police in which marginalized sections of the population who are legally innocent often become the target (Sundar 2006). The existing literature and trajectories of police violence in parts of Odisha suggest that 'war against Naxalism' is but a disguise to expand capitalist exploitation. People who are protesting against capitalist exploitation are being branded as Maoists and are being killed in order to facilitate industrial setups and

[5]All the three terms have different connotations and historical origins but the state discourse and practice of state violence against these movements do not hesitate to put them under one category. Both 'maoism', 'Maoists' (*Maobadi)* and 'Naxalism', 'Naxalites' are synonymously used in official as well as everyday language in Odisha to denote the category of people who have joined the Maoist movement. 'Left-wing extremism' is more often used in national official reports and websites. The next section in the chapter provides a brief history of communism and the Naxalite movement to get a clearer understanding.

development projects. So, violence against groups which question the legitimacy of the Indian state (like the Maoist groups) are not only an attempt to retaliate against such opposition but to make capitalist expansion more convenient. Not besides, but precisely through this support for exploitation, the legitimacy of the state is being reinforced.

The aim here is to analyze the complexities involved in looking at two different kinds of violence. Recently, after what is termed as the "Chhattisgarh Naxal attack" in Bijapur where 22 soldiers from state armed forces were killed and many injured, Minister of Home Affairs Amit Shah stated that "*Donon aur ka nuksaanhuahai" (There has been loss on both sides)* (Mojo Story 4 April 2021). But loss on only one side, that of the police, receives condemnation and is recognized as a sacrifice. In contrast, loss on the other side is considered insignificant. The point here is that the approach of state-inflicted violence against Naxalism has led to destruction of lives- deaths, damage of property, injuries, disruption of livelihood, etc. It is alarming how deaths of innocent tribals, living in areas where both Maoist and state violence is routine, are construed as nothing more than "collateral damage" by the state. How the brand of "Maoist" gives the state a legitimate right to inflict extreme and arbitrary violence needs to be questioned. Clearly, state violence is given legitimacy as opposed to revolutionary violence as described by the Maoists. That is perhaps the essential nature of an established state (Weber, Roth and Wittich 1978). Furthermore, what consequences does state violence have with reference to particular contexts, to what extent is state violence acceptable in a democratic society, who does it cause damage to and who does it benefit are some of the questions which need constant reflection.

This chapter begins by tracing the emergence of the Naxalite and Maoist movement and the trajectory of police violence against them. It goes on to locate a particular case of police encounter that took place in Gumudumaha, Kandhamal district in Odisha in the year 2016. Five people were killed in what was supposed to be an operation against Maoists. Since the

people killed were not associated with the Maoist movement, this case of encounters was condemned publicly. By taking the example of this case, this chapter attempts to reflect on the issue of police violence against Maoists. It finds that there has been an increase in police forces to deal with the Maoist movement. Overall, it argues that increasing police violence deemed against Maoism has led to loss of innocent lives, demeaning socio-political roots of the Naxal movement as well as other non-violent movements and has increased convenience for capitalist exploitation.

3.2 The Social- historical roots of Maoist Movement

The context talked about in the previous chapter is the very context in which the Naxalite movement emerged in the 1960s in Odisha. Its base is rooted in the problems of rural economy, land rights, exploitation by feudal and capitalist classes and repression by the state. Communism in India emerged in the 1920s influenced by the Soviet socialist revolution to fight against class domination as well as imperialism. Communists recognized the domination by feudal as well as capitalist class, the landlords as well as big businessmen. It provided an alternative to the Congress party and organized mass movements among peasants, workers, and students. Regional patriotism was a prominent feature of communism in the initial decades (Harrison 1960). They wished to end colonial oppression but opposed the idea of a unified one-language nation. Struggles against class domination also were based in regional contexts. Ideological differences emerged during the 1950s within the CPI about how to look at the Congress and the Nehru government. In 1948, CPI General Secretary B.K. Ranadive called for general strikes in urban areas against the Nehru government which was responded with arrests and restriction of CPI activities (Vanaik 1990, 177-234). In the years leading up to independence, the police found it more convenient and gained more sympathy in arresting communists rather than nationalists (Chandavarkar 1998). That decade still saw a growth of the party. It also introduced the line of contesting elections and the 1957 victory of CPI became

a decisive turn towards “peaceful transition to power” (Vanaik 1990, 178). In 1964, the party split between right and left factions influenced by the Sino-Soviet conflict and internal differences. The CPI right wing saw the Congress as representing a nationalist and anti-imperialist bourgeois. It supported the ‘progressive’ Nehru government as against other ‘reactionaries’ of the Congress and other parties. The CPI left formed into Communist Party Marxist which thought of the Congress as representing the feudal and big bourgeois class and facilitating foreign capital. Both parties focus on parliamentary elections and reform measures while CPM also emphasized non-parliamentary mobilizations (Vanaik 1990, 177-234). They also critiqued the anti-Chinese attitude since the Indo-China dispute of 1962. Preventive detention laws, which could detain people without trial, were actively used during and after the Indo-China war to target mostly communist members (Singh 2008).

Communist movements in Odisha emerged around the 1930s mostly organized by upper caste educated men influenced by Marxist ideology. Many communists initially supported the Congress party to fight against British oppression. Several movements among poor peasants and workers by communists, influenced by Ranadive, however criticized the policies of the Nehru government. The ruling Congress government in Odisha tried to suppress these movements. Communist magazines and books were banned, several communists were arrested and imprisoned, and police brutality including firings was inflicted. The Communist party in Odisha contested elections in 1951 and 1957 and won some seats. In 1964, some of the members split to join CPI (Marxist) (Pradhan 2017).

The beginnings of Naxalism had its material base in the rural economy which had been neglected despite widespread starvation and exploitation of resources. Welfare measures were not enough and did not change structural problems related to land or resource distribution. The structural problems still persist and many state -initiated policies in rural India have benefited the rich peasants and landlords rather than the deprived classes (Mohanty 2006). This provides

a social base for the Naxalite movement to continue. The Naxalite movement emerged in 1967 from clashes between police forces and a group of armed peasants in Naxalbari, West Bengal and spread across other states in the next few years, most prominently in Darjeeling, West Bengal and Srikakulam in Andhra Pradesh (Vanaik 1990, 182-183). In terms of ideology, the initial Naxalite movement differed from CPI (Marxist) strategy of parliamentary politics and inclined towards Mao Tse-tung's philosophy of people's war for revolution. There were uprisings and armed struggles in different regions most prominently on issues of land. For a few years there was political coordination among struggles for economic and political rights of the poor peasants and landless labourers (Mohanty 1977). In April 1969, the founding of CPI (Marxist-Leninist) was declared by revolutionary leader Charu Mazumdar. Their strategy was called "annihilation of class enemies" carried out by small guerilla squads. Long-lasting mass struggles were substituted by secret triggering acts of violence (Vanaik 1990, 183) perhaps because of increasing police restriction of mass struggles even though there was support from local people (Mohanty 1977). The CPI (ML) recognized the economy in India as semi-feudal and semi-colonial, providing a pre-revolutionary context (Vanaik 1990, 182-187). The class enemies were constituted mostly by landlords and money lenders but their interests were also represented by the bureaucratic coercive state. Therefore, categories like police officers and 'police informers' also were targeted though they were not strictly class enemies (Ibid.; Mohanty 1977). In early 70s the CPI (ML) movement spread to urban areas especially in the then Calcutta. Many revolutionaries started rethinking the strategy of the movement resulting in fragmentations within the movement (Mohanty 1977).

Soon after the emergence of Naxalbari movement in 1967, a peasant movement in Gunupur area in then undivided Koraput indicated the presence of Naxalite movement in Odisha. The initial years of the Naxalite movement in Odisha were characterized by mostly protest movements on tribal issues. In 1968, the Orissa State Coordination Committee was

formed by joining the CPI (ML) faction. Charu Mazumdar visited Odisha in 1969 after which many guerilla squads and interstate alliances were formed. Revolutionary activities took place in southern regions majorly in Koraput and Ganjam (Pradhan 2017).

The Naxalite movement carried out armed struggles against the dominant class and posed a political challenge to the ruling Congress party. It not only revealed persisting problems of feudalism and poverty particularly in rural areas, but also exposed the weaknesses of parliamentary democracy (Mohanty 1977). The ruling elite tried to adapt to the challenge by bringing about policies of socio-economic change like *Garibi Hatao* thereby and to legitimize their authority through election process and media. But violence increasingly overshadowed other forms of responses by the government and reached its peak when National Emergency was declared in June 1975 (Ibid).

Police violence against Naxalite groups escalated after the formation of CPI (ML). The police were supposed to carry out "mopping-up operations", given orders to "shoot and kill" and rewarded for killing Naxalites (Mohanty 1977: xviii). During the emergency, ten Maoist groups were officially banned among other political groups and thousands of revolutionaries put in jail. Many were sought after and killed in "encounters" by police forces. Towards the end of the emergency when the bans were lifted and after Janata Party came to power, many prisoners were released but the ruling government took a stand against those who believed in violence and slowed the process of releasing Naxalites. By then, some Naxalite groups had rethought their strategies. Some, particularly the party led by S.N Singh, partially supported the government (as having a class character but democratic) and chose to engage in parliamentary politics. Many Naxalite groups also condemned this shift (Mohanty 1977; 2006).

The movement became stronger in the post-emergency period when many prisoners were released and further consolidated in the context of 1990s economic reforms (Mohanty

2006). In the post-emergency period, Naxalite groups consolidated into three major streams. First was CPI (ML)- Liberation led by S. N Singh which engaged in electoral politics and was successful in creating national level associations. The second stream was consolidated as CPI (ML) under the leadership of Kanhu Sanyal and created various fractions conducting both underground and open activities. The third stream initially organized with the formation of CPI(ML) People's War Group in Andhra Pradesh in 1980 spread across other states and later formed into CPI (Maoist) by merging with Maoist Communist Centre (MCC) in 2004. Following Charu Mazaumdar's politics, it refuted parliamentary processes (Mohanty 1977). This stream got support among peasants and tribals in many states and became strongly militarized (Banaji 2010). The CPI (Moist) believes that the existing state is not a people's state. It wishes to overthrow the state and bring about a socialist revolution by which a proletarian state can be established (Debaranjan 2013). Its armed force merged with that of Maoist Communist Centre to form the People's Liberation Guerilla Army (PGLA) which is known to have engaged in several battles with police and paramilitary forces. The central government increased the deployment of paramilitary forces after the formation of PGLA (Reddy 2010). In the 1980s and 1990s in Telangana the movement had a very strong hold. The Maoist groups considered essential not only armed violence but also mass mobilizations among landless poor dalits and tribals against landlords. Since the mid-1980s, a new phase is considered to have begun which saw large scale militarization of Naxalism and even more escalation in police violence (Banaji 2010). 1996 is considered the year of revival of the movement in Odisha under the leadership of Maoist leader Sabyasachi Panda who was arrested in 2014 (Kar 2015). There has also been inter party violence among different Maoist and Marxist groups. Marginalized tribal people who are not part of communist organizations have often been subject to accidental or deliberate violence by the Maoist groups and the police.

The government mainly refers to the activities of CPI (Maoist) groups when it talks about Naxalite-affected areas and the category of "Left-Wing Extremists" (Mohanty 2006; MHA 2022, under "Annexures"). In 2009, the Union Government banned CPI (Maoist) by categorizing it as a 'terrorist' organization. To conflate these groups with terrorist organization indicates an ignorance of the historical foundations of the Naxalite movement (Mohanty 2006). The Odisha government banned CPI (Maoist) relatively recently in 2006 (Pradhan 2017).

Several operations have been carried out to eliminate Maoist groups both by the central government and state governments. In the past two decades, Bastar emerged as a frontline region for increasing violence. A devastating operation carried out in Bastar region in Chhattisgarh was the 'Salwa Judum' operation officially started in 2005. Bastar has a history of poverty, exploitation and resistance movements. The Maoist movement emerged to fight against state exploitation and claims to have carried out many developmental works in Bastar, alongwith the approach of armed violence. Salwa Judum, as an operation against Maoism, was disguised as a spontaneous people's movement for peace but turned Bastar into a war zone. It was supported by the state government and the police. It engaged in forcing (by threats of death and burning houses) ordinary villagers to join the Salwa Judum camps and give out information about Maoists. In this war, anyone could be killed if suspected to be a Maoist. The Maoists retaliated. Initially, they targeted active members of Salwa Judum but then engaged in large-scale counter violence. Apart from this, the deployment of police and paramilitary forces has also increased significantly in Bastar since the 2000s. A force of Special Police Officers was created which recruited local villagers with minimum training and equipment. Arbitrary violence (killings, rapes, burning thousands of houses) became routine practice. While the deaths of civilians or police officers by Maoists and deaths of some Maoists were reported, the innumerable deaths of civilians by Salwa Judum went unreported (Sundar 2006; 2012 and

Guha et al. 2006). The formation of Salwa Judum facilitated MoUs between private companies like Tata and Essar steel companies and the Chhattisgarh government (Padel 2011).

Areas where the Maoist movement and police violence against it are frequently coinciding with territories which have experienced state sponsored capitalist exploitation, lack of real development and resistance against it by tribal and lower caste communities. Police violence against Maoists in suchcontexts often works as a disguise to legitimize violence against democratic rights of people, which will be taken as the premise in this chapter to locate the particular case of police encounters that took place in Gumudumaha in Kandhamal district.

3.3 The Gumudumaha Encounter

> *"Mrita sisunka maa Suneeta kuhanti, semane mo Chhota pilaku bi chhadile nahin. Mun pilaku pakhare dharithiba bele taaku guli kari maaridele"* (The mother of the infant (who died in the Gumudumaha encounter) Suneeta, said that they did not even spare my child. I was holding my child close to me while they killed him by firing bullets) (*Dharitri* July 10 2016, 1).

On the 8th of July 2016, six people were killed (five died on the spot and one succumbed to injuries later) and several injured by bullets near Gumudumaha village in Kandhamal district (*Orissapost* 10 July 2016, 1). People who died were Adivasis living on minimum income including three women and an infant less than 2 years old (*Dharitri* 10 July 2016, 1). As reported in newspapers and other journalistic accounts, they were returning from Baliguda town after running errands and collecting payment under MNREGS (Mahatma Gandhi National Rural Employment Guarantee Scheme) when their autorickshaw (commonly referred to as auto) got stuck in the muddy road that connects Gumudumaha village to concrete roads. Some came out of the auto and pushed it out. Suddenly, a number of bullets hit them (Ibid; Choudhury 2016). An anti-Maoist operation (or "ambush") had been planned on that day by forces from Special Operations Group (SOG), Central Reserve Police Force (CRPF)

and District Voluntary force (DVF)[6] as a response to information from "*biswastha sutra"* (trusted sources) (*Dharitri* 10 July 2016, 1). Such information was neither double-checked nor informed to the villagers (usually villagers are not informed about Maoist operations as it is anticipated that the information will reach Maoists (*Orissapost* 10 July 2016, 6). According to the Superintendent of police, the civilians were unfortunately caught in a crossfire between Maoists and the police (Orissapost july 10, 2016:1). People who died were Adivasis living on minimum income (Choudhury 2016).

The firing had continued for over fifteen minutes (Panigrahy and Tripathy 2017). Some of them, after getting injured from the bullets, ran to the village in fear of being killed in fake encounters (*Orissapost* 10 July 2016,1). They stayed the whole night in fear and pain. When they came back in the morning, they saw some of the villagers lying dead. "*When I returned, my wife was lying dead in the drain"* said one of the injured victims (Mohanty 2016). They were not allowed by the police to take the corpses or the injured to the hospital till afternoon. People could only gather and cry for the deceased (Choudhury 2016). Reports on how the injured reached the nearest hospital (Baliguda hospital) vary. While some have reported that the injured persons went on their bicycles with upturned cots (ibid) others suggest that they were taken to the hospital by the police (*Orissapost* 10 July 2016, 1). Those severely injured were later taken to hospital in Brahmapur, Ganjam district (about 205 kms from Gumudumaha) for treatment (*Dharitri* 10 July 2016, 1; Kanak news 2016a July 12, 2016). This incident gathered the attention of the media and political parties, with some newspapers reporting it as an "*Amanabiya"* (inhuman) act by the police (*Samaya* 10 July 2016, 9). There were protests organized after the incident demanding compensation for families of the deceased and injured persons (Ibid.) On July 26th 2016, a memorial meeting was organized in Gumudumaha in

[6] The Special Operations Group and District Voluntary forces have been established especially to look into matters of Maoism. Their activities are analyzed in detail in the next sections.

which a few hundred villagers, mostly Kond Adivasis participated. *"We have come to cry for the dead…. when one suffers, we all do"* was stated by a Kond woman leader (Choudhury 2016).

This incident gathered the attention of the media and political parties. The Special Operation Group team stated that the casualties were "collateral damage" in the exchange of fire between police and Maoist groups but villagers have denied it. (Panigrahi and Tripathy 2017). Stark contrasts have been identified in the narratives of the SOG police and the victims. In the police's version, a fourteen-member team of SOG force reached at around 8pm in Gumudumaha and "laid ambush at a tactical place" from where they noticed some movements by CPI(M) "banned-outfit" members at some distance around 9.30 who suddenly started firing at the police. The SOG team warned and waited till their lives were in danger to open "controlled and restrictive fire". Suddenly, an auto full of people came and got stuck in the mud. Noticing which the police stopped firing. Firing continued from the other side and the police suspected that people might have been injured as they were shouting for help. These statements came to light on July 14th in the form of an FIR filed by the police on July 9th against Left-wing extremists. There has been no FIR filed against the SOG team (Choudhury 2016; Panigrahi and Tripathy 2017). Narratives from the perspectives of the victims have contradictorily pointed out that there was no firing for several minutes while the auto got stuck and people came out. The firing suddenly started when they were trying to push the auto out of the mud (*Dharitri* 10 July 2016, 1). While some reports suggest that bullets were fired from all sides (Ibid), some claim that all the bullets came from one side, where the SOG team were positioned, which can be evident through the bullet marks in the vehicle (Choudhury 2016; Panigrahi and Tripathy 2017). The National Commission for Scheduled tribes also probed into the matter and stated that it was not a crossfire (Ibid).

