Afterword: Violence and the State in South Asia

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Abstract

In reflecting on the contributions to this collection, the afterword outlines three ways of understanding violence – direct physical force, structural violence, and cultural or symbolic violence – and relates these to Steven Lukes' three faces of power. It revisits Weber's definition of the modern state as claiming a monopoly of the legitimate use of the first kind of violence, and contrasts that with the ways in which the actual practice of South Asian politics implies or requires violence. The example of state and non-state violence in Nepal in 2015 is used to illustrate these themes. This example brings out, as several contributions do, the importance of borders as violence-provoking sites of state sensitivity.

Keywords: South Asia, violence, the state, democracy, legitimacy, Nepal, borders

This rich collection of case studies covers northern India, Bangladesh, and the Bangladesh/India and Bangladesh/Myanmar borders.[1] All the articles provide, I am glad to say, very specific narratives and detailed historical and ethnographic contextualization of violence. They do not reject the search for explanations and reasons (as somehow rationalizing or justifying violence) that has characterized some anthropological writing on violence. As Spencer (2007: 128) has pointed out, such rejection comes uncomfortably close to lazy media representations (and non-explanations) of violence as 'atavistic', 'savage', and 'chaotic'.

These papers raise a crucial issue about the relationship between democracy and violence that has long haunted South Asia: Are democratic states — democratic in the narrow sense of permitting competition

[1] I thank an anonymous reviewer for helpful comments. This may also be an appropriate place to acknowledge a much older debt to Steven Lukes who taught me sociological theory (among other things) in Balliol College forty years ago.

between political parties and holding regular elections — any less violent or oppressive towards their citizens than those that are, in formal terms, more authoritarian? In simplistic terms, this question has often pitted partisans of India against partisans of Pakistan (or India versus China). As the editors' survey in the introduction makes clear, the answer is not straightforward.

We need to distinguish at least three kinds of violence. In the first place, supposedly democratic states have shown themselves to be just as liable to make use of *force* and *repression* as authoritarian ones. A culture of impunity for agents of the state seems almost as pervasive in formal democracies as it is in states where elections are not normally held.[2] This is particularly true when the victims of state violence belong to minority or despised groups of one kind or another and/or are located in border regions where normal rules of engagement are suspended (as with the notorious AFSPA or Armed Forces Special Powers Act of 1958 which effectively guarantees the Indian army impunity in its dealings with local populations in Northeast India; a similar situation obtains since 1990 in Jammu and Kashmir).

Second, there is the issue of *structural violence*. The claims embodied in this term are (a) that damage to life chances and well-being is built into structures of inequality and exclusion and (b) that the effects are as severe as direct physical violence. The term is particularly associated with Johan Galtung (1969, 1990). It has been powerfully deployed by Paul Farmer (2003, 2004).[3] Recently there have been calls to view climate change as a particularly vicious form of structural violence against the poor of the global South (Solnit, 2014). Guhathakurtha's refugee narratives in this collection remind us how, in a world of connectivity, the proliferation of paper and controls on movement are an aspect of the structural violence of the modern state system.

Another form of structural violence occurs when the nation is, explicitly or implicitly, defined in terms advantageous to one group rather than another (as described in four out of five papers in this collection), so that those who do not easily pass muster as members of the 'in group' are treated as second-class citizens.

[2] Sanchez (2016) shows that even those large Indian companies that are often held up as models of social responsibility may be implicated in occasional lethal violence in order to maintain their local dominance.

[3] Although not set up in these terms, Scheper-Hughes's classic account (1993) of poverty and mortality in northeast Brazil may be taken as an exemplar of the same trend. The concept is fully integrated in Scheper-Hughes & Bourgois (2004). See John Davis' classic essay (1992) on the anthropology of suffering for a different framing of the same idea.

This kind of violence is, arguably, inherent in every nation-building project, even in nations of immigration.

Third, structural violence shades into, and is frequently reinforced by, another kind, namely, *cultural violence* or *symbolic violence*: the inferiorization of others using cultural means. Bourdieu (1991) famously argued that the imposition of a particular kind of education constitutes symbolic violence. One might cite the ways in which Dalits (ex-Untouchables) are defined as the traditional 'other', so that they are marginalized not merely by all kinds of structural constraints, but by negative stereotypes as well (Hölzle's border people fall into this kind of category).[4] These kinds of representational constraints survive and have powerful effects long after formal equality is granted and long after the *de jure* removal of structurally enforced inequality of opportunity.

For all that power and violence are sometimes opposed to each other, there is a rough parallel (which is surely no coincidence) between this typology of three kinds of violence and Steven Lukes' analysis (2005) of three types of power. Lukes distinguishes:

1. The power to make things happen (the power to prevail in a situations of overt conflict);
2. The power to set the agenda and make sure that certain types of question are excluded from conflict or debate (e.g. radical land reform; nationalization of key industries);
3. The power to shape the dominant ideology and influence the kinds of things that people value and aim for (in other words cultural power).[5]

The nation-states, to which nowadays we all, perforce, belong, claim not just power, but legitimacy, and indeed a monopoly of legitimate violence. Martin and Michelutti's article on the 'mafia raj' in north India would suggest that the Weberian definition of the state as having a monopoly on legitimate violence — if taken as a literal *description*, as is sometimes naively done — is something of a sick joke. In this connection it is worth giving Weber's definition more context than is conventionally done: the state is 'a system of order' that

[4] For a classic description of the ways in which the 'low-caste' Sweepers (Dyola, Po) in the ancient city of Bhaktapur, Nepal, symbolize and enact otherness, by their associations with death and pollutants, and by being forced to live outside the city walls, see Levy (1990: 366–71).