The government had transferred the investigation of the incident from Baliguda Police Station to a group of members from Odisha Police's Human Rights Protection Cell, headed by the ADG (Additional Director General of Police). During the ongoing investigation, he already believed the SOG team's narrative and provided excuses on behalf of them for not being able to aid the villagers after the firing (Choudhury 2016). This narrative is one of the rehearsed ones provided by the police in any encounter. Due to public outrage, an enquiry commission (Justice Janab Mohammad Ajmal Commission) was set up by the state government and compensation provided to the victims and their families (OTV 5 May 2017). The commission submitted its report to the state government in March 2018 but the report has not yet been made public (Choudhury 2016).

Violent presence of the State in Everyday lives

> "Due to the murder(s), we are afraid to go in and out of the village, or move around in the forests" Stated by one of the villagers in Gumudumaha to a news reporter (Kanaknews 2016b July 10, 2016)

Legal and official terms have been diffused in people's knowledge of events occurring around them. In several contexts, people have tried to learn the legal discourse to fight against illegalities, a process termed as "judicialization of politics". This is one of the ways in which law and the state get embedded in everyday life of local groups which disputes the state as something watching and controlling from above (Sayeed 2020). Several people in deprived regions of Odisha consciously call certain encounters as murders (which itself is a legal term) or "*Hatya"* instead of hiding it under the garb of "encounter by self-defence" or "crossfire" (Kanaknews 2016b 10 July, 2016). The state mechanism however allows most of the cases of encounters not to be treated as murders giving the police immunity from trials.

An atmosphere of fear persists after encounter killings take place. This fear is associated with the routine presence of a state which is often violent. Various ethnographies have reflected on this atmosphere of fear and unpredictability (Sayeed 2020, Khanikar 2018).

Sayeed in his analysis of Batla encounters in Delhi points out that for the residents of the colony where the encounters took place, a genuine encounter was as fearsome as a fake one. Territories which are the ground for frequent Maoist and counter-Maoist violence, witnesses the fear getting regularized. People carry out their normal activities while living in a constant state of fear.

Several encounters of the same nature occur every year where the police mistakenly identify innocent civilians as Maoists and open fire on them. The Gumudumaha encounter of 2016 reminded the villagers and the media of previous such encounters in Kandhamal. Many referred to the encounter of a tribal couple in July 2015 and a Kondh Adivasi individual in February 2016 (Orissapost 10 July 2016, 6; Choudhury 2016). Police have been increasingly engaging in anti-Maoist operations commonly known as 'combing operations' 'hunts' 'ambushes' etc. involving thorough search and raids. Most often in these operations due to lack of evidence (like unfound bodies) it is not definite whether people who were killed were Maoists or innocent villagers. The official "success" of combing operations disguises crucial details like this. Moreover, the police often engage in arbitrary arrests, detention and torture in the name of combating Maoists. Large scale violence may occur in distinct events, but fear persists beyond the incidents. This fear may or may not actualize in reality but becomes part of everyday life for the people who experienced violence (Das 2007; Bhaduri et al. 2008).

3.4 Territories of Suffering: Resistance Movements and anti-Maoist Violence

According to a team of activists who reported on the Gumudumaha incident "while the impunity given to those special police is a matter of serious concern to the society at large, to those residing in the fifth schedule districts of South Odisha, it is a matter of life and death" (Choudhury 2016, para. 17). In the fifth schedule to the constitution of India and various acts like Panchayat (Extension to Scheduled Areas) Act (PESA), 1996, forest reform and land reform laws at national and state levels etc. provide special administrative and governing

mechanisms for fifth schedule areas (where majority of the population is tribals and areas are characterized by under-development and poverty) with the intent to protect the land, culture and customary laws of tribal communities (MTA and UNDP 2021, 23-56). But these laws have, on many occasions, been ignored or misused while brutally exploiting tribal communities and their resources. For example, the PESA Act requires the consultation of Gram Sabha and consent of the population (conducted through *Pallisabhas*[7] in Odisha) thereby for the acquisition of tribal lands for developmental activities. However, such consultations have been falsified, manipulated and forced by official authorities (Bandhopadhyay 2004, 409; Sundar 2006, 3189).

Not coincidentally, many of the "Naxal-affected districts" coincide with fifth schedule areas (Press Information Bureau MHA 2019). As reflected before, it is in the historical context of poverty, deprivation and exploitation that the Naxalite movement has emerged. However, it is incorrect to assume that lack of development is the cause for Naxalite uprising. Such an assumption ignores the fact that in many under-developed areas, people have engaged in non-violent movements (Sundar 2012, 149-151). In fact, in areas where the Naxalite movement is prominent, democratic movements also exist. This assumption that poverty and lack of development is what pushes people to support or practice Maoism forms a dominant liberal perspective which can be called the 'root causes' perspective, according to Sundar. She points out that apart from this there are two more perspectives which are commonly used to look at Maoism. The 'security perspective' has been adopted by governments at both central and state levels as well as state institutions like the police or the military. This perspective believes that Maoist strategy is to only extort resources (ammunition) and engage in violence to pose a threat to national security and 'development'. The third perspective which is believed by Maoists

[7] Pallisabha is a local tier of governance at the ward level constituted by community members. Though their consent is significant, they have less power than the Gram sabhas at the village level (MTA UNDP, 26). For a visual account of palli sabha, see (Debaranjan 2021, 23:30)

themselves and their supporters is the revolutionary perspective which sees the Maoist movement as a result of structural violence and acknowledges the agencies of the actors fighting against such violence. In contrast, the root causes perspective views people, mostly Adivasis and dalit communities, as passive victims of lack of development (Ibid.).

Certain ethnographies of police institutions claim that violence (only referring to physical violence) constitutes only a small part of their activities (Jauregui 2016). Similar arguments can also be made for Naxalite organizations that carry out several developmental activities apart from violent undertakings (Sundar 2006, Mohanty 2006). Maoists have engaged with a lot of social issues like land distribution, farmers issues, caste atrocities, women empowerment etc. at a concrete level. However, Naxalite organizations have often restricted beneficial government initiatives to be implemented and have caused devastation of lives and property of local communities (Sundar 2006). It has been criticized that Maoist groups receive their fundings from industrialists and rarely carry out fights against them (Padel 2011). Maoists have also engaged in brutal violence for example punishments given through *"Jan Adalat"* (People's court set up by Maoists) (Biswal 2020, 2). On 2nd January 2020, In Nuagaon block of Kandhamal district, an individual named Ranjan was killed by Maoists by accusing him to be a police informer and involved in the killing of Maoist from women Maoist cadre. He was sentenced to *Mrityudanda* (death penalty) in *Jana Adalat* fearing which Ranjan had fled to his in-law's place. The Maoists raided their home, killed Ranjan by dragging him out of the house and put his dead body near a school along with a note describing his guilt. Police were reluctant to reach the place immediately as it was considered a *durgama anchala* (difficult-to-reach location) but carried out investigation later (*Dharitri* 4 Jan. 2020, 5). Some scholars suggest that these practices, in fact, go against the principles of revolutionary violence (Mohanty 2006).

Both violence by Maoist groups and the state has led to devastation of the social life of many communities where innocent people suffer. The state at various levels (central, state,

local, the everyday), however, only recognizes violence by armed state officials like the police as legitimate even though most of the violence goes against the laws. Banning Maoist organizations and supporting organizations like Salwa Judum or imposing what people have called draconian laws like AFSPA, MISA, UAPA etc. not only indicates the fascination for brutal state violence by governments but also hypocrisy of governance. Social and Human rights activists and scholars rightly recommend the government to perceive the Naxalite movement as a political movement rooted in socio-economic conditions, rather than a law-and-order problem (Bhaduri et al. 2008). Banning organizations, killing cadres or inflicting ruthless violence neglects that the Naxalite movement has a social-material base and ignores decades of history of its formation (Mohanty 2006). In Kalinga Nagar, Jajpur district in Odisha, 13 Adivasis were killed in police firing in 2006 who were fighting against the construction of Tata Steel Plant. Sini Soy lost her son in the firing. She was arrested by the Jajpur police alleging that she had been seeking help from Maoists to avenge her son's death. She reflects in a documentary

> "I am fighting for our rights through this struggle. Whoever is fighting for their rights is now being called Maobadi, no? They will call us Maobadi only. If they do not call us 'maobadi' the Andolan (movement) will not stop, and the company will not be able to construct the plant. They asked me 'are you linked with the maobadi? I said 'yes, I am a maobadi'. After taking my land, after killing my son, if they call me Maobadi, then I am Maobadi. Did Maoists kill my son? Or who killed? You wore this very uniform when you killed my son and you are calling me Maobadi now. The government and the company have jointly killed my son. How did we become Maoists! I said 'you should do one of these two things- either you send me to jail or you kill me' (Debaranjan 2021, 16:58).

Democratic movements against industrial projects or exploitation of tribals are conflated with Maoism in the practice of anti-Maoist violence by the police. People believe that this is not a mistake but a deliberate practice. The state is deliberately trying to suppress democratic movements in the name of anti-Maoist operations (Padhi et al. 2010). The ban on

CPI (Maoist) in 2006 by the Odisha government is also said to have been brought about as the government started to believe that Maoists were obstacles to industrial development (Kar 2015). The escalation of Maoist violence during the 1990s is believed to be a result of liberalization policies which aim to establish industries in tribal belts which would and did lead to large-scale displacement. Police violence makes it convenient for the state to carry out reckless industrialization which evidently does not lead to actual development of marginalized populations (Nigam 2009). Using Agamben's perspective, Gupta argues that both structural and armed violence to facilitate neo-liberal development in this context allows for deaths of the tribals- "as *homo sacer*, those who can be killed without sacrifice, inside and outside the law" (Gupta 2012, 290). Anti-Maoist police violence is a significant aspect of this process. The police institution becomes a filter through which legal procedures are used, misused and escaped to kill people. The tribal communities, however, do not believe in the justification of the killings. Those who were killed because they were resisting exploitation are considered martyrs in these communities (Mohanty 2017).

3.5 Imagined violence and Increased police force

Not only several Adivasi lives are taken by security forces but other state actors also hesitate to work in areas dominated by Maoist groups. People living in over 150 villages in areas affected by the Machkund dam project built in the 70s in southern Odisha live in near-death conditions. This is true of other regions which were submerged by dams constructed since the post-independence Nehruvian model of development. Their homes become inaccessible every year when water levels rise. They do not have proper health facilities or schools. The few establishments are rarely visited by doctors and teachers respectively. People can barely manage food for survival. Deaths due to starvation or minor diseases are common. For the outside world, it becomes a "cut-off area". The People's War Group started inhabiting this area in the 1980s. They have engaged in killing and kidnapping police and government

officials. The presence of Maoists gives the government an excuse to forget about people's suffering. Their problems are rarely discussed when dealing with the Maoist concern (Debaranjan 2013, 6:00). An Adivasi living in one of the villages under the "cut-off area" says

> "The government says - 'we are providing everything- what does it (government) not do? You are all Naxalites' - why would we be Naxalites? Is it written in our foreheads? They say that we are doing violent activities. Do we have any weapons? We do not have any arms or weapons that we can become Naxalites. Just because we are living inside ghati (hills), we became Naxalites!.. People are suffering so much. But the doctors say that there are a lot of Naxalites in that area, so they cannot come" (Debaranjan 2013, 8:29)

Such areas and lives within them are either neglected or intervened violently by the state. In the colonial period, the British officials characterized certain sections of people in India as being inherently violent and inhumane. It was part of their mission to "civilize" the 'barbaric' tendencies existing in these groups, whether it was the drive against Meriah practice among Konds (Padel 2009) or the notion of migrant labourers in urban areas being violent (Chandavarkar 1998). This notion provided a basis for the British administration to "save" people from inhumane violence by using violence itself. Padel argues that the modern state is much more violent and engages in more brutal human sacrifice than the Konds who sacrificed Meriah children. Our consent towards the legitimacy of the modern state is manufactured in such a way that we become reluctant to admit inhumane violence by the state, or legitimize it to an extent where we can unsee it (Padel 2009). There still exists a paranoia about certain populations being violent. The difference in post-colonial electoral democracy is that such marginalized populations can no longer be just ruled upon but their political participation and votes become important (Gupta 2012). The categories like "left-wing extremists" "*maobadi*" etc. allows the state and the dominant elites to manifest this paranoia while simultaneously being 'politically correct'. Along with the paranoia, there is a pride in killing "violent" subalterns reflected in the "successful" stories of Maoist encounters. To reiterate Veena Das,

what counts as violence becomes important (Das 2013, 798). The convenient availability and widespread visibility of data of people killed by Maoists as against the inaccurately reported (mostly unreported) deaths of people killed by police forces boosts the legitimacy of the state as a "saviour" of people from violent activities of the Maoists. The use of the word 'encounter' itself is a measure of providing immunity to the police.

Labelling, keeping records of and ultimately targeting "history-sheeters", "bad characters", "trouble makers" "Maoists" etc. has been a common practice in policing (Eckert 2014, Khanikar 2018). It has perhaps gotten a boost with technological enhancement. In various contexts, as reflected above, entire communities are being arbitrarily targeted. The discourse of "suspect communities" is thereby constructed. These communities are constructed as the 'other' to "normal law-abiding citizens" (Khanikar 2018). The police could torture or kill anyone based on mere suspicion and the discourse would legitimize such violence. The institutional classification of certain territories as 'Naxal-affected areas' or 'disturbed areas' in India have unreasonably allowed increased violent state intervention in these territories (Desai 1986). The communities living in these territories are imagined to have violence as an inherent tendency. Though the government officially recognizes the need for development of regions where Naxalite movement is predominant, maximum thought, energy and allocation is put into increasing security forces and their tools of violence.

Apart from central police and armed forces, the government of Odisha has recruited several specialized forces for countering 'terrorism' and 'Naxalism' since mid-2000s. For example, the Special Operations Groups (SOG) was established in 2004 with the main task of "neutralizing the terrorist, extremists and insurgents operating in Orissa" (Government of Odisha, Home Department 2004, 5). The District Voluntary Force (DVF) was organized in 2009 also for anti-extremist operations, the strength of which has been increasing (Government of Odisha, Home Department 2012). There has been no reported massive-scale devastating

operation like Salwa Judum in Odisha yet. But in August 2008, the state government announced that the strategy of Salwa Judum would be applied in five districts of Odisha- Koraput, Malkangiri, Rayagada, Kandhamal and Gajapati (Padel 2009). Like in Bastar (Sundar 2006: 3187), the Odisha Police now recruits Special Police Officers (SPOs) from tribal youth on a contractual basis particularly to help in "combating the Naxal problem effectively" by creating the Odisha Auxiliary Police Force since 2012.

The purpose here is to reflect on that motive- of increasing police forces and increasing combing operations to deal with Maoist movements. A competitive environment has been built where state police compete to be better at "fighting" Maoists. The Odisha police has been praised to be better than other states at "strategizing" against Maoists (for example, setting up "operational bases" in remotest areas (*The new Indian Express* 6th April 2021, para. 7). The increasing presence of police forces for long periods of time is often unnecessary and disrupts the everyday life of people (Khanikar 2018). In the past decade, combing operations in Odisha have been reported with pride, where the District Voluntary force (DVF) has gathered particular attention. The DVF is constituted mostly by retired SOG jawans (as the retirement age is early- 35 years) and "the rest are local boys picked on the basis of their skills by the district SP" (Mohanty 2013). A fact of concern that the DVF does not have to go through long procedures like a purely SOG team, is noted as an achievement which gives the DVF "a cutting edge" in carrying out more and more combing operations easily (ibid.)

In 2011, the Supreme Court declared forces like Salwa Judum and Special Police Officers in Chhattisgarh as unconstitutional, the deployment of which led to large-scale violation of human rights. It ordered the banning of Salwa Judum and other non-state forces such as Koya Commandos as illegal and unconstitutional organizations (Venkatesan 5 July

2011). It also ordered the recall of firearms used by SPOs[8]. It is clear that the Odisha government has not taken into account this judgment while increasing the number of special forces. Not only tribals with limited training, but well-trained armed forces have also been deployed specially for engaging with the Naxal movement. The permanent deployment of special forces who have nothing else to do except for engaging in combing operations, has provided a zeal to the police institution. They can achieve higher digits of deaths which earlier the police could not even if it wished to. The *Sahukars* (moneylenders), landlords, money lenders, dam/project officials and traders, who have conveniently taken the lands from tribals throughout the history of this region, are now bribing police officers to suppress their voices (Mahana 2019, 72). In every state, the trajectory and statistics might be different. But state governments are also learning from each other about how to tackle Naxalite insurgency by increasing violence by police forces. Most governments at state level as well as the central government have leaned towards treating this as a 'law and order' problem to be dealt with by "letting loose" police and paramilitary forces (Ibid).

3.6 Conclusion

It is a tendency of the bureaucratic apparatus to project emotions of panic and anxiety through numbers in order to portray the state as rationally ensuring order in society (Das 2007, 19) In 2009 the then Prime Minister Manmohan Singh declared Naxalism as "the single greatest threat to national security" (Nigam 2009, 37). There has not only been an exaggeration of the actual existence of Naxalism, but also it has been vaguely defined by the state (ibid). The rhetoric of "urban Naxals" used by the current BJP government has increased the number of arbitrary arrests in the name of Naxalism. Populations in areas where Maoism is prevalent are simultaneously considered as "prone to violence" as well as ignorant, illiterate, passive

[8] Writ Petition (Civil) No. 250 of 2007. Nandini Sundar and ors. Versus State of Chattisgarh. Retrieved from https://main.sci.gov.in/jonew/judis/38160.pdf

victims of violence which need the state to intervene (MHA 2022). Such contradictory narratives disregard Naxalism as a socio-political movement and conflate Naxalism with other struggles as described in the previous section. An activistcomments about tribal youth joining Maoist movement in Kashipur in a documentary:

> "Since before they were born, we have been fighting the government and administration. Everyone, even children could know what was going on, we were being beaten up. Though they were not able to do much, they had the insight in their minds. That is why they were conscious and decided to give their blood. If our sangathan, janAndolan was in the path of victory, then we would not have lost so much!" (Debaranjan 2013, 55:00)

Tribal youths who have seen exploitation by the Indian state since their birth, are seeking an alternative through armed rebellion by joining Maoist groups, even if some youth do not realize the severe consequences of rebelling against the state (Padhi and Sadangi 2020). It is a political question for Adivasis to reflect upon whether to support armed rebellion or not (Sundar 2012). They certainly do not have "romantic illusions of the Maoists" (MHA 2022, under "The dynamics of Maoist Insurgency"). It is in the social-historical context that we need to understand how and why people join Maoist groups. The political movement of Naxalism, even though violent, has emerged in such a context. Treating Naxalism as merely criminal is to unsee the adverse socio-economic conditions of a significant population and results in criminalizing politics itself (Balagopal 1992). By waging war against Naxalism and treating it as nothing more than a law-and-order problem, the state is trying to unsee and unhear any counter narrative/initiative to capitalist development. Police violence against Naxalism is therefore being used to reiterate the monopoly of the state over legitimate violence precisely by using it against demands of basic rights and for legitimizing capitalist exploitation.

The coinciding of under-developed areas with majority of tribal populations along with 'Naxal-affected areas' has severe consequences in terms of violence. Innocent villagers are tortured and killed both by Maoists on suspicion of them being 'police informer' and by the

security forces for being “Maoist sympathizers”. For both Maoists and the government, it is a war against each other. It is a war for legitimacy of a state. But hundreds of innocent people have been killed in this war who are not fighting against the state, whether the existing capitalist state or an imagined proletarian one. Both Maoists and the governments accuse each other of taking innocent lives, and legitimize their own killings.

This research has supported the argument that police violence is being used to suppress democratic resistance movements in the name of Maoism. Police have also increasingly engaged in arresting, torturing and killing Maoists as the most desirable solution to the ‘Maoist problem’ and to protect ‘national security’. However, the victims in the Gumudumaha encounter were not Maoists. They cannot be labelled as “outlaws” or “miscreants” or “savages” Perhaps as a result, it has become difficult, if not impossible, for the government and the police to legitimize their deaths. They are the very people who live by the rules and at times the mercy of the Indian state. Whether they resist certain state practices or not, the central as well as state government get their votes by ‘providing’ them with benefits of welfare schemes. They are important political actors, with whom the state has a reciprocal relationship. Gupta argues that it is this very population that are most affected by structural violence. Unlike Agamben’s beliefs, they need not be stripped of their political identity and be reduced to ‘bare lives’ to be killed (Gupta 2012). And the sheer number of such deaths which the police call ‘collateral damage’ reflects that it is these very people who are mostly the victims of police violence. The following chapter will reflect more in detail about how police violence forms a part of structural violence by the state and what role does welfare play in this nexus.

How the state responds to the Maoist movement is significant in analysing its repression. In the past decade and a half, there has been increasing emphasis on empowering security forces to deal with the ‘Maoist/Naxalite situation’. Not only does this obsession treat the Maoist movement as mostly a ‘law and order’ problem, but also gives extra power to the

police and security forces which they have used arbitrarily. Violence related to Maoism has gone up since 2005 in states like Chhattisgarh and Odisha. It operates as a series of retaliations, cycles of violence and counter-violence (Sundar 2006). After repetitive cycles of violence, 'Who started' no longer remains useful for justifying violence. Violence by the police is not always retaliatory. There have been more active combing operations than retaliatory violence in the past decade by police and paramilitary forces in Odisha. The government at the state and central levels as well as the media no longer find it necessary to justify why the combing operation was carried out. It is enough to say that the operation was against Naxalites, in order to legitimize the violence and killings "in the process".

The 'war against Naxalites' has been used largely for capitalist resource exploitation by suppressing legitimate demands and democratic movements in the name of anti-Maoist action. Increasing strength of and violence by the police shows a strong possibility of more exploitation in future. Police violence is not the sole form of violence invoked here. Violence between goons hired by private companies and villagers are also common in order to force consent from villagers for setting up industries (Padhi and Sadangi 2020, 208). Clashes between Maoist groups also occur which end up disturbing the lives of local communities more. The state and private companies take such conflicts as an opportunity to expand industrial development. In the context of Kandhamal, communal violence has also been used to increase resource exploitation. The clashes between two most marginalized communities, scheduled tribes and scheduled castes has given the government an excuse to bring about "developmental" changes in the "isolated" and "conflict-ridden" district of Kandhamal. In the name of development, the government is only taking initiatives which facilitate private companies to extract land and resources (Padel 2009). The only people benefiting from capitalist expansion fuelled by violence are the elite classes. The point is that different forms of collective violence are involved in this process. However, police violence attracts the

maximum legal as well as moral sanction amongst all forms of collective violence. Even though police violence has mostly been illegal it does not invite legally appropriate punishment. Governments could keep on lying that what they want is peace and to bring Naxalites to the mainstream. But, in practice, the system of policing is such that the police receive legitimacy only by the existence of 'disorder' and their violent action against it (Eckert 2014).

In an interesting essay *The Jacobin Spirit* Zizek argues that the very existence of a state, which supports class domination, is violent. He critiques the liberal notion that no violence (though sometimes necessary) can be legitimate (Zizek 2011). According to Zizek, violence by the oppressed classes should be considered legitimate (but not necessary) as it is always a result of state violence (Ibid.) In a similar spirit Balagopal has argued that politics of the oppressed groups, even if violent, cannot be tagged as 'criminal'. This research neither wishes to provide a normative conclusion on which kind of violence is legitimate nor do the findings lead to such a conclusion. But the point tried to be made here is that we need to fundamentally distinguish between state violence and other forms of violence especially violence by oppressed sections. To analyze all forms of collective violence in a generalized manner (Tilly 2003) is therefore misleading. In the contexts analysed, police violence as part of state violence cannot be considered just as a means (Arendt 1970) which has been used for various purposes. Rather, it has been used systemically to facilitate capitalist expansion and (re)produce social inequality. This makes police violence fundamentally oppressive.

CHAPTER IV

STRUCTURAL VIOLENCE, WELFARE AND THE STATE

4.1 Introduction

That industrial development in India has not led to a complete revolutionary shift from agriculture to industry. Agricultural production cannot vanish in a modern capitalist society as it provides a source for raw material as well as sustenance of industrial labour (Vanaik 1990). A major share of population in Odisha are employed in agriculture and related activities (PUDR July 2005, 9). Liberalization since the 1990s has led to significant economic growth from industries, with regimes promising that the effect will 'trickle down' to the poor populations. But that is yet a dream. It is because the capital-intensive liberalization and industrialization did not lead to proportionate increase in employment in the industrial sector. Vast populations continue to be employed in agriculture which loses productivity day by day. Though the second half of the twenty first century saw a significant increase in employment in the industrial sector, most of the population remains informally employed with lower wages and no job security (Pandey and Bandyopadhyay 2022). The state was slow in developing agriculture and providing a suitable market for it. The significant increase in service sector opportunities also did not help as it required educational and cultural capital as qualifications for employment. This has led to an increase in income gap and the paradoxical situation of economic growth with acute poverty (Gupta 2012; Vanaik 1990). AchinVanaik believes that the success of a capitalist economy cannot be measured by reduction of poverty or satisfaction of basic needs anyway, as it contradicts the essential motive of capitalist development, profit making. It is only the scale of reproduction of capital that counts (Vanaik 1990).

The state in India has tried to bring about economic growth (mostly articulated in capitalist terms) along with its responsibility to reduce widespread poverty and inequality (Kohli 2012, 10). Interestingly, in the years of liberalization-privatization-globalization and increasing economic growth, the spending on welfare programs increased. One of the explanations provided for this is that the devastating effects of liberalization (displacement and loss of livelihood for example) could turn poor populations into violent "dangerous classes", as Partha Chatterjee also believes (Gupta 2012, 291). It is a fear of dominant elites that the poor will take up arms if (and only if) welfare programs fail to reach them. Though this provides a push to government welfare schemes, Gupta moves away from this assumption and provides a different explanation in terms of "politics of democracy" for why social expenditure increased after liberalization, particularly in Naxal-affected areas. He suggests that the funding for elections as well as governmental activities come from increased taxation of big business companies and formal employees but votes majorly come from the rural and urban masses. It is to resolve this contradiction that welfare programs become necessary (Gupta 2012, 279-294). The increase in welfare programs is also explained using Karl Polanyi's concept of "double development" which he used to study 19th and 20th century England (Chakraborty 2021, 7). The concept suggests that proletarianization and unionization of workers leads to "institutionalization of social security by the accommodating state" (Ibid). In sum, emphasizing and advertising welfare programs has been used to legitimize the post-colonial capitalist state in India. It helped sugar-coat the vast number that denoted people who were left out of being absorbed by the capitalist economy in terms of employment, but were exploited for capital nonetheless. The social security provided by welfare schemes could not have been enough as voices against such exploitation continue to rise.

In practice, there is also widespread corruption in welfare schemes and very little 'trickles-down' to the people who are in need of facilities (Kohli 2012, Gupta 2012). For many villages like those in Kashipur, the supply from the Public Distribution System itself is irregular and expensive (Naik 2009; Mahana 2019, 70). Lower castes and Adivasis can hardly acquire rice and are dependent on the cheaper alternative, *mandia*(ragi) (Naik 2009, 147). There is also manipulation of the schemes in order to benefit the non-poor classes. Private contractors under National Rural Employment Guarantee Scheme are benefitting through financial manipulation with support from administration (Ibid, 148). There are debates around whether non-governmental agencies are supposed to bridge the lack in welfare by the state (Bandhopadhyay 2004, 409). Moreover, the welfare schemes do not help the communities to become self-reliant. A tribal villager reflects

> "Adivasis are not daridra (roughly translates to poor or destitute), not corrupt, not liars. The government is making Adivasis daridra. We have land, dangar, jungles, everything. But they are tricking us, snatching our lands and making us daridra. .. In this, the government, revenue department, police- everyone is engaged in the same direction. No one understands. If we try to speak up, they accuse us as Maoists, threaten us that they will file cases against us and throw us someplace where there will be no knowledge of our whereabouts" (Debaranjan 2013, 42:25)

This reflection reminds us of the larger contradiction that many sociologists have tried to work on- why is there acute poverty when there is abundance of resources in India (Kohli 2012). Briefly, the vision of economic growth by facilitating capitalist exploitation of poor and marginalized communities while ignoring their basic necessities and reproducing social inequalities provides a basis to why such a scenario exists in contemporary India. Police violence as part of state practice (or in Foucault's terms governmentality) is aiding to perpetuate this further.

4.2 Deprivation and Structural Violence

Kashipur, one of the regions analyzed for this research, came into public attention in the late 1980s due to excessive deaths from starvation. In 1986-87, the deaths counted were more than fifty officially. This made the then Prime Minister Rajiv Gandhi to visit Kashipur and several welfare schemes were initiated after that. Meanwhile, the politicians of different parties in the state kept blaming each other. The then ruling state government declared that the deaths were not due to starvation but consumption of poisonous food- like mango kernels, mushrooms, tamarind seed powder and pumpkin leaves (Sarangi 2002; Suryamurthy 10 Sept. 2001). The same narrative has continued in the past three decades whenever starvation deaths in Kashipur have been highlighted by news and Human Rights organizations and the state government held accountable (Orissa Post 11 May 2022, 5; NHRC 2003-2004, 119-121)

Various communities in Kashipur survive on *dangar* (shifting cultivation) and forest resources (which they were coerced to adopt in the first place (Pati 2011). Over the years, their resources have been converted into property of the state and subsequently private corporations. The Adivasi and dalit populations have now barely some cultivable land to themselves where they grow *mandia (ragi)*, rice, *juari*, some pulses and oil seeds. The cultivation being seasonal, and with no proper irrigation facilities the productivity is low. In the rainy season when barely any food is left and new crops are yet to be harvested, people become compelled to eat mango kernels, mushrooms etc. as substitutes to their staple food (Sarangi 2002; Suryamurthy 10 Sept. 2001). This context seemed to be completely absent in the governments' statements on starvation deaths. Starvation deaths continue to occur almost every year during the rainy season. But it is not a natural phenomenon which can be attributed to the seasonal failure alone. It is due to deprivation of basic necessities from certain communities and pushing them to poverty whereby they

are unable to afford their very survival. Their access to existing systems (state or private), if any, of food security (including clean drinking water) and health facilities is being structurally denied thereby resulting in widespread deaths. This itself constitutes violence (Gupta 2012).

A very important and interesting connection was drawn by Deba Ranjan Sarangi in the article *Surviving Against Odds: Case of Kashipur* between police violence and starvation deaths or poverty in general. He points out that the analysis of police violence, particularly in the media, does not mention starvation deaths. Nor does an analysis of starvation deaths incorporate a mention of police violence (Sarangi 2002). Recent media reports on deprivation of communities in Kashipur similarly do not mention the impact of the established UAIL industry and the police violence associated with it. This connection between police violence and economic and social deprivation requires further theoretical and empirical enquiry. Akhil Gupta has explored how state institutions engage in creating worse social conditions and pushing people to poverty, suffering and deaths. This itself constitutes violence which Gupta describes as 'structural violence'. Police violence becomes an active and visible part of this violence.

Police violence has taken several forms in India. In contexts such as southern Odisha where industries are being imposed on tribal populations, torture, threats, arrests, detention, raiding, killings, molestation, sexual assault, extracting money, lathi charge etc. have been used. Though physical violence constitutes the most visible form of police violence, it is not the only one. Police violence does not only cause injuries to the body but reinforces social conditions which lead to suffering. As the previous chapters attempted to show, police violence has historically as well as in contemporary times, engaged in facilitating the exploitation of land, labour and resources which have led to worsening of social conditions for people in the lower rungs of social hierarchy. It

thereby becomes a part of structural violence (Gupta 2012) connecting it with other state institutions and practices (for example, healthcare, revenue, education, welfare). Police violence cannot be isolated from this network of violence and exploitation. Charles Tilly argues against conceptually conflating violence (which he sees only as physical) and exploitation (Tilly 2003). However, we cannot ignore how they are interconnected. With help of the cases analysed, the following sections will look at how police violence interacts with the practices of welfare and compensation by the state.

4.3 Violence, Compensation and Welfare in Kashipur

Many development agencies have been involved to look after developmental activities in Kashipur (Pathy 2003, 2834). After Rajiv Gandhi visited Kashipur, a lot of money was spent in the 90s to curb starvation deaths by organizations like IFAD (International Fund for Agricultural Development (details, ref) and other agencies (Mahana 2019, 64-68; Padel 2011, 326-327). However, no significant improvement in income generation has been made and poverty in fact increased between 1992-1997 (Pathy 2003, 2835). Most of the money was spent in building roads to facilitate the construction of the industry, providing raw materials to factories and in the pockets of administrative officials (Padel 2011, 326-327). Deaths due to starvation, lack of nutrition and diseases have been regular in several areas which have been rendered remote as state provisions do not reach them. Recently, in the year 2016, 19 children died within the span of three months in Nagada village in Jajpur district, Odisha. Health officials suggest that the deaths were a result of malnutrition. In narratives by the state and media, this is attributed to the reliance of tribals on shifting cultivation and ill food habits (Orissa Post 11 May 2022). Even those in Nagada who possess a ration card and are *eligible* to buy five kgs of foodgrains for rupees 1 per person, have to walk 40 kms down and up the hills to get food grains which are not sufficient to last for the month (Choudhury 2016).

Though many development schemes have been initiated, starvation and deaths continue (Orissa Post 11 May 2022). In contexts like these, tribal and lower caste communities who can barely afford one or two meals a day are expected to travel several kilometres distance to reach a healthcare facility and buy their lives out of starvation.

> "The government is saying that if you don't give land to the company, then you will not get BPL rice or school teachers" (Debaranjan 2013, 1:22:52).

This statement reflects how governments and private companies connectedly try to exploit resources. Very often, welfare provided by the state is juxtaposed with people's struggle against exploitation. The dominant discourse of the welfare state has most often used a top-down approach, which also has not been implemented properly. Many under-developed regions in India still do not have food security, educational or health facilities. Debt incurred by the Odisha government for funding industrial projects is in turn leading to privatization of services like electricity, education and governance (Padel 2011). In contemporary India, governments have been gradually shifting the *task* of welfare also to the "philanthropic" undertakings of private companies. The private companies initiate several social welfare projects to win over the consent of the people which remain more or less unfulfilled promises (Padel 2011, 327). UAIL also initiated several welfare activities related to issues like women empowerment, farmers income, health facilities etc. which is lauded in certain news media without mentioning the degradation caused by the company (for example, *Orissadiary* 18 July 2020). The actual implementation and benefits of these activities require empirical study but its failure can be seen in the following statement given by a villager in Kashipur, standing beside the red mud pond created due to mining dust, in a documentary:

> "The dream of development that the company promised is nowhere. There is no water for us, The company is taking the river water" (Debaranjan 2021, 55:35).