[5] I simplify Lukes' analysis for the sake of exposition. In later versions he regards Foucault's understanding of power to be a fourth and distinct kind; I would be inclined to view it rather as an idiosyncratic and totalizing expansion of the third kind of power.

> claims binding authority, not only over the members of the state, the citizens, most of whom have obtained membership by birth, but also to a very large extent over all the action taking place in the area of its jurisdiction. It is thus a compulsory organization with a territorial basis. Furthermore, today, the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it [...] The claim of the modern state to monopolize the use of force is as essential to it as its character of compulsory jurisdiction and of continuous operation. (Weber, 1968: 56)

Such a definition is, of course, an ideal type and a *value*. It is not only that there is no monopoly *in fact* (though that is true enough), but that the boundaries of the state are so porous: who is in it, who controls its arms (police, etc.), what it is used for—all this is difficult to separate from the messy business of trade and profits and local domination. In actual practice, state and society, as many observers of the state in India have stressed (Gupta, 1995; Fuller & Bénéï, 2001), are difficult to disentangle.

It is true that Weber talks of 'force', and not directly of violence, in his definition as cited; but the two are intimately linked. Force includes non-physical compulsion, but the latter is always backed, ultimately, by the threat of what Weber called 'physical force', i.e. violence. In South Asia violence has become a kind of political language. It is a key part of what social movement theorists call a repertoire of contention (McAdam, Tarrow, & Tilly, 2001). People's interactions with, and demands on, the state in South Asia have evolved so that frequently only those demands that use or threaten violence can be sure of a hearing. As the Indian anthropologist, Tanka Subba, who has worked on the Gorkhaland movement in Darjeeling, puts it: "Violence [...] is increasingly acknowledged to be the most effective language for communicating with the state which seldom understands the language of memoranda, poetry, art, theatre, pamphlets, processions or pure reason." (Subba, 1999: 128)

All the forms and aspects of power and violence distinguished above are built in to the notion of the nation-state which is foundational for the modern world order. Bal and Siraj remark at the outset of their contribution to this collection, "democracy and violence are two sides of the same coin." What they mean by this is that a majoritarian understanding of democracy legitimates state violence against culturally distinct minorities who are not seen as full or proper members of the nation. Violence is made acceptable and is accepted because of a lack of community feeling. John Stuart Mill argued many years ago (1861) that shared national feeling was necessary for 'free institutions' in a modern representative (i.e. democratic) order; without such shared national sentiments, a shared public space and freedom were impossible. "Soldiers to

whose feelings half or three-fourths of the subjects of the same government are foreigners will have no more scruple in mowing them down, and no more desire to ask the reason why, than they would have in doing the same thing against declared enemies" (Mill, 1861: 290). In more conceptual terms, contemporary scholars have also argued that in defining the nation or 'the people' it is necessary to exclude, to draw a line between those who are citizens and those who are not (Wimmer, 2002; Crowley, 1999; Dieckhoff, 2004).

People can evidently live with high levels of cultural and even structural violence, without it leading necessarily to physical violence. But physical violence is much more likely to break out where there is a background of cultural and structural violence, where the different groups regard each other as paradigmatically 'other' (as Feldman's Bangladeshi Hindus — in an eerie mirror image of the way Muslims are viewed in India — are defined), and where all sides view themselves as victims and under threat (as Bal and Siraj's Bengali settlers do).[6] The violence in Nepal's Tarai region in 2015 amply illustrates this.

Nepal experienced an annus horribilis in 2015. Two large earthquakes on April 25th and May 12th, followed by hundreds of aftershocks, left nearly 9,000 dead and half a million homes destroyed. The outpouring of international support in the months that followed led to $4.1 billion in aid being pledged. This, plus the fact that the eyes of the world were upon them, finally incentivized the political class to promulgate a new constitution, after seven years and two elections (in 2008 and 2013) for two successive Constituent Assemblies. The constitution was pushed through with great haste and following a figleaf of public consultation. In the run up to its promulgation protests began in the southern Tarai region, mainly supported by Tharu Janajati ('tribal') people in the west and Madheshis (Nepalis who share language and culture with Indians over the border in UP and Bihar). The protests took the form of a *bandh*, that is to say, a ban on motorized transport. The key issues were (1) the drawing of federal boundaries, which (a) deprived the Tharus of a state by amalgamating the western Tarai with hill-dominated districts, and (b) created a Madheshi-dominated state in the east, but deprived it of several Tarai districts that Madheshis believed belonged rightly to them; and (2) discriminatory clauses that created two kinds of citizen (by descent and by naturalization), with the latter barred from all senior political positions.[7]

[6] See Lobo & Das (2007) for a detailed examination of the negative ways in which Hindus view Muslims in Gujarat.