The support for industrial development is becoming relentless and repressive day by day. An Adivasi villager from Bhaosil village, Nuapada district who was beaten at his home by the police till he fainted and then detained reflects:

> "Why hospital? They took me to the thana and locked me up! Why would police officers take us to hospitals!" reflects (Debaranjan 2013, 30:35).

In contexts where basic facilities are lacking, it is stupid to ask if there is any alternative apart from capitalist development. Resistance movements in under-developed areas have demanded those alternatives for many years now: self-reliance and livelihood security, education, health, irrigation being some of the major components. In 2019, a decision to not vote was taken by people in some villages of Odisha as they had been facing issues of infrastructure and medical facilities since many years, with no party addressing them (OTV April 7 2019). While news reports depict them as *dhamaka* (threat) to not vote unless demands are fulfilled, it must be noted that their demands constitute basic necessities (Ibid). Padel puts it clearly, that in tribal regions, real development should mean - equality before law and justice for everyone, ending exploitation and corruption, restricting accumulation and concentration of wealth and property among a few, access to health and education, etc. (Padel 2009).

The direction of common attitudes is in opposition to the vision of bourgeois political economy and exploitative development (Kohli 2012). The communities stricken by poverty, being knowledgeable social actors, are resisting this approach of development. In a way, the failure of the welfare state is being addressed by using repression against those who are the faces of welfare benefits. Police violence is being increasingly used to suppress any voice raised against the failure of welfare and support towards capitalist exploitation achieved through government-private partnership. Is it not easier to imprison or kill people than ensure their survival in conditions of extreme deprivation resulting from exploitation in the first place? (Sunder Rajan 2003, 87).

4.4 Welfare and Anti-Maoist Violence

Governments, at least on paper, recognize that there is need for developmental activities in under-developed tribal areas in order to reduce Maoist violence. This recognition comes with its own assumptions. For example, this notion assumes that the reason for armed struggle is poor implementation of programs for development (blaming lower-level state officials) and that the tribals' idea of development coincides with that of the state (Gupta 2012). So, development activities carried out as a 'restoration' for violence (whether Maoist or police) are either misguided, half-hearted or seem to follow similar patterns which are already exploitative to the marginalized sections. It is claimed that in order for development to occur, these areas first need to be under government's control and thereby the use of military violence gets justified. But the government has not achieved any developmental success (even in terms of basic necessities) in areas of extreme poverty where Naxalite movement is absent and the areas are completely under the control of the government (Sundar 2012). Why does it take an armed uprising against the state for crores of rupees to flow into areas of under-development? Sundar argues that government attention, however little, towards providing necessary facilities in areas where Maoist movement is prominent should be seen as a success rather than failure of the movement (ibid.). As shown in the previous chapters, developmental activities have been overshadowed by an obsession with empowering security forces to deal with the Maoist movement in the past decade and a half.

The case of 'Gumudumaha encounter' analyzed in this research provides a slightly complex picture connecting development, welfare and violence. In this case, the publicity of this encounter made political parties and the state give attention to the development of the area. The publicity was more as the victims were neither actual Maoists nor deemed Maoist by the state, but poor citizens "in need of welfare". The

district of Kandhamal comes under “Naxal-affected” areas. Yet, the Gumudumaha village in Kandhamal had been unnoticed by the government and state administration till the encounters took place. The rural area was poorly connected to town, and had no health care facility or electricity. The nearest concrete road (NH59) is 12 kilometres away (Choudhury 2016, para. 5). It had acute scarcity of water and mobile connectivity issues. Over 44 percent of people are poor, in terms of Multidimensional Poverty Index (NITI Aayog 2021, 158). To collect their MNREGS wages, they have to travel over 45 kilometres to Baliguda town (Ibid). Government officials visited the village after the incident found that the villagers do not have basic necessities, then they directed the district administration to ensure proper road connectivity, drinking water and electricity (Panigrahi and Tripathy 2017).

The developmental activities promised by government and administrative officials after the incident have not been fully completed. The road construction till Kurtamgarh, where the nearest health facility is located, remains unfinished (as of February 2022). A water tank was installed and electricity connection provided after the incident. But electricity is neither regular nor stable due to which the tank cannot be filled. As promised, some of the injured victims and relatives of the deceased were provided with jobs in high schools but they have temporary positions and receive irregular salaries (Choudhury 2016; *Dharitri* 10 July 2016, 1). People have also been demanding a healthcare facility as well as mobile network towers near the village which has been ignored (Ibid). We need to remember that this is a context where people have been killed in police firing when they tried to climb up the hill to receive better phone signals. This incident happened in July 2015 in Gumudumaha itself where an old couple had gone up the hill to get mobile signals to talk to their son who was located in Kerala at that time. The call was disrupted by fatal bullets of security forces killing the couple.

The same narrative of ‘caught in crossfire’ was provided then as well (Orissapost 10 July 2016, 6). So, the demands made by people in this context are not for an easier survival, but for survival per se. So, the rights and basic necessities of the people living in these areas should be the priority of the state. It is instead diverted to facilitation of private industries which have evidently failed in reducing poverty and rather increased inequality, poverty, exploitation and violence.

“Will the lives be returned if you throw money?” stated by a villager in Gumudumaha in a news report (Kanak News 2016b). Some of the severely injured victims of the Gumudumaha encounters were taken to the hospital facility in Brahmapur (more than 200 kms from Gumudumaha) the day after the incident. On being asked for payment for tests, a relative of one of the victims replied that they did not have any money and that the wages they collected on the day of the encounter were seized by the police team. It was after some dialogue between his acquaintance in Brahmapur and the hospital administration that the treatment of the victims could be done free of charge. Moreover, since the encounters became a highlighted issue in media as well as opposition parties, the ruling government made promises for treatment of victims, development of the village as well as compensations. Compensations are used more often as a tactic rather than actual restoration. The few people who get compensated are not just the lucky ones, but have to accept the legitimacy and narrative of the state to ensure their survival. The same trick works in case of surrender of dacoits and Maoists. Phoolan devi’s public surrender was compensated by providing economic opportunities for her family (Sunder Rajan 2003, 212-236). To receive compensation which is used as a substitute for assurance of basic rights, people have to accept the discourse that they are ‘outlaws’ or victims of ‘collateral damage’. This reinforces legitimacy of the state and its use of violence.

Police violence, unlike popular belief, is not a solution to Maoist violence and definitely not an alternative to the deprived conditions that people live in. Police encounters not only lead to loss of lives but create a precarity of life in regions where people are economically and socially exploited. Though there are discrepancies among different sources of statistics on police encounters in Odisha, the sources indicate concern over significant increase police encounters in the last ten years[9]. Not all victims are compensated. Nor do all encounters lead to reporting or proper investigation.

The rhetoric of compensation- against taking away land, livelihood and lives- is the only *restoration* provided by the state and the companies. Padhi and Sadangi (2020) ask "Can this process be reversed? Can people kill someone representing the State and declare compensation for it to square the account?" (Padhi and Sadangi 2020, 201) Many villagers had no option but to leave their lands and accept compensation. The criteria for compensation as well as *bhatta*- a sort of monthly allowance categorized as "payment for non-work" promised against consenting to the industrial set up were arbitrary, as only some of the villagers received it (Padhi and Sadangi 2020). Many did not receive compensation as they were categorized as "encroachers". As studies on land laws in Odisha have reflected, the process of re-allotment of land to the tribals was complex and unjust. During the 1950s-70s, landless people were eligible, according to different land reform laws passed, to get certain pieces of land. But for this they had to first illegally encroach a land after which the revenue officer would decide whether to regularize or evict them (Kumar and Chaudhary 2005). It became an exploitative and corrupted

[9]The NHRC has held the Odisha police accountable for not sharing correct data on encounters to NHRC and NCRB. While the number they shared was around 11 in the year 2016, the actual number as reported in state police records itself is 43. The Odisha police replied that the national records have not reported deaths after July-August of that year (The NewIndian Express 2019). According to government data revealed in assemblies, 165 people were killed in "exchange of fire" with the Police in Odisha between 2010-2019 and 36 cases of police encounters have been registered between 2022 (Ibid, Jain 2022). Odisha has been one of the states with higher numbers of cases of police violence (encounter deaths, custodial deaths etc.) in the past ten years, according to NHRC Annual reports)

practice. People are still being denied facilities based on these ambiguous legal categories imposed on them.

After several reports of degradations caused by industrial set ups, the World Bank in 1980 made resettlement and rehabilitation a major aspect of development planning (Bandhopadhyay 2004, 409). There was an attempt through the Land Resettlement and Rehabilitation Act in September 2013 to bring about legislation for higher and uniform compensation for dispossession of land. However, by the time the bill passed, the amount was reduced nor has the Act been properly implemented compensation (Levien 2015). The profits of accumulation by dispossession of lands remain much higher than the compensation provided for them. It is perhaps due to this that many communities are now refusing to accept compensation (Ibid). Are these compensatory provisions enough to "restore" the lives and livelihoods? Certainly not. The standard of living among marginalized communities have not improved as the government claims, rather their lives have become precarious. They live in the fear of death by police violence, if not from starvation and disease. By creating such precarity, police violence becomes very much a part of structural violence by the state.

4.5 Conclusion

Few Adivasi villagers from Sunabeda region sadly reflect

> "The rules and regulations of the sanctuary are torturous. It feels like 'Sasan' (discipline-rule). Why? See, we are forbidden to graze cows or cattle, we cannot even put bells on the cattle, cannot pick a single leaf from the jungle, cannot make any sound in the jungle, we cannot use mic or instruments during weddings or festivals, cannot engage in merry-making or singing-dancing or cultural programs. Due to all these rules-regulations of the Sanctuary, we feel really bad. These are not right. And we have not come from outside. We have been inhabitants of Sunabeda since generations. Since the existence of this 'mati' (land/earth) of sunabeda region, we have been residing here…. They have put cases on us- for someone trying to graze cattle beyond the core line, for cutting trees for cultivation….The government has divided the forests into three lines: core line, buffer line and revenue line. We are supposed to live within the revenue line, we may go inside the buffer line but we are forbidden to go

> into the core line, till today none of us know which is core line or buffer line' (Debaranjan 2013, 25:40)

While the access of local tribals to the forests is deemed illegal in order to 'protect the environment and forest resources', vast amounts of forest land have been given for public development projects and now increasingly to private companies (Padel 2011). This reflects the state as illegible or unclear of what it is exactly asking through its laws. Many people are arrested, detained or killed for simply using forest resources or fighting for its access. Violent policing finds space within the illegibility of the state. The police act not only as a direct embodiment but as violent embodiment of the state (Das 2007). In this process, police violence gets incorporated in the way of life itself. Routine preventive measures taken to avoid 'disorder' can be equally violent. Police violence provides a visible picture of the violence of bio-politics. It reflects how the discourse of 'protecting' people turns into controlling their lives (Das 2009).

In the previous chapters, this thesis tried to argue that state violence is providing immense scope for capitalist expansion to take place. Police violence is aiding the state in reproducing capitalist mode of production and unequal relations of production. Social inequality in turn becomes a catalyst for further capitalist exploitation. Not only class, but social exclusion has provided a base for capitalists to exploit resources and labour (Lerche and Shah 2021). The dominant class and caste groups of both agricultural and industrial occupations are benefitting by the use of police violence against marginalized sections. In the precarious conditions of the past few decades, the result is extreme poverty and a widening gap between rich and poor sections. This itself constitutes violence and is being carried out structurally by different state institutions whether explicitly repressive or not (Gupta 2012). This chapter tried to argue that police violence forms very much a part of such structural violence.

Poverty and social inequality as a result of capitalist exploitation have been theorized in many ways. They can be thought of as inevitable outcomes of advanced capitalism (classic Marxian notion) or as unfortunate results of otherwise beneficial economic growth (Kohli 2012). This thesis supports the argument that extreme forms of poverty, exploitation and inequality cannot be thought of as inevitable or unfortunate outcomes of capitalist expansion. They are rather deliberate practices in which the state plays a major role (Levien 2015). The founders of the Constitution of India including B.R. Ambedkar envisioned a social-democratic welfare state to exist in our society which would prioritize reduction of social inequality and thereby equal political participation (Bhatia 2019). Increasing exploitation of resources and labour as well as extreme forms of violence associated with it reflect an unconstitutional approach towards welfare of our society (Chakravarti 2012). The role of the state and governments to ensure minimum subsistence of marginalized sections (Chatterjee 2008) has not been adequately fulfilled. The welfare approach by the Indian state, is failing to address basic concerns of people. In a complex of exploitation, compensation and violence, the state legitimizes the dominant idea of development which only benefits certain groups and furthers poverty and social inequality.

The attempt in this chapter is to argue that police violence forms very much a part of structural violence by the state. Two basic assumptions need to be questioned in this regard. First, police violence is limited to physical violence and second, structural violence constitutes the opposite of physical violence. Though the most visible form of violence by the police is physical in nature, it is not the only form of violence. Many ethnographic studies show how bureaucratic system of policing and practices of corruption, record keeping, labelling, surveillance etc. are as predominant as acts of physical torture (Gupta 2012, Khanikar 2018). Further, physical torture itself becomes a

routine practice. Analysing a repressive state apparatus does not entirely contradict the notion of structural violence. Even if physical violence is what is predominantly visible and a unique feature of institutions like the police, such violence cannot be separated from routine practices of structural violence. Foucault has elaborately portrayed how power of the modern state is dispersed and productive (it provides ways of how to conduct oneself, not just inhibit actions) instead of being repressive. Gupta (2012) says that Foucault's idea of how dispersed power and bio-politics can be equally violent need theoretical and empirical reflection, as such practices cause immense amounts of suffering and deaths. Also, repressive violence has not vanished in the modern techniques of power, but forms very much a part of it. Such violence is used to reproduce relations of production (Poulantzas 1980, 81). This thesis tries to show how police violence, though predominantly repressive, is structural. It consists of both physical and other forms of violence which cause suffering and death. By doing so, it facilitates capitalist exploitation in the context studied.

Police violence is often thought of in terms of the image of a police officer (whether heroic or inhuman) being physically violent. Very much interconnected to this, "Draconian laws" have similarly been thought of as repressing the freedom and rights of people. These notions are not false. It is also a matter of immediate concern how inhuman forms of police violence are increasing day by day. But police violence need not be analysed only in these terms. The task of holding police officers responsible for their actions is important and a matter of immediate necessity. But it is also important for social and sociological understanding to point out that police violence is very much structural. That is, it also constitutes 'a crime without a criminal', engages in denying people of their rights and necessities and, causes suffering and death. It is a deliberate

action embedded in routine state practices supported by certain sections of people who benefit from such violence.

Routine practices of the state become an important part of structural violence. Gupta (2012) argues that the suffering and deaths are not inevitable results of conditions of the poor but a consequence of state practices. He moves away from the notion that the state is indifferent towards the poor (the politics of indifference) though he does not deny that there is some basis to this notion. He also does not believe that the problem is poor implementation of beneficial policies, as that unnecessarily leads to blaming state officials in the lower order of bureaucratic hierarchy (Gupta 2012, 3-39). The problem with exploitation and state violence is not that all state officials engage in or support brutal violence. In fact, the lower tiers of government machinery and state administration in under-developed regions of Odisha (panchayat members, teachers, health workers etc.), constituted by villagers themselves, often stand with Dalits and Adivasis for their rights (Kar 2015). But hierarchy of the bureaucratic apparatus does not make it possible for their actions to bear many results. The political and bureaucratic elites of the state have more connections with dominant classes external to the state apparatus than connections to lower-level employees within the state apparatus (Vanaik 1990). Gupta elaborates how “the overt goal of helping the poor is subverted by the very procedures of the bureaucracy” (Gupta 2012, 23). Routine practices of the state are responsible for deciding matters of the poor. In the process, arbitrary decisions are taken which may be a question of life and death for some.

The process of bio-politics can be understood better if we deconstruct the state as a unified category (Gupta 2012). We need to reflect on disjuncture between different levels, functions and administrative units etc. that form what we call ‘the state’. People's lives are governed through various different mechanisms, not repression alone. In fact,

categories which are to be governed are *produced* through discourses, Foucault believes. Both the processes of homogenizing and differentiating are applied in this. For example, people are differentiated as 'poor' (or tribes) from the rest of the society and the category of 'the poor' is simultaneously homogenized as a unified one. One can note here that the classifications are arbitrary and have an exclusionary tendency (like Below Poverty Line). Following Gupta's conceptualization, these discourses operate in different offices, in different ways at different levels of what constitutes that state. The discourse that the state must 'protect' its people and uplift the poor and marginalized sections also widely exists. At the same time, the governments are increasingly finding it more convenient to control lives through penal institutions (police, prisons) than other state institutions/functions like care or welfare (Sunder Rajan 2003). When increasing power is given to the police than other state mechanisms (including welfare), the same discourse is implemented through arbitrary arrests and detentions, false cases, surveillance, killings, torture etc which become a part of structural violence.

CHAPTER 5

CONCLUSION

The thesis broadly attempted to look at the relationship between the state and state violence in contemporary India. It took the help of mostly sociological and social anthropological literature as well as secondary empirical data to understand the nature of relationship between the state and violence, particularly police violence in India. This thesis stems from the observation that police violence is becoming increasingly visible in current times. Some of the official data support that police violence has indeed increased in the past decade or so (NCRB 2022). To analyze why police violence has been increasingly used by the Indian state and thereby contribute to the sociological understanding of relationship between state and violence, were therefore major objectives of this research.

The concepts of 'state' and 'violence' are ubiquitous in social sciences. Their study is not limited to the discipline of sociology alone. Furthermore, recent works on state violence have reflected a tendency to tease with disciplinary and methodological boundaries to enrich understanding of state violence. If we dig into the range of literature in social sciences, one can find several perspectives that have analysed and critiqued state violence, particularly police violence, in various ways. Police violence has been critiqued as violating fundamental human rights of people and being unconstitutional (Chakravarti 2012, Baxi 1982). Several ethnographic works have analysed in detail how the state institutions including police engage in routine violence disrupting everyday lives of people (Das 2007, Khanikar 2012). It has also been dealt with as a social-psychological phenomenon. Particular events of police violence in India have been critiqued as political acts of governance in literature as well as media. The attempt in this thesis, as a work of

sociology, is not to ignore these perspectives but to see how they enrich a sociological understanding of state and state violence.

This research engages with a political-sociological approach to meet its objectives. It has used various literature which may have been used in the disciplines of political science, sociology and anthropology. A political-sociological approach would fundamentally look at police violence as a social phenomenon closely associated with socio-political structures, especially the state, social institutions (economic, political, religious etc.) as well as social relations (based on class, caste, gender etc.). It views police violence as more than an individual act of aggression, or an isolated event. Following this basic assumption, further questions can be asked- like who are the actors responsible for police violence, why does this practice continue to exist in several societies, what are the socio-political roots of such violence in a particular context, how is police violence related to social exploitation and the state etc. This research aimed to address few such questions, which are, what is the nature of relationship between state and police violence; what are the social roots of the use of police violence; and why has police violence been increasingly used in contemporary India.

To address these questions, the researcher analysed a few cases of police violence from the state of Odisha. These cases relate to two major issues pertaining to police violence in India, namely, police violence against resistance movements (which are expressions of struggle against exploitation of poor and marginalized communities) and anti-Maoist police violence. Police violence involved in both these issues seemed to have increased in recent years in Odisha, along with their increasing visibility through news media. By contextualizing these issues in parts of Odisha characterized by poverty and underdevelopment (considered as “backward” regions), the research tries to look at the dynamics between state, government, police violence, social exclusion, exploitation and

capitalist development. It ultimately aims to contribute to sociological critique of state violence.

The first chapter introduces the topic by looking at theories around the state and state violence. The review of literature begins with a focus on various perspectives, definitions and redefinitions around the concept of 'the state' and state violence. One of the major theoretical and methodological shifts is to look at state as more than an abstract, rational, political entity; to perceive it as fragmented, contingent, contradictory and dispersed in everyday social lives. Similarly, state power and state violence are also contingent and dispersed. Another shift in literature is towards considering violence as not just physical but systemic and embedded in state structure and practices. How the modern state engages in a continuous practice of violence has been a significant theme in sociological and anthropological research including this thesis. The review of literature moves on to theories which link state violence to the political economy and how state violence has been used to facilitate capitalist development. Due to increasing visibility and frequency of police violence in India, this research finds it necessary to theorize the following: why police violence has been increasing despite years of critique and what are the social roots of police violence in democratic societies with a focus on contemporary India, which can be characterized as having semi-colonial and semi-feudal features and a growing support for capitalist development. The chapter moves on to the rationale, objectives, research questions methodology, and limitations. Briefly, this research is an attempt to qualitatively look at the relationship between state and police violence in contemporary India through a few cases from the state of Odisha, where police violence seems to be increasing, with the help of secondary sources. It thereby aims to contribute to the sociological understanding of state and state violence.

The second chapter focuses on how police violence has been used to suppress voices of resistance against exploitation. It takes the example of the anti-mining movement in Kashipur, Odisha which has been going on for the past two decades and has been subjected to numerous incidents of police violence. The chapter begins by providing the context of cases being analysed in this thesis. Parts of Odisha which are considered underdeveloped have a history of social exploitation both throughout colonial and post-independent period. Due to the formation of an official state, centralization of authority, transfer of property and power from communal to private and state entities and related practices such as land alienation, shift in livelihood and socio-cultural exclusion, tribal and lower caste populations became more and more marginalized (Pati 2011). A particular idea of 'development' has been imposed upon these communities, which has led to disruption of several lives. Whether it is projects like construction of large dams or industries, several people have lost their livelihood, lives and peace in the process. This process has further intensified with the advent of Liberalization, Privatization, Globalization (LPG) policies since the 1990s. The government of Odisha has approved several mining industries to be constructed in lands which belong to marginalized communities and by taking away their source of livelihood. This attempt has been dissented by several movements of struggle against mining industries, Kashipur being one among them. Police violence has become a regularized instrument to suppress these movements. Extreme forms of violence including killings have become a common phenomenon in the establishment of industries (Padel 2009; Padhi and Sadangi 2020). The chapter goes on to describe how police violence is being used and tries to theorize this by looking at the larger phenomena of changing political economy and the nature of state in India (summarized in the following sections). The chapter mainly argues that

police violence in such contexts are not just arbitrary use of violence against people, but a deliberate method for aiding capitalist exploitation and reproducing social inequality.

The third chapter focuses on the issue of anti-Maoist police violence and its relation to the state and capitalist exploitation. Naxalite and Maoist movements emerged in the same context of exploitation to fight against feudal oppression, capitalist expansion and state violence. The brand of 'Naxalism' or 'Maoism' has provided an enhanced space for the governments to violently suppress voices against exploitation. Precisely through this, the legitimacy of the state is being reinforced. Police violence has very often been arbitrarily used in the name of countering Maoism and has increasingly been used in parts of Odisha. The police, based on suspicion, engage in arbitrary arrests, detention, torture and killings (known as encounters) of people who may or may not be involved in Maoist movements. This has become a frequent occurrence and one such encounter which took place in Kandhamal district of Odisha has been analysed in detail in this chapter. The chapter moves on to describing how different meanings of death are associated with state violence (for example, how the deaths of police constructed as sacrifice, deaths of Maoists as "success" and innocent citizens as "collateral damage"), how voices of resistance against capitalist exploitation (including those which follow democratic procedures) are being violently suppressed within the disguise of anti-Maoist operations, how anti-Maoist police violence is often considered a proud act and how this violence continues to be legitimized despite several critiques. Increasing strength and active use of police force in these contexts indicates a present and a future of further exploitation.

The fourth chapter focuses on how police violence interacts with poverty and welfare by the state in the process of aiding capitalist exploitation. It argues that police violence is very much a part of structural violence by the state, as defined by Akhil Gupta. This chapter argues that police violence becomes part of structural violence in the context

analysed. Physical violence is a routine practice and the structural bureaucratic violence that Gupta describes in other state institutions is very much present in the police institution as well. Police violence engages in denying people their rights and necessities, aids in pushing people to poverty and causes suffering and death apart from inflicting direct physical violence. It thereby engages in structural violence. The state in India has tried to implement several welfare measures (as the idea that industrial growth will reduce poverty has not been successful) which have failed to actually change the socio-economic conditions of people. Inequality has increased in the past few decades. How welfare of poor and marginalized sections is being surpassed, ignored, handed over to private institutions or being structurally denied (even though well intended) (Gupta 2012) is the focus of this chapter. Such violence is being carried out in various state institutions. This chapter argues that police violence becomes an important part of this network of violence in the cases analysed.

As a conclusion to the thesis, this chapter will try to answer the posed research questions after a brief description of the core chapters. In brief, it will attempt to answer fundamental questions about the relationship between state and police violence (what is its nature, why it occurs, how it is taking place and why it has been increasing) in the particular context pertaining to this research.

5.1 Defining the state: The contemporary Indian state and Police Violence

The thesis tried to cover some political-sociological theories on 'the state' to understand the context being studied. The prominent question in this research is how can we define 'state' and particularly the contemporary Indian state. Various meanings have been assigned to the state in theory as well as practice. It can be defined as a socio-political institution. Sociological and social anthropological theories suggest that the state is more than a rational political abstract institution. It is rather a social construction, a

practice which operates in everyday lives of people (Sharma and Gupta 2006). In addition to this, it is also important to analyze the state as a collection of hierarchical bureaucratic structures. It operates at various levels- local, federal and national- certainly not as a unified entity. This conceptualization reveals truth or materiality of the state at an everyday level. These meanings are not mutually exclusive but rather provide a holistic picture when simultaneously analysed. For the purpose of this research as well, different meanings of the state have been incorporated, used in different ways as well as emerged from analyzing data.

There are some specific meanings that can be associated with the state, as can be revealed by the review of literature and data in this research with reference to contemporary Indian society. The state has been thought of as functioning primarily to aid the dominant mode of production in society (Desai 1975). In its extreme, it can therefore never cease to support the dominant mode of production unless there is a structural change in society. Looking at India, both the pre and post independent state has supported industrial capitalism. A few years at the beginning of independence there was an attempt to incorporate the practise of socialism along with economic growth. Many policies of economic redistribution were initiated. However, assuming that socialistic practices were hampering economic growth during the 1980s (and since then) there was an active attempt to give up the pretence of socialism and give priority to economic growth, imagined mostly through industrial development (Kaviraj 2000, Kohli 2012). Since then, the state and ruling governments have not tried to bring about any large-scale socialistic reform. As Kohli puts it explicitly, “Indian political economy has become very much a bourgeois political economy” (Kohli 2012, 49). The Indian state, as considered by some theories, is bound to support this economy and in the process class and social oppression is inevitable. Furthermore, the relentless support for

industrialization paired with bureaucratization and brutal violence makes the Indian state closely resemble its colonial past (Padel 2011).

However, theories have disproved that such oppression is an inevitable part of capitalist expansion. The state plays an important role in deciding the course and extent of oppression (Levien 2015). This notion is especially important in a democratic state apparatus. The idea of a transformative constitution provided by Gautam Bhatia suggests that the constitution of India had envisioned a social-democratic welfare state, which is supposed to ensure equality in political participation by eliminating social inequalities. However, the constitution has not always been interpreted in a similar way thereby creating differences in court decisions (Bhatia 2019). Similar idea has been reflected by Upendra Baxi's notion of "subaltern constitutionalism" whereby law and constitution become spaces for fighting against oppression (Kannabiran and Singh 2008, xiii).

How can we understand this contradiction whereby the state is simultaneously oppressive as well as a social-democratic welfare state, whereby the state is exploitative as well as constitutes the means to fulfil necessities and demands of socially marginalized groups (Kohli 2012)? This seems to be the fundamental contradiction of the state in contemporary Indian society. One way to understand this is by viewing the state not as a unified entity but as fragmented, not static but as constantly shaped by societal action. Power is not only dispersed in various institutions and actions, but also contingent and multi-directional (Foucault and Gordon 1980). As the state is becoming more and more exploitative, more and more voices are being raised against such exploitation. Though there is an attempt to reify a unified image of the state in state offices, media, academics, etc. the state is fragmented in practice. The innumerable offices, bureaus, policies, levels, routines, people etc. that constitute the state do not collaborate to form a unified entity. They are fragmented and can be contradictory in their ideas and practice (Gupta 2012).

The contemporary “regime of dispossession” characterized by neo-liberal policies of private capitalist expansion (Levien 2015) is being actively facilitated by the state in India. The state apparatuses are used selectively to cater to the elite on one hand and deal with problems of the marginalized on the other (Partha Chatterjee, pp). In contexts like under-developed regions of Odisha, where all state agencies (administration, police, even courts at times) engage in such exploitation, it is difficult for the communities to perceive the state as fragmented. Yet, they do so. Socially marginalized groups in mining affected areas in Odisha have raised their concerns through various means provided by the state itself. For them, the image of the state is therefore not unified. For example, while the communities believe that the police and government are being oppressive towards them, they still have belief in the courts to ensure their rights (Debaranjan 2021, 30:20). However, due to strong networking between private companies, the government, state administration and the police, people gradually might run out of ways to negotiate with different state agencies.

There has been both continuity and change in the nature of the Indian state if we look at the past three decades or so. The impact of liberalization policies on state policies and practices has been considered to be a turning point. The structure of the state remains more or less the same, bureaucratic and engaging in structural violence. But there is an increased presence of the state even among the most neglected populations (Gupta 2012), which can be seen in the cases studied as well. This increased presence of the state is felt in fragmented but violent ways. The state machinery is now supporting a pro-business economy (Kohli 2012) at the cost of poor and marginalized lives. The state is failing to address the grievances of those who are raising democratic voices and failing to bring about actual development in terms of health, education, employment generation, reduction of poverty etc. The state is failing to change social conditions and bring about

social equality which could be one of its fundamental tasks, according to some perspectives (Bhatia 2019). Increasing use of violence is not just an indication of failure in welfare (Miliband 1969, 271) but an attempt to create conditions of further exploitation. Following sections demonstrate how such violence is constituted by both repressive and structural violence. What kind of state do people who regularly experience such violence want? A tribal resident fighting for the preservation of Niyamgiri hills against the construction of industries states:

"If Niyamgiri stays we will live on our own. Without rice, school from the government we will not die. We built our own houses. Did the government build for us? We will build schools too, we will teach children how to protect Niyamgiri, not "Sarakar Patha" (Government education)" (Debaranjan 2021, 1:23:00)

The state is facilitating a regime whereby people are forced to become market dependent (Padel 2011). Why is it necessary to snatch people's livelihood which they earned through agricultural cultivation, forest resources (and related means like fishing) and "provide" them with jobs as a developmental strategy? According to the above narratives, people do not want a state that labels them either as needy, passive citizens or as criminals. They want a state which recognizes them as social actors, which listens to their ideas of development instead of imposing industrialization, a state whose imposition and violent presence is rarely felt. Also, as an immediate necessity, people wish the state agencies to be democratic and ensure their rights given to them by the law.

5.2 The Uniqueness and Complexities of Police Violence

There are numerous forms of what has been studied as 'collective violence' or 'political violence', that is violence which is distinct from or more than an individual behaviour (Tilly 2003). Though these categories are helpful for analyzing violence as a social concept, it is important to distinguish between different forms of collective or

political violence. For the purpose of this research, it is first crucial to distinguish state violence from other forms of political violence. What is unique to state violence is its socio-political legitimacy. The modern state is supposed to have monopoly over legitimate means of violence (Weber, Roth and Wittich 1978). Police violence forms an important part of state violence. Several state institutions like the police, the Army, prisons etc. are considered to be repressive which ueberse violence as a prominent tool of social control (Althusser 2006). The police institution is yet unique compared to other repressive institutions. The police operate at all levels of interaction, local, state and national. They carry out everyday interactions (including violence) with communities. Their bureaucratic structure resembles equally or more with non-repressive state institutions than repressive ones. The police are also not a unified entity in practice. There are conflicts within different levels and departments within the institution (for example, between local police and national investigative forces) (Sayeed 2020). The police are repressive but also the first point of contact for individuals or groups in the community to resolve conflicts or crises. In this way, it truly acts as a representative of the state (as fragmented but exploitative): as agents of exploitation as well as the means for people to fulfil their needs and demands.

A major part of police violence consists of physical harm. This includes forceful arrests, detention, torture and killing. But physical harm is not used in isolation. It is combined with subtle forms of violence like verbal abuse, inaction, labelling, ignorance etc. Police violence needs to be thought of as more than physical harm both in terms of methods used in practice, as shown above, as well as conceptually. This thesis used the concept of ‘structural violence’ elaborated by Akhil Gupta. He borrows this notion from works of Johan Galtung and Paul Farmer. Violence, defined broadly by these theorists, incorporates anything that restricts people to achieve their potential including creation of

unequal social conditions. Structural violence differs from the way we generally perceive violence. It does not necessarily involve direct physical harm. Differentiating the concept of structural violence from Veena Das's work on violence, Gupta suggests that structural violence is not episodic but operates as an everyday reality. It does not disrupt people's social world, but becomes a way for people to make sense of their worlds (Gupta 2012, 3-39). One of the important features of structural violence is that it cannot be blamed on a single individual. It is a "crime without a criminal" (Gupta 2012, 21). However, it needs to be considered as violence because it causes equal amounts or degrees of suffering and death as any other form of violence.

Much of state violence occurs in the form of structural violence, as Gupta argues. It contributes towards social inequality and towards pushing people to extreme poverty and suffering. Such violence cannot be blamed upon any particular state official. It is not true that the state does not implement any measure to reduce poverty and improve social conditions of people or that state officials do not care about these measures. But the bureaucratic structure of the state operates with what Gupta calls a "modality of uncaring" which does not allow programs for the poor to be successful, even if state officials genuinely work for them. Gupta also clarifies that the problem does not lie in lack of welfare programs or their poor implementation (the state engages in a large number of welfare programs and a critique of poor implementation usually assumes that lower-level state employees ought to be blamed). Various bureaucratic procedures and practices, like corruption or record keeping, operate in ways that facilitate structural violence. The problem of structural violence cannot therefore be solved by ensuring better efficiency as it is not the same as ensuring justice (Gupta 2012, 3-39).

What this thesis tries to argue is that police violence can also be thought of to be a part of structural violence. Although it is a state institution where there is predominance

of repressive techniques of violence, mostly physical violence, various other practices also operate within this institution. As reflected above, the police system resembles other bureaucratic state systems which engage in structural violence. Ethnographies have reflected that practices like corruption, labelling of people as 'history-sheeters' 'bad characters' 'Maoists' etc., negotiation between legal and illegal methods of policing, falsifying records and evidence and many more are prevalent in the police system in India (Chandavarkar 1998; Eckert 2014 and Khanikar 2018). Physical violence in policing occurs in tandem with these practices, and not just in addition to them. For example, those who are labelled as 'bad characters' or 'Maoists' or 'trouble makers' etc. are arrested, detained and tortured more often. Many scholars suggest that most often people for poor and marginalized communities are labelled as such and become targets of police violence. What gets reflected by analyzing the police system, therefore, is that both direct physical violence and structural violence operate simultaneously and in connection with each other. In fact, physical violence becomes a part of structural violence in policing and not its opposite.