[7] There were many other issues, including, importantly, gender and citizenship inequities, and representational issues to do with the way the upper house is designed. But, in so far as the issues were understood in detail at all, it was the

The protests began to turn violent when it became clear that the government in Kathmandu would respond to protests in the hills by conceding protestors' demands (for a seventh state), but were determined to ignore protests from the Tarai. Then on 24th August 2015 seven policemen were hacked to death in Tikapur in the western Tarai at a demonstration that they had been assured would be peaceful, in what was apparently a premeditated use of violence intended to provoke a backlash from the state. After Tikapur the police became angry, nervous, and trigger-happy. In the end 59 people died in the associated violence, which was surely encouraged by the fact that a largely Pahadi police force faced an ethnically distinct population. Failure to perceive protesters in the Tarai as co-nationals, shamefully encouraged by politicians in Kathmandu, was (in the way indicated by J. S. Mill above) a key part of the willingness to inflict random acts of violence on civilian bystanders. The Human Rights Watch report on the state and non-state violence during the protests was titled "Like We Were Not Nepali" (Human Rights Watch, 2015), a quotation from an interview with a Madheshi. The point was that the Nepali police abused the people whose houses they attacked as 'Biharis' (i.e. Indians) and treated them as outsiders: "We are being treated inhumanely, like second-class citizens. Like we are not Nepalis, like we're criminals or terrorists" (ibid.). The background to this harsh *physical* violence was the *structural* violence of Madheshi exclusion from the state (as they perceive it) and the *cultural* violence of harshly negative stereotypes of Madheshis held by hill people.[8]

Nepal's new constitution was declared on 20th September 2015. There were celebrations and fireworks in the hills, there was mourning in the Tarai. The Indian government, unlike most others worldwide, did not congratulate the Nepalis, but rather simply 'noted' the new constitution and made it plain that there were issues of inclusion that, in its opinion, still needed to be addressed. Furious that, far from listening to their concerns, the government in Kathmandu had rushed through the constitution and met their movement with bullets, the Madheshi protestors initiated a blockade of the Nepalese hills from October 2015. The Indian state gave them tacit support by tightening customs procedures and allowing the protesters to use India as a base and refuge. The Tarai had been facing shortages and economic hardship for over a month; now

demarcation of federal units and the naturalized/descent citizenship distinction that motivated the protests in the Tarai.

[8] For essential background to the Madheshi movement, see Jha (2014). On the Maoist movement, which is connected to it, see Hutt (2004), Lawoti & Pahari (2010), Lecomte-Tilouine (2013), and Adhikari (2014). For an attempt to explain why the Madheshi movement has been more effective and powerful than Dalit or indigenous nationality (Adivasi Janajati) movements, see Lawoti (2013). On the high-caste backlash and ethnic street movement that led to the collapse of the first Constituent Assembly, see Adhikari & Gellner (2016).

Kathmandu too would suffer. As the blockade tightened, the effects in the hills were increasingly dire (closed schools, shortage of transport and cooking fuel, lack of medicines). The suffering produced great anger, polarization, and inter-ethnic hatred, both in Nepal and in the substantial Nepali diaspora. But the extreme violence in the Tarai stopped. The 'unofficial blockade', as many Nepalis regarded the actions of the Indian state, was a sign that the dominant power of South Asia was sending a very effective warning shot across the bows of the Nepalese ship of state. One kind of violence had generated a corresponding level of power politics and structural violence from across the border.

Anti-Indian feeling in the Nepalese hills grew to unprecedented heights. Meanwhile, smuggling of petrol and cooking gas over the open border became so routinized that the worst of the shortages were ameliorated, albeit at considerable cost. Eventually, in early 2016, the blockade was lifted everywhere except at Raxaul-Birganj, the main crossing point south of Kathmandu. Finally, in the first week of February, it was lifted there too. The whole crisis demonstrated in multiple ways the sensitivity of the India-Nepal border, a border that is uniquely open (in the South Asian context). The border became a focus for ethnic conflict and deep misunderstandings, both within Nepal and between Nepal and India. The border was visibly highlighted as a key site where the state must flex its muscles but is often thwarted.

It is at the borders of the state, both international and internal, that the state becomes most visible, and where "cartographic anxiety" (Van Schendel, 2013: 267, following Krishna, 1996) is most acute. In situations such as these, the gap between local society and the state, at least where the state wishes to harden up the border, is wide and seemingly unbridgeable, as the cases described by Guhathakurtha, Bal and Siraj, and Hölzle all show.[9] We need more such studies as well as more reflection on how they articulate with more routine state action away from such sensitive boundaries. At the same time, we need more studies, and especially comparative studies of the sort provided here by Martin and Michelutti, of South Asian democratic practice, both as it actually is, violent warts and all, and as it aspires to be.[10]

References

[9] See also the case studies collected in Gellner (2013).

[10] See Hansen (2001), Spencer (2007), Michelutti (2008), and Piliavsky (2014) for some important steps in this direction.

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