The control over bodies and lives of people through police violence is complex. As shown, police violence involves restriction of movement (to the extent of torture and killing), control over lives (to the extent of starvation) and deaths (to the extent of restricting family members to access dead bodies killed in encounters). Foucault's notion of biopower comes close to explaining how governance in modern societies operates through subtle forms of control or violence, which Gupta theorizes further. Foucault broadly defines bio-power as a set of mechanisms through which basic features of the human species (birth, death etc.) become objects of political strategy. The modern state engages more in exerting dispersed and indirect control over lives than direct physical violence (Foucault 1984). Scholars like Gupta have tried to show that such subtle forms

of control result in immense suffering and death, and therefore should be covered within the ambit of violence (Gupta 2012). This thesis further argues that direct physical violence forms a part of such control and has not been declining if we look at contemporary Indian society. This idea resembles Poulantzas' argument that physical violence forms very much a part of bio-power (Poulantzas 1980, 81).

> "Does not providing food, clothing, shelter, and healthcare to someone who is obviously in dire need represent killing? If so, it is important to note that nobody is punished or punishable for taking these lives." (Gupta 2012, 17*)*

The nature of structural violence is such that no individual can be punished or is punishable. Police violence is complex in the sense that an individual police officer can be pointed out for carrying out violence, especially physical violence (other forms such as inaction or negligence as well) but this does not make such violence not-structural. It is structural in the sense that it causes not only direct physical harm but also indirectly pushes people to suffering and death by facilitating larger processes of exploitation. Lifting accountability altogether on part of police officials is not a solution especially when extreme and arbitrary violence has become a common occurrence (Balagopal 1986). Holding police officers accountable is perhaps an immediate necessity for our society and so is reducing physical violence. But this would not prove a solution to the structural violence which is embedded in the system of policing as in other state institutions. Police violence, therefore, can be considered to be a unique complex of episodic as well as routine physical violence which becomes a part of structural violence by the state. Police violence, in the context analysed, has been an active helping hand in facilitating social exploitation and inequality and pushing people to extreme conditions of poverty and marginalization.

5.3 Escalation in Police Violence: Changing political economy and the Indian state

Several political sociological works have highlighted the impact of the changing political economy in India, its impact on and interaction with the nature of state and society (Chatterjee 2008, Kohli 2012, Kaviraj 2000, Gupta 2012, Vanaik 1990). With only a brief period which explicitly tried to bring about socialist reform through economic redistribution, the Indian state has always supported capitalist growth. Efforts for bringing about socialist reform have been abandoned in the past few decades, particularly after the state's explicit support for liberalization, privatization and globalization since the late 1980s. Ideally, this approach at economic development was supposed to bring about growth and consequently reduce poverty and inequality. Though rapid economic growth was experienced in the first few years, poverty and inequality have rather increased in the past decades, not only as a parallel occurrence but as a result of this approach (Kohli 2012).

The idea of liberalization supposes a reduced role of the state in the economy. However, the state continues to play an important role in supporting capitalist accumulation. What goes unnoticed (visible yet normalized) in this system is that many poor and marginalized communities go through extreme forms of suffering to achieve this growth. Gupta suggests that there has been a shift in the role of the state since the 1990s approach of liberalization has been adopted. The administrative or executive branch has been more influenced than the judiciary or legislative. There have been budget cuts in poverty eradication programs and changes in welfare programs whereby entrepreneurial models are being encouraged. The state's presence has in fact increased in society. The poorest sections neglected till date are also experiencing a pervasive presence of the state and what Gupta calls "subtle bureaucratization of everyday life" (Gupta 2012, 32). At a practical level, the state turns into a broker of land and resources

(Levien 2015) and the state-corporate-governance networks lead to further exploitation and denial of rights (Das 2003, 4429).

In the cases studied, it has been highlighted that the Odisha government has encouraged a similar approach towards development especially in the past ten-twenty years. Parts of southern Odisha underdeveloped region in terms of basic necessities like food security, health and education are being subject to rapid capitalist development. As idealized this is supposed to create employment opportunities and have a long-term effect of reduced poverty. However, presently it is affecting several poor and marginalized communities by taking away their livelihood, housing and lives in order to develop industries owned by business classes. This narrative of future growth at the cost of livelihoods and lives of the poor in the present has been normalized (Gupta 2012). The result is not actual development of the communities, but increase in inequality, extreme poverty, suffering and death worsened by circumstances like cyclones or the COVID-19 pandemic. Industries have not generated enough employment opportunities to cater to the effected populations which now are struggling for basic necessities. The democratic role of the state and governance to ensure minimum subsistence of marginalized communities through developmental policies has not only become a matter of constant negotiation (Chatterjee 2008), but the responsibility is also being transferred to private entities.

This exploitation is accompanied (sometimes depending on) violence by police and other repressive state institutions. The state is facilitating capitalist development through structural violence embedded in the system of policing. There has also been, at the same time, a rise in voices against such exploitation. People have not blindly supported this model of development imposed upon them. Several movements have emerged to resist this ideal of development which is detrimental to the lives of the poor.

The state still shows a relentless support for the same ideal. The active involvement of the state in capitalist exploitation can be depicted through an increase in the number of police forces to enhance security of industries and to suppress voices of those who are resisting exploitation. The narrative of 'war against Maoism' has been facilitating extreme and arbitrary forms of violence in Odisha and other parts of India. Such violence not only aims to silence Maoist or Naxalite movements against legitimacy of the government or the capitalist state but also has been used as a tool to suppress what are considered to be legitimate democratic voices against exploitation.

This thesis contends that such exploitation could in fact explain the increase in police violence in the past decades. Certainly, police violence, over all in India, is increasing not only because of this reason. There can be several complex ways and perspectives to analyze the increasing use of police violence like change in the governmental regime, attitude of support towards the police violence, increasing emphasis for *quick* eradication of what is denoted as 'crime' etc. For the purpose of this research, it can be argued that police violence is increasingly being used to support capitalist development and increasing social inequality. The cases provide examples of how violence is constructed and justified by discourses, how the very narrative of protection itself becomes violent (Das 2007; Sunder Rajan 2003). The explicit support by the Indian state for empowerment of dominant classes at the cost of socio-economically poor sections of the society has increased the chances of police violence against the latter.

****

REFERENCES

Abercrombie, Nicholas, Stephen Hill, and Bryan S. Turner. 1988. *The Penguin dictionary of sociology*. London: Penguin**.**

Abrams, Philip. 2006. Notes on the Difficulty of Studying the State. In *The anthropology of the state A Reader* edited by Aradhana Sharma and Akhil Gupta, 112-130. Blackwell Publishing

Agamben, Giorgio. 1998. 1942-. *Homo Sacer. Sovereign Power and Bare Life.* Stanford, California: Stanford University Press.

Althusser, Louis. 2006. "Ideology and Ideological State Apparatuses (Notes towards an Investigation)". In *The anthropology of the state A Reader* edited by Aradhana Sharma and Akhil Gupta, 86-112. Blackwell Publishing

Anand, JC. 2021. "India amongst the most unequal countries in the world report" Last updated December 9, 2021. https://economictimes.indiatimes.com/news/economy/indicators/india-amongst-the-most-unequal-countries-in-the-world-report/articleshow/88141807.cms

Arendt, Hannah. 1970. On Violence. New York, NY: Harcourt.

Badie, Bertrand and Pierre Birnbaum. 1983. "The State in Sociological Theory In *The Sociology of the State,* 3-64. Translated by Arthur Goldhammer. University of Chicago Press.

Balagopal, K. 1986. "Deaths in Police Custody: Whom and Why Do the Police Kill?" *Economic and Political Weekly, 21,* No. 47: 2028–2029. http://www.jstor.org/stable/4376349

Balagopal, K. 1992. "'War' against Naxalism." *Economic and Political Weekly* 27, no. 24/25: 1222–1222. http://www.jstor.org/stable/4398483.

Banaji, Jairus. 2010. "The Ironies of Indian Maoism". *International Socialism, 129-148.*

Bandyopadhyay, D. 2004. "Rayagada Story Retold: Destitutes of Development". *Economic and Political Weekly* 39, No. 5 (January31-February 6): 408-411.

Bandyopadhyay, Ritajyoti, Paula Banerjee and Ranabir Samaddar. 2022. "General Introduction: The Shiver of the Pandemic". In *India's Migrant Workers and the Pandemic* edited by Ritajyoti Bandyopadhyay, Paula Banerjee, & Ranabir Samaddar. London and New York: Routledge Social Science Press.

Baxi, Upendra. 1982. *The crisis of the Indian legal system*. New Delhi: Vikas.

Beetham, David. 1991. "Max Weber and the Legitimacy of the Modern State" *Analyse & Kritik* 13, no. 1, 34-45. https://doi.org/10.1515/auk-1991-0102

Belur, Jyoti. 2010. "Why do the Police use Deadly Force?: Explaining Police Encounters in Mumbai". *The British Journal of Criminology* 50, No. 2 (March): 320-341.

Bhaduri, Amit, Achin Vanaik, Apoorvanand, Aditya Nigam, Amit Sengupta, Mamata Dash, Meher Engineer, et al. 2008. "Maoist and State Violence in Orissa." *Economic and Political Weekly* 43, no. 9: 4–82. http://www.jstor.org/stable/40277189.

Bhatia, Gautam. 2019. "Prologue: The Past is a Foreign Country". In *The Transformative Constitution* by Gautam Bhatia, xvii - xliv. Harpercollins Publishers.

Bisoyi, Sujit Kumar. 2021. "Odisha CM inaugurates Rs 1500-crore Expansion of Utkal Alumina Refinery at Kashipur". *The Times of India,* September 16, 2021. http://timesofindia.indiatimes.com/articleshow/86263853.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

Biswal, Debendra. 2020. "Incompatibility of Security Laws and Human Rights: Case of Naxalite Movement and Tribals in Odisha, India". *International Journal of Social Sciences* 9, No. 3:01-10.

Business Standard. 2017. "46 out of 92 MoU units start production in Odisha". Sesa Sterlite, GMR Kamalanga and Jindal India Thermal Power Ltd have begun commercial production. Last updated on March 16, 2017. https://www.business-standard.com/article/current-affairs/46-out-of-92-mou-units-start-production-in-odisha-117031600832_1.html

Chakravarti, Anand. 2012. "Conscience of the Constitution and Violence of the Indian State". *Economic and Political Weekly 47,* no. 47/48: 33–38. http://www.jstor.org/stable/41720407

Chakroborty, Achin. 2021. "Labour and Perspective on the Indian State" In *State Capital Nexus: Implications for Labour* edited by Padmini Swaminathan, Uma Rani, A Suneetha, MA Moid, and R Srivatsan. Anveshi Research Centre for Women's Studies Broadsheet on Contemporary Politics, No. 15: 6-8.

Chandavarkar, Rajnarayan. 1998. *Imperial Power and Popular Politics Class, Resistance and the State in India, 1850–1950*. University of Cambridge.

Chatterjee, Partha. 2001. "Democracy and the violence of the state: a political negotiation of death". *Inter-Asia Cultural Studies* 2, No. 1: 7-21. Doi: 10.1080/14649370120039425.

Chatterjee, Partha. 2008. "Democracy and Economic Transformation in India". *Economic and Political Weekly* 43, No. 16(April 19-25): 53-62.

Chatterjee, Partha. 2010. "The State". In *The Oxford Companion to Politics in India*, 3-14. New Delhi: Oxford University Press.

Choudhury, Chitrangada. 2016. "Terror at Night in Odisha: How can the Forces Shoot at us Defenceless Villagers?" *Scroll.in*. August 11, 2016. https://scroll.in/article/813193/terror-at-night-in-odisha-how-could-the-force-shoot-at-us-defenceless-villagers

Das, Veena. 1985. "Anthropological Knowledge and Collective Violence: The Riots in Delhi, November 1984." *Anthropology Today* 1, no. 3: 4–6. https://doi.org/10.2307/3033122.

Das, Veena. 1995. *Critical events: an anthropological perspective on contemporary India*. Delhi: Oxford University Press.

Das, Veena. 2007. *Life and Words: Violence and the Descent into the Ordinary.* 1st ed. University of California Press.

Das, Veena. 2009. "Preface" In *Sacrificing people: invasions of a tribal landscape by Felix Padel*. New Delhi: Orient BlackSwan.

Das, Veena. 2013. "Violence, Crisis, and the Everyday." *International Journal of Middle East Studies* 45, no. 4: 798–800. http://www.jstor.org/stable/43304015.

Das, Vidhya. 2003. “Democratic Governance in Tribal Regions: A Distant Dream”. *Economic and Political Weekly* 38, No. 42 (October 18-24): 4429-4432.

Dash, Minati. 2020. “Unearthing Conflict Police Violence on Dispossessed Dalits in Kashipur”. *Economic and Political Weekly*, vol lV, no.38: 26-29.

Debaranjan. 2008. “Is the Struggle for Livelihood a Criminal Offence?” *Economic and Political Weekly* 43, no. 2: 19–22. http://www.jstor.org/stable/40276896.

Debaranjan. 2013. “At the Crossroads. A Documentary”. Bangalore: Pedestrian Pictures. Last modified on July 19, 2021. https://www.youtube.com/watch?v=hg-KNcA4LoM&t=3363s

Debaranjan. 2014. Police baton-charged villagers for opposing Aditya Birla bauxite mining project in Orissa. LAst modified August 25, 2014. https://www.youtube.com/watch?v=J0IJliEehZ0

Debaranjan. 2020. “Twenty Years of Maikanch Police Firing”. *Counter Currents.org.* Published on December 16, 2020. https://countercurrents.org/2020/12/twenty-years-of-maikanch-police-firing/

Debaranjan. 2021. “Those Stars in the Sky”. Uploaded on June 14 2021. https://www.youtube.com/watch?v=1nM2Gd0jdro&t=999

Department of Steel and Mines, Government of Odisha. 2022. “Key Statistics/Steel Facts”. Accessed December 18, 2022. https://www.odishaminerals.gov.in/ResourceStatistics/SteelFacts.

Desai, Akshay. R. 1975. *State and society in India: essays in dissent*. Bombay: Popular Prakashan

Desai, Akshay. R. 1986. “General Introduction”. *Violation of democratic rights in India: volume 1*. London: Sangam Books Limited.

Dharitri. 2011. “Encounter: 9 Maobadi Nihatha (Encounter: 9 Maoists Dead)”. *Dharitri* (Bhubaneswar Edition) January 10, 2011.

Dharitri. 2016. “Gumudimaha re Ganahatya (Genocide at Gumudimaha”. *Dharitri* (Rayagada Edition), July 10, 2016. https://www.dharitri.com/e-Paper/Bhubaneswar/100716/p1.htm

Dharitri. 2020. “Police Informer Sandehare Gulikari Hatya (Murder by Firing Suspecting Police Informer)”. *Dharitri* (Rayagada Edition), January 4, 2020. https://dharitriepaper.in/edition/4472/rayagada/page/5

Dharitri. 2021. “Mahilaanka Saamagri Phingidelaa Police (Police threw articles of woman (vendor)”. *Dharitri* (Bhubaneswar Edition), November 10, 2021.

Durkheim. Emile. 1973. “Two laws of penal evolution”. *Economy and Society,* 2:3, 285-308.

Eckert, Julia. 2014. “Preventive laws and the policing of the urban poor”. In *The persistence of poverty in India* edited by Nandini Gooptu and Jonathan Parry, 291-316. New Delhi: Social Science Press.

Environmental Information System India. 2022. “Forest Resources” *ENVIS Centre of Odisha’s State of Environment* Last modified April 27, 2022. http://www.orienvis.nic.in/index1.aspx?lid=29&mid=1&langid=1&linkid=27

Farmer, Paul. 2004. “An Anthropology of Structural Violence.” *Current Anthropology* 45, no. 3: 305–25. https://doi.org/10.1086/382250.

Fazal, Tanweer. 2016. “Introduction: Everyday State and Politics in India.” *Indian Anthropologist* 46, no. 2: 13–17. http://www.jstor.org/stable/26493879.

Financial Express. 2003. “Mishra Panel Report Brings Cheer To Alumina Projects in Orissa”. October 20, 2003. https://www.financialexpress.com/archive/mishra-panel-report-brings-cheer-to-alumina-projects-in-orissa/94488/.

Foucault, Michel, and Colin Gordon. 1980. *Power/knowledge: selected interviews and other writings 1972-1977*. New York: Pantheon Books.

Foucault, Michel. 1977. *Discipline and punish: the birth of the prison* translated by Alan Sheridan. New York: Vintage Books.

Foucault, Michel. 1984. “Right of Death and Power over Life” In *The Foucault Reader*, Edited by Paul Rabinow. Pantheon Books, New York.

Garland, David. 1991. *Punishment and modern society: A study in social theory*. Oxford England: Clarendon Press.

Global Hunger Index. 2022. “India”. Accessed on 17th Nov 2022. Retrieved from https://www.globalhungerindex.org/india.html

Government of Odisha Home Department. 2004. “Formation of Special Operation Group (S.O.G.) in the state to deal with extremist and terrorist activities-Creation of posts thereof”. Angul District Odisha Police. Letter no. 33019 dated 21st Aug 2004. http:/angulpolice.nic.in/?q=node/144

Government of Odisha Home Department. 2012. “Increase in the Sanctioned Strength of District Voluntary Force”. Angul District Odisha Police. Letter no. 13578 dated 27th March 2012. http://angulpolice.nic.in/?q=node/144

Greenberg, David F., ed. 1993. “Part I Marx and Engels on Crime and Punishment” In *Crime And Capitalism: Readings in Marxist Criminology*, 37–56. Temple University Press, 1993. http://www.jstor.org/stable/j.ctt14btbrw.5.

Guha, Ramachandra, Harivansh, Farah Naqvi, E. A. S. Sarma, Nandini Sundar, and B. G. Verghese. 2006. “Salwa Judum: War in the Heart of India: Excerpts from the Report by the Independent Citizens Initiative.” *Social Scientist* 34, no. 7/8 (July-August): 47–61. http://www.jstor.org/stable/27644153.

Gupta, Akhil. 2012. *Red tape: bureaucracy, structural violence, and poverty in India*. Durham: Duke University Press.

Harrison, Selig S. 1960. *India: The Most Dangerous Decades*. Princeton University Press.

HLRN (Housing and Land Rights Network). 2019. *Forced Evictions in India in 2018 An Unabating National Crisis.* HLRN April 2019. New Delhi.

Jain, Bharati. 2022. “655 cases of death in police encounters across India; 191 in Chattisgarh and 117 in UP” The Times of India Februrary 8, 2022. https://timesofindia.indiatimes.com/india/655-cases-of-death-in-police-encounter across-india-191-in-chhattisgarh-and-117-in-up/articleshow/89437291.cms.

Jauregui, Beatrice. 2016. *Provisional Authority. Police, Order, and Security in India*. Chicago: University of Chicago Press.

Kanak News. 2016a. “Big Debate: Kandhamal Fake Encounter”. *Kanak News.* Youtube Video July 12, 2016. https://www.youtube.com/watch?v=LBw4zQrI7cE

Kanak News. 2016b. “Ground Zero: Kandhamal Encounter”. *Kanak News.* July 10, 2016. https://www.youtube.com/watch?v=gCqHmLgPnSk

Kannabiran, Kalpana and Ranbir Singh (eds.) “Introduction” In *Challenging the Rule(s) of Law: Colonialism, Criminology and Human Rights in India,* xi-xix. New Delhi: SAGE Publications India Pvt Ltd

Kar, Priyadarshi. 2015. “Naxal Movement and Issues of Tribal Development in Odisha (1960 - 2010).” *Proceedings of the Indian History Congress* 76 (2015): 953–61. http://www.jstor.org/stable/44156666.

Kaviraj, Sudipta. 2000. “The Modern State in India”. In *Politics and the State in India* edited by Zoya Hasan, Part I Chapter 2. New Delhi: Sage Publications.

Khanikar, Santana. 2018. State, Violence, and Legitimacy in India. Oxford University Press.

Kohli, Atul. 2012. *Poverty amid Plenty in the New India*. Cambridge: Cambridge University Press. doi:10.1017/CBO9781139015080.

Kumar, Kundan and Pranab Ranjan Choudhary. 2005. “A Socio-Economic and Legal Study of Scheduled Tribes’ Land in Orissa” Supported by World Bank, Washington. Bhubaneswar.

Lerche, Jens and Alpa Shah. 2021. “Capitalism and Conjugated Oppression: Race, Caste, Tribe, Gender and Class in India” In *State Capital Nexus: Implications for Labour* edited by Padmini Swaminathan, Uma Rani, A Suneetha, MA Moid, and R Srivatsan. Anveshi Research Centre for Women’s Studies Broadsheet on Contemporary Politics, No. 15: 13-16.

Levien, Michael. 2015. “From Primitive Accumulation to Regimes of Dispossession: Six Theses on India’s Land Question.” *Economic and Political Weekly* 50, no. 22: 146–57. http://www.jstor.org/stable/24482497.

Mahana, Rajakishor. 2019. “Producing Underdevelopment: The Politics of Hunger Deaths in Odisha” In *Negotiating Marginality Conflicts over Tribal Development in India,* 55=80. Social Science Press.

Majhi, Bhagaban, Artist. 2015. “Bhagwan Majhi remembering 16th December 2000”. Wordsoundpower. June 22 2015. YouTube Video. https://www.youtube.com/watch?v=_4yOKxeLZWc.

Mandel, Ernest. 1971. *The Marxist Theory of the State*. Pathfinder Press, USA.

Marx, Karl. 1993. “The Labeling of Crime.” In *Crime And Capitalism: Readings in Marxist Criminology*, edited by David F. Greenberg, 54–54. Temple University Press.

Marx. Karl and Friedrich Engels. 2021. *The Communist Manifesto.* New Delhi: Finger Print Classics

MEFCC (Ministry of Environment, Forest and Climate Change, Government of India). 2017. *Letter issued to Utkal Alumina International ltd*. May 22, 2017. http://environmentclearance.nic.in/writereaddata/Form-1A/TOR/TCSG852O052220171UTKALALUMINIATOR.pdf

MHA (Ministry of Home Affairs), Government of India. 2020. *Annual Reports 2019-20.* Accessed December 18, 2022. https://www.mha.gov.in/documents/annual-reports

MHA (Ministry of Home Affairs). 2022. "Left Wing Extremism Division" *Ministry of Home Affairs, Government of India.* Accessed on July 20, 2022. https://www.mha.gov.in/division_of_mha/left-wing-extremism-division

Miliband, Ralph. 1969. *The state in capitalist society*. New York: Basic Books.

Ministry of Panchayati Raj. "State-wise details of notified Fifth Schedule Areas" Accessed on July 20, 2022. https://www.panchayat.gov.in/en/web/ministry-of-panchayati-raj-2/state-wise-details-of-notified-fifth-schedule-areas.

Mishra, Asutosh. 2020. "Odisha: Police Jail 7 Children, 35 Women For Stir Over Demand for Jobs in Mines". *The Wire.* Published on 8th January 2020. https://thewire.in/rights/odisha-rayagada-bauxite-mine-women-jailed.

Mohanty, Abhijit. 2017. Bauxite Mining: A curse for Adivasis in Odisha's Baphlimali. *TheWire,* 23 August 2017. https://thewire.in/rights/photo-essay-bauxite-mining-curse-adivasis-odishas-baphlimali

Mohanty, Debabrata. 2013. "Small force that Provides Cutting Edge". *Indian Express.* September 16, 2013. https://indianexpress.com/article/news-archive/web/small-force-that-provides-the-cutting-edge/

Mohanty, Debabrata. 2016. "Odisha Anti-maoist ops: "When I returned my wife was lying dead in the drain." *The Indian Express. July 12, 2016.* https://indianexpress.com/article/india/india-news-india/odisha-anti-maoist-ops-when-i-returned-my-wife-was-lying-dead-in-the-drain-2906033/

Mohanty, Manoranjan. 1977. "Introduction: The Naxalite Movement: A Decennial Review". In *Revolutionary Violence A Study of the Maoist Movement in India,* xv-xxviii. New Delhi: Sterling Publishers Pvt ltd.

Mohanty, Manoranjan. 2006. "Challenges of Revolutionary Violence: The Naxalite Movement in Perspective." *Economic and Political Weekly* 41, no. 29: 3163–68. http://www.jstor.org/stable/4418463.

Mohanty, Meera. 2018. "Patnaik Calls for the ideal Ahimsa to be included in the Preamble of the Constitution" *Economic Times.* May 2, 2018. https://economictimes.indiatimes.com/news/politics-and-nation/patnaik-calls-for-the-ideal-ahimsa-to-be-included-in-the-preamble-of-the-constitution/articleshow/64005069.cms

Mojo Story. 2021. "Amit Shah on Bijapur Naxal attack". YouTube Video, Updated on April 4, 2021. https://www.youtube.com/watch?v=bp_Wfag0dgQ.

MTA (Ministry of Tribal Affairs), Government of India and UNDP. 2021. *Land and Governance under the Fifth Schedule an Overview of the Law*. GOIMTA, 2021. https://www.undp.org/india/publications/land-and-governance-under-fifth-schedule.

Naik, Iswar Chandra. 2009. "Problems of Public Distribution System: A Case Study of Kashipur Block in Orissa". *Indian Anthropologist* 39, No. 1/2(Jan-Dec 2009): 145-153.

Nash, Kate. 2010. "Changing Definitions of Politics and Power" In *Contemporary Political Sociology Globalization Politics and Power,* 1-42. Wiley-Blackwell.

National Informatics Center, Koraput. N.d. “KBK”. Accessed December 18, 2022. http://kbk.nic.in/.

Nayar PKB. 2001. “Civil Society, State and Democracy: Lessons for India”. *Sociological Bulletin* 50, No. 2:192-200. doi:10.1177/0038022920010203.

NCRB (National Crime Records Bureau). 2021. *Crime in India 2021 Statistics Volume III.* Accessed December 18, 2022. https://ncrb.gov.in/en/crime-india

NCRB (National Crime Records Bureau). 2022. “Crime in India”. Last Modified December 13, 2022. https://ncrb.gov.in/en/crime-india.

Neocleous, Mark. 2000. *The Fabrication of Social Order: A Critical Theory of Police Power*. Sterling, VA: Pluto Press.

NHRC (National Human Rights Commission). 2004. *Annual Report 2003-2004*. https://nhrc.nic.in/publications/annual-reports

NHRC (National Human Rights Commission). 2016. *Annual Report 2015-16*. https://nhrc.nic.in/publications/annual-reports

NHRC (National Human Rights Commission). 2020. *Annual Report 2019-20*. https://nhrc.nic.in/publications/annual-reports

NHRC (National Human Rights Commission). 2022. *“*Annual Reports”. Last Modified December 13, 2022. https://nhrc.nic.in/publications/annual-reports

Nigam, Aditya. 2009. “Democracy, State and Capital: The ‘Unthought’ of 20th Century Marxism.” *Economic and Political Weekly* 44, no. 51: 35–39. http://www.jstor.org/stable/25663912.

Nihalani, Govind. 1983. *Ardha Satya.* Produced by Manmohan Shetty and Pradeep Uppoor.

NITI Aayog. 2021. India National Multidimensional Poverty Index Baseline Report Based on NFHS-4 (2015-16). NITI Aayog, Government of India. https://www.niti.gov.in/sites/default/files/2021-11/National_MPI_India-11242021.pdf

Odisha Police. 2022. “Odisha Industrial Security Force”. *Odisha Police Government of Odisha.* Accessed on July 20, 2022. https://odishapolice.gov.in/?q=node/204

OHRC (Odisha Human Rights Commission). n.d. “Monthly Statement”. Accessed December 18, 2022. https://ohrc.nic.in/mnthStmt.html

Orissadiary. 2020. “UAIL’s Healthcare Initiatives benefit Peripheral Communities in Rayagada ”. *Orissadiary*, 18 July, 2022. https://orissadiary.com/uails-healthcare-initiatives-benefit-peripheral-communities-in-rayagada/.

OrissaPost. 2015. “Orissa, AP People Oppose Bauxite Mining”. *OrissaPost*(Bhubaneswar Edition), July 5, 2015. http://odishapostepaper.com/edition/3494/orissapost/page/6.

OrissaPost. 2015. “POSCO Oustees Reclaim Betel Vineyards”. *OrissaPost*(Bhubaneswar Edition), July 20, 2015.http://odishapostepaper.com/edition/3509/orissapost/page/6.

OrissaPost. 2016. “Bloodbath in Kandhamal”. *OrissaPost*(Bhubaneswar Edition), July 10, 2016.http://odishapostepaper.com/edition/2080/orissapost.

OrissaPost. 2020. “Four Maoists Gunned down in Kandhamal”. *OrissaPost*(Bhubaneswar Edition), July 6, 2020. http://odishapostepaper.com/edition/4156/orissapost

OrissaPost. 2021. “Utkal Alumina Dust Sold as Dream”. *OrissaPost*(Bhubaneswar Edition), September 26, 2021. http://odishapostepaper.com/edition/3826/orissapost

OrissaPost. 2022. “Cops Cane Protesters”. *OrissaPost*(Bhubaneswar Edition), January 15, 2022.http://odishapostepaper.com/edition/3949/orissapost.

OrissaPost. 2022. “Kashipur deaths set House on Boil”. *OrissaPost* (Bhubaneswar Edition), July 16, 2022. http://odishapostepaper.com/edition/4156/orissapost

OrissaPost. 2022. “Nagada still paints a Picture of Neglect”. *OrissaPost*(Bhubaneswar Edition), May 11, 2022. http://odishapostepaper.com/edition/4080/orissapost/page/5.

OTV. 2017. “Gumudumaha encounter hearing begins at Phulbani”. OTV. May 5, 2017. Youtube Video.https://www.youtube.com/watch?v=8KDPeNNmq1w.

OTV. 2019. “Residents of 10 villages decide to refrain from voting in Kashipur block of Rayagada”. OTV. April 7. 2019. Youtube Video. https://www.youtube.com/watch?v=jYKSJu4tFTI.

OTV. 2019. “Tension at Utkal Alumina Plant Premises at Rayagada”. OTV. November 2, 2019. Youtube Video. youtube.com/watch?v=NZmujjghDMQ.

Padel, Felix. 2009. *Sacrificing people: invasions of a tribal landscape*. New Delhi: Orient BlackSwan.

Padel, Felix. 2011. “In Lieu of an Afterword” In *Adivasis in Colonial India* edited by Biswamoy Pati, 316-337. Indian Council of Historical Research. Orient Blackswan.

Padhi Ranjana and Nagraj Adve. 2006. “Endemic to Development: Police Killings in Kalinga Nagar”. *Economic and Political Weekly*, *41*(3), 186–187. http://www.jstor.org/stable/4417691

Padhi, Ranjana, Pramodini Pradhan, and D Manjit. 2010. “How Many More Arrests Will Orissa See?” *Economic and Political Weekly* 45, no. 10: 24–26. http://www.jstor.org/stable/25664190.

Padhi, Ranjana. & Nigamananda Sadangi. 2020. *Resisting Dispossession The Odisha Story*. Palgrave Macmillan.

Pal, Sumedha. 2020. “Odisha Anti-mining Protests: 40 Women, 12 Children Languish in Rayagada Jail, Say Locals. *NewsClick*, January 8, 2020. https://www.newsclick.in/Odisha-Anti-mining-Protests-40-Women-12-Children-Languish-Rayagada-Jail-Locals.

Pandey, Ranjan and Ritajyoti Bandyopadhyay. 2022. “Economic Implications of Covid-19 Pandemic: Migration, Informality, Postcolonial Capitalist Development” In *India's Migrant Workers and the Pandemic* edited by Ritajyoti Bandyopadhyay, Paula Banerjee, & Ranabir Samaddar. London and New York: Routledge Social Science Press.

Panigrahy, Sisir and Siba Prasad Tripathy. 2017. “Firing tragedy: Gumudumaha all but forgotten a year later” *The New Indian Express.* July 8, 2017.

https://www.newindianexpress.com/states/odisha/2017/jul/08/firing-tragedy-gumudumaha-all-but-forgotten-a-year-later-1625874.html

Pathy. Suguna. 2003. "Destitution, Deprivation and Tribal 'Development'". *Economic and Political Weekly* 38, No. 27 (July 5-11): 2832-2836.

Pati, Biswamoy. 2011. "Survival as Resistance Tribals in Colonial Orissa". In *Adivasis in Colonial India* edited by Biswamoy Pati, 237-265. Indian Council of Historical Research. Orient Blackswan.

Pati, Biswamoy. 2013. "The Diversities of Tribal Resistance in Colonial Orissa, 1840s-1890s: Survival, Interrogation and Contests." *Economic and Political Weekly* 48, no. 37:: 49–58. http://www.jstor.org/stable/23528275.

Ponlantzas, Nicos. 1969. "The Problem of the Capitalist State." *New Left Review*, Vol. 0, Iss. 58: 67-78.

Poulantzas, Nicos Ar. 1980. *State, power, socialism*. London: Verso.

Pradhan, Ashok. 2015. "Maoists kill 263 civilians in 25 years in Odisha: Naveen Patnaik" *Times of India.* Last modified December 14, 2015. https://timesofindia.indiatimes.com/city/bhubaneswar/maoists-kill-263-civilians-in-25-years-in-odisha-naveenpatnaik/articleshow/50174446.cms

Pradhan, Bijoy. 2020. "Odisha tops Mineral Production: Royalty Collection Rs 7581 Crore. *The New Indian Express,* November 5, 2020. https://www.newindianexpress.com/states/odisha/2020/nov/05/odisha-tops-mineral-production-royalty-collection-rs-7581-crore-2219552.html

Pradhan, Prasant Kumar. 2017. "The Communist Movement of Odisha: (1947- 1964)." *Proceedings of the Indian History Congress* 78: 1119–28. https://www.jstor.org/stable/26906190.

Press Information Bureau, Ministry of Home Affairs. 2019. "Naxal Affected Districts". https://pib.gov.in/newsite/PrintRelease.aspx?relid=188075;

PSSP (Prakrutik Sampad Surakshya Parishad). 2003 "Other Issues Struggle Against Mining MNCs". https://www.sabrang.com/otconcern/orissa.pdf.

PUDR (People's Union for Democratic Rights). 2005. *Haling the Mining Juggernaut People's Struggles Against Alumina Projects in Orissa.* PUDR July 2005.

Radhakrishna, Meena. 2008. "Laws of Metamorphosis: From Nomad to Offender" In *Challenging the Rule(s) of Law: Colonialism, Criminology and Human Rights in India* edited by Kalpana Kannabiran and Ranbir Singh, 3-27. New Delhi: SAGE Publications India Pvt Ltd.

Reddy, Shravanti. 2006. *Kashipur: An Enquiry Into Mining and Human Rights Violations in Kashipur, Orissa*. Indian People's Tribunal on Environment and Human Rights, Headed by Justice S.N Bhargava, October 2006.

Reddy, Srinivas K. 2010. "Formation of PGLA a turning point in the Maoist Movement". *The Hindu*. Published on December 5, 2010. https://www.thehindu.com/news/national//article61765317.ece

Samaya. 2016. "5 Jananku Maaridele (Killed Five People)". *Samaya* (Bhubaneswar Edition), July 10, 2016. http://www.samayaepaper.com/epaper/20160710/1.php

Sambad. 2022. “Puni Dhinkia Palatila Ranakhetra (Dhinkia turns into Battlefield Again)”. *Sambad* (Bhubaneswar Edition), January 15, 2022.

Sarangi, Deba Ranjan. 2002. “Surviving against Odds: Case of Kashipur.” *Economic and Political Weekly* 37, no. 31: 3239–41. http://www.jstor.org/stable/4412437.

Sarangi, Debaranjan, Rabishankar Pradhan, and Saroj Mohanty. 2005. “State Repression in Kashipur.” *Economic and Political Weekly* 40, no. 13: 1312–14. http://www.jstor.org/stable/4416391.

Sayeed, Mohammad. 2020. “All that happened inside the happening: Fear, law and politics after the police encounter at Batla House, New Delhi”. *Contributions to Indian Sociology*, 54: 51-75.

Schnepel, Burkhard. 2001. “Kings and Rebel Kings: Rituals of Incorporation and Dissent in South Orissa” In *Jagannath revisited studying society, religion and the state in Orissa* edited by Hermann Kulke, Burkhard Schnepel, 271-296. New Delhi, Manohar.

Sharma, Aradhana and Akhil Gupta, eds. 2006. “Introduction: Rethinking Theories of the State in an Age of Globalization” In *The anthropology of the state A Reader* edited by Aradhana Sharma and Akhil Gupta, 1-41. Blackwell Publishing Ltd.

Singh, Ujjwal. K. 2008. “Penal Strategies and Political Resistance in Colonial and Independent India” In *Challenging The Rule(s) of Law Colonialism, Criminology and Human Rights in India* Edited by Kalpana Kannabiran Ranbir Singh. Sage Publications.

Sundar, Nandini. 2006. Bastar, Maoism and Salwa Judum. *Economic and Political Weekly*, Vol.41, no.29: 3187-3192.

Sundar, Nandini. 2012. “Insurgency, Counter-insurgency, and Democracy in Central India” In *More than Maoism: politics, policies and insurgencies in South Asia edited by Robin Jeffery*. New Delhi: Inst. of South Asian Studies.

Sunder Rajan, Rajeswari. 2003. *The scandal of the state: women, law, citizenship in postcolonial India*. Durham: Duke University Press.

Suryamurthy, R. 2001. “Starvation Stalks Kashipur 23 Die, 20, 000 cry for food; Orissa Govt denies”. *The Tribune*, September 10. 2001. https://www.tribuneindia.com/2001/20010910/main2.htm.

The Economic Times. 2017. “India’s Bauxite Production to Hit 49 MT by 2021: BMI Research”. August 6. 2017. https://economictimes.indiatimes.com/news/economy/indicators/india-amongst-the most-unequal-countries-in-the-world-report/articleshow/88141807.cms

The NewIndian Express. 2019. “43 died in police custody, 165 killed in encounter in last 10 years in Odisha” https://www.newindianexpress.com/states/odisha/2019/nov/25/43-died-in-police-custody-165-killed-in-encounter-in-last-10-years-in-odisha-2067026.html

The NewIndian Express. 2021. “Maoist Encounter: Why Chhattisgarh should look to Odisha for its anti-LWE strategy?” https://www.newindianexpress.com/states/odisha/2021/apr/06/maoist-encounter-why-chhattisgarh-should-look-to-odisha-for-its-anti-lwe-strategy-2286476.html

The Samaja. 2022. "7 Barsare 43 Haajata Mrityu (43 Custodial Deaths in 7 Years)". *The Samaja (*Bhubaneswar Edition). November 2, 2021.

The Times of India. 2016. "Utkal Alumina draws NGT ire over Forest Clearance". September 18, 2016. https://timesofindia.indiatimes.com/city/bhubaneswar/utkal-alumina-draws-ngt-ire-over-forest-clearance/articleshow/54387055.cms

The Times of India. 2022. "4,484 deaths reported in police custody, 233 killed in encounters in last two years: Government tells Lok Sabha". *The Times of India,* July 26, 2022. https://timesofindia.indiatimes.com/india/4484-deaths-reported-in-police-custody-233-killed-in-encounters-in-last-2-years-government-tells-lok-sabha/articleshow/93143794.cms.

Tilly, Charles. 2003. *The Politics of Collective Violence*. Cambridge Studies in Contentious Politics. Cambridge: Cambridge University Press.

Trubek, David. M. 1972. Max Weber on Law and the Rise of Capitalism. Wisconsin Law Review, 720-753.

Vanaik, Achin. 1990. *The painful transition: bourgeois democracy in India*. London: Verso.

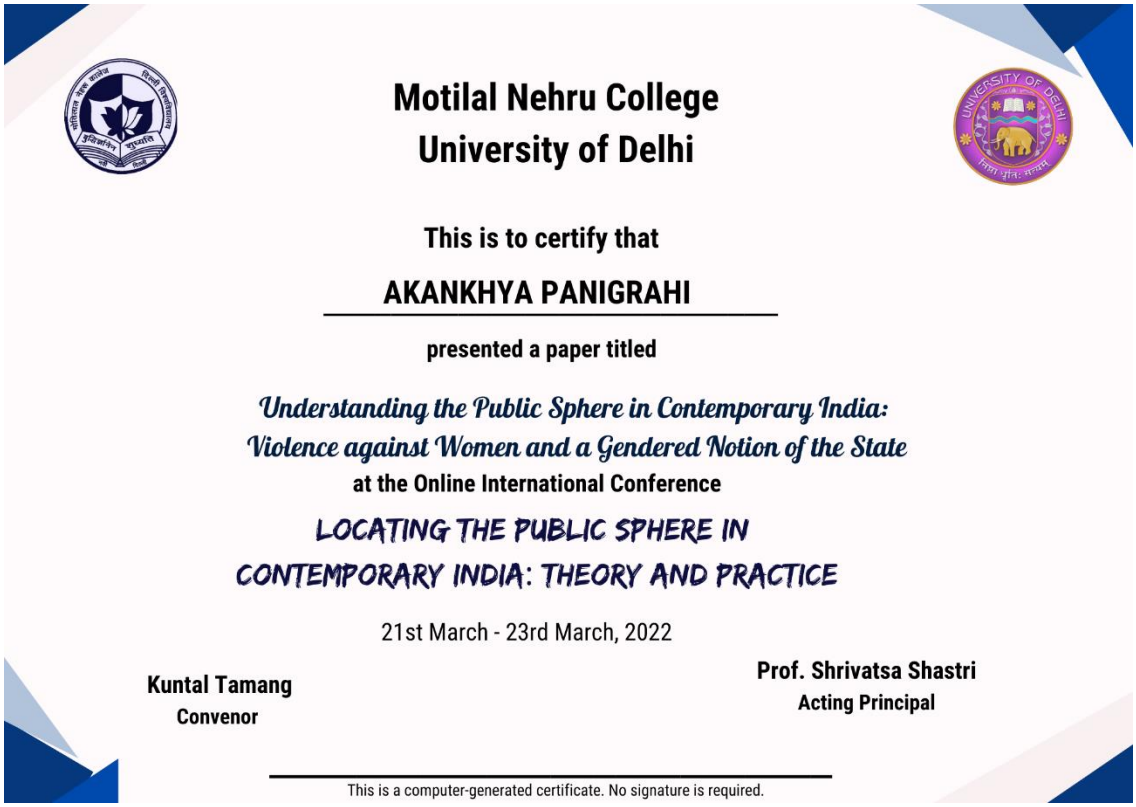
Venkatesan, J. 2011. "Salwa Judum is illegal, says Supreme Court" *The Hindu,* July 5, 2011. https://www.thehindu.com/news/national/Salwa-Judum-is-illegal-says-Supreme-Court/article13639702.ece

Weber, Max, Guenther Roth, and Claus Wittich. 1978. *Economy and society: an outline of interpretive sociology*. Berkeley: University of California Press.

Zizek, Slavoj. 2008. *Violence: six sideways reflections*. New York: Picador.

Zizek, Slavoj. 2011. "The Jacobin Spirit On Violence and Democracy". *Jacobin.* https://jacobin.com/2011/05/the-jacobin-spirit.

CONFERENCE CERTIFICATES



Motilal Nehru College
University of Delhi

This is to certify that

AKANKHYA PANIGRAHI

presented a paper titled

Understanding the Public Sphere in Contemporary India: Violence against Women and a Gendered Notion of the State

at the Online International Conference

LOCATING THE PUBLIC SPHERE IN CONTEMPORARY INDIA: THEORY AND PRACTICE

21st March - 23rd March, 2022

Kuntal Tamang
Convenor

Prof. Shrivatsa Shastri
Acting Principal

This is a computer-generated certificate. No signature is required.

ICFAI Foundation for Higher Education
(Deemed-to-be University under Section 3 of the UGC Act, 1956)
Autonomous Institution. Accredited by NAAC with 'A+' Grade

Centre for Management Studies
ICFAI Law School, IFHE, Hyderabad
E-mail: centreformgmtstudies@ifheindia.org

ICFAI LAW SCHOOL HYDERABAD

Two Day International E-Conference on

"New Age Businesses and Sustainable Economic Development"

10th & 11th December, 2021

Certificate

This is to certify that *"Akankhya"* has participated and presented a paper on *"Challenging Structural Rigidity: A Study Assessing the Role of Gender Mainstreaming in the Context of the Pandemic"* at the Two Day International E-Conference on **"New Age Businesses and Sustainable Economic Development"**, held at Centre for Management Studies, ICFAI Law School, ICFAI Foundation for Higher Education, Hyderabad on 10th & 11th December, 2021.

Dr. P. Kesari
Coordinator, Conference
Associate Professor, ICFAI Law School,
IFHE, Hyderabad

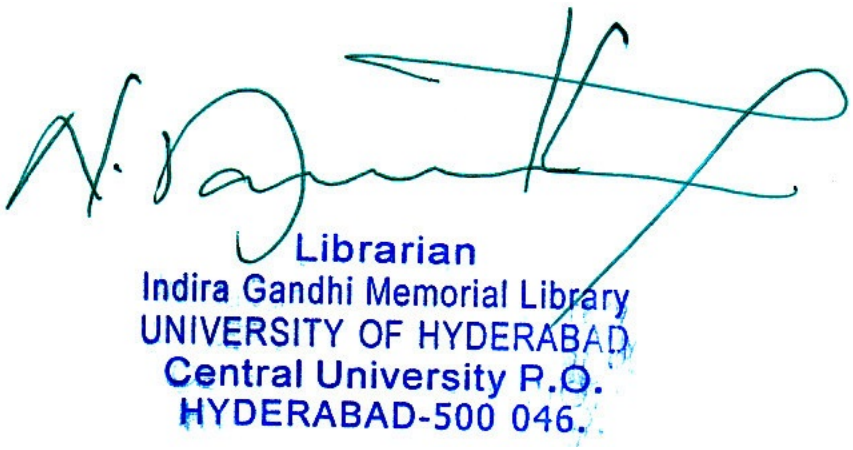
Prof. A.V. Narsimha Rao
Director, ICFAI Law School,
The ICFAI Foundation for Higher Education
(Deemed University), Hyderabad

PLAGIARISM REPORT

State and Violence in Contemporary India: A Study of Select Cases from Odisha

by Akankhya Panigrahi

Submission date: 21-Dec-2022 02:35PM (UTC+0530)
Submission ID: 1985424757
File name: T-_STATE_AND_VIOLENCE_IN_CONTEMPORARY_INDIA-_A_221220_160838.pdf (1.07M)
Word count: 40787
Character count: 221773



State and Violence in Contemporary India: A Study of Select Cases from Odisha

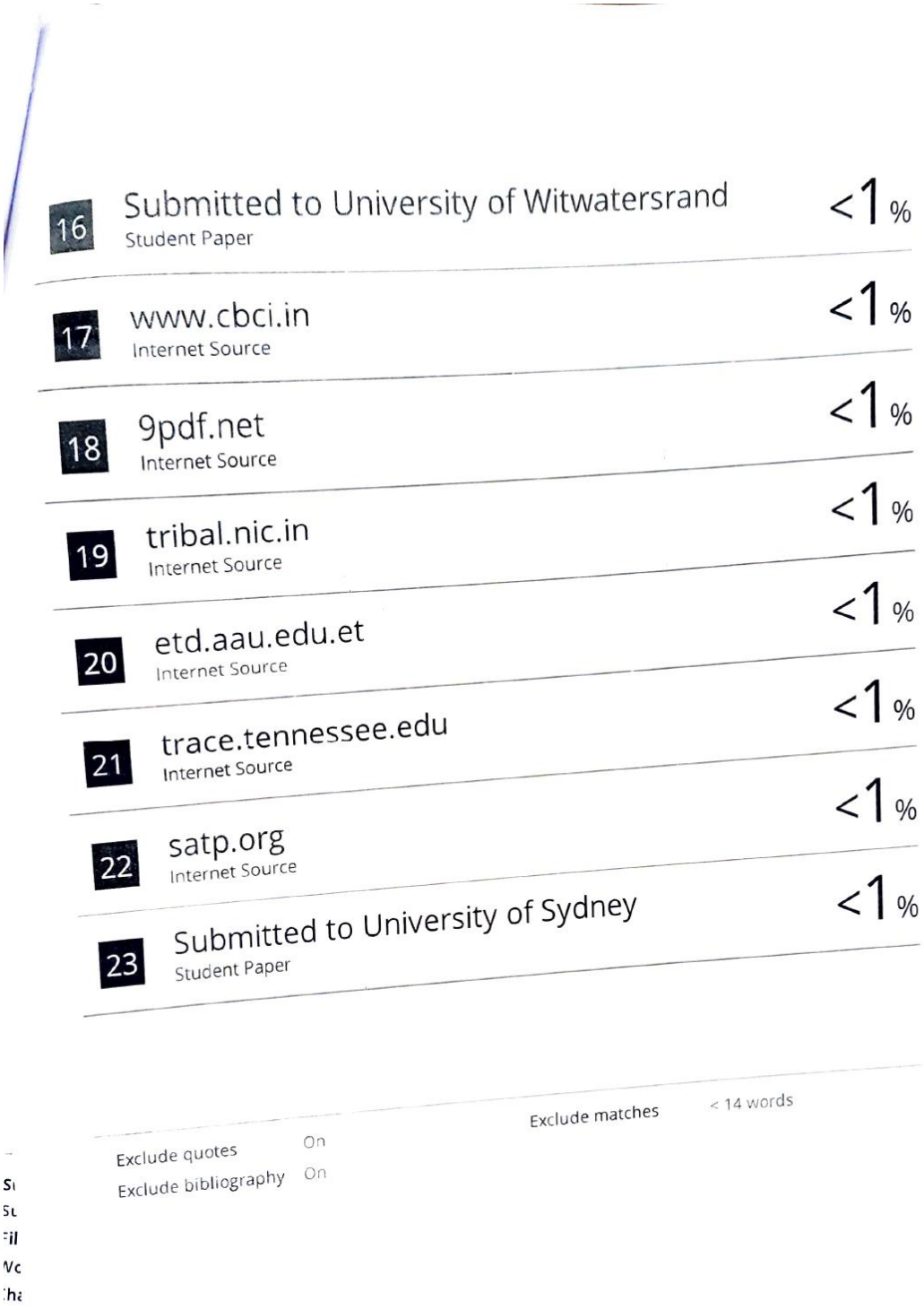
ORIGINALITY REPORT

2%	1%	1%	0%
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS

PRIMARY SOURCES

1	Ranjana Padhi, Nigamananda Sadangi. "Resisting Dispossession", Springer Science and Business Media LLC, 2020 Publication	<1%
2	Akhil Gupta. "Red Tape", Walter de Gruyter GmbH, 2012 Publication	<1%
3	Suratha Kumar Malik. "Land Alienation and Politics of Tribal Exploitation in India", Springer Science and Business Media LLC, 2020 Publication	<1%
4	dokumen.pub Internet Source	<1%
5	vdoc.pub Internet Source	<1%
6	studylib.es Internet Source	<1%
7	internationalviewpoint.org Internet Source	

		<1 %
8	main.sci.gov.in Internet Source	<1 %
9	cluelesspoliticalscientist.wordpress.com Internet Source	<1 %
10	www.binayaksen.net Internet Source	<1 %
11	Mohon Kumar Naik, Devendraraj Madhanagopal. "Chapter 16 Land Acquisition and a Question of "Justice": Voices of the Unheard Marginal Groups in the Interior Odisha, India", Springer Science and Business Media LLC, 2022 Publication	<1 %
12	nhrc.nic.in Internet Source	<1 %
13	"A Companion to the Anthropology of India", Wiley, 2011 Publication	<1 %
14	David H. Bayley. "6. The Process", Walter de Gruyter GmbH, 1969 Publication	<1 %
15	www.humanrightsinitiative.org Internet Source	<1 %



16	Submitted to University of Witwatersrand Student Paper	<1%
17	www.cbci.in Internet Source	<1%
18	9pdf.net Internet Source	<1%
19	tribal.nic.in Internet Source	<1%
20	etd.aau.edu.et Internet Source	<1%
21	trace.tennessee.edu Internet Source	<1%
22	satp.org Internet Source	<1%
23	Submitted to University of Sydney Student Paper	<1%

Exclude quotes On
Exclude bibliography On
Exclude matches < 14 words