

DISPLACED BY DEVELOPMENT

**Confronting Marginalisation
and Gender Injustice**

Edited by
LYLA MEHTA

FOREWORD BY MEDHA PATKAR





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AND GENDER INJUSTICE

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 **SAGE** Los Angeles • London • New Delhi • Singapore • Washington DC
www.sagepublications.com

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First published in 2009 by



SAGE Publications India Pvt Ltd

B1/I-1 Mohan Cooperative Industrial Area
Mathura Road, New Delhi 110044, India
www.sagepub.in

SAGE Publications Inc

2455 Teller Road
Thousand Oaks, California 91320, USA

SAGE Publications Ltd

1 Oliver's Yard, 55 City Road
London EC1Y 1SP, United Kingdom

SAGE Publications Asia-Pacific Pte Ltd

33 Pekin Street
#02-01 Far East Square
Singapore 048763

Published by Vivek Mehra for SAGE Publications India Pvt Ltd, typeset in 10/13 pt Aldine 401 BT by Star Compugraphics Private Limited, Delhi and printed at Chaman Enterprises, New Delhi.

Library of Congress Cataloging-in-Publication Data

Displaced by development : confronting marginalisation and gender injustice/
edited by Lyla Mehta.

p. cm.

Includes bibliographical references and index.

1. Economic development—India. 2. Marginality, Social—India. 3. Women—India—Social conditions. I. Mehta, Lyla.

HC435.3.D57

305.420954—dc22

2009

2008046381

ISBN: 978-81-7829-900-6 (HB)

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Lyla Maita

*In memory of Budhiben and
her struggle for justice*



FOREWORD

Displacement is not just an issue but also a phenomenon devastating the lives of millions every year. Not just individuals but communities with very rich natural resources, cultural heritage and integrity are confronted by displacement through projects that are 'planned' and executed by the State. This element of knowledge and choice accepts and permits displacement with formidable consequences. That State which should care for the welfare of its population furthers its agenda of distribution or redistribution of resources without concern for displacement, which is considered as inevitable. With 'development' as a magic word securing maximised extraction harnessed to the expropriation of natural resources, and with consumerism and modernism as the basic paradigms proposed and imposed on the majority, the eviction of both urban and rural communities has reached an unprecedented scale. The age-old theories of sacrifice, trade-offs and trickle-down are no longer acceptable for justifying displacement. These processes are compelling the victims to challenge the plans that sacrifice human, social and cultural relations, and destroy livelihoods as well as land, water and forest resources. Irreparable loss has thus led to indomitable struggles all over.

This volume, examining gender, displacement and development, comes out at a very critical time. In recent years, the unprecedented expansion and acceleration of displacement has

come to be questioned by all who realise that as such processes cause so much human distress and destruction, they cannot be considered desirable and hence 'developmental'. First, the exploitation and expansion take place without concern for the real investors of land and water, who are merely seen as 'project-affected-people'. Not only is their cultural milieu bulldozed and snatched away, but the so-called environmental and social assessments rarely capture their environmental, social and cultural loss. The compensation provided does not replace their forests, rivers and livelihoods. The benefits (be they concerning employment or profit) are rarely shared equitably nor do the people ousted get the first right to and share in the benefits derived from their investment of natural resources.

Since they have come to realise that most claims of rehabilitation and compensation are proving to be false, displaced people are now asking for a redefinition of development with parameters beyond the conventional cost-benefit analysis. At the same time, the State and market forces are employing much cruder and more callous ways of not merely justifying the speedy expropriation of resources, but also of carving out special economic and political spaces (where no law of the land applies) for corporate interests and vicious alliances with politicians. Special Economic Zones (SEZs) signify the perfect example of a State openly favouring profit over people. Displacement is just one of the major impacts of these processes, with the displaced left with no channel to fall back upon and seek justice, since the State has shed its role as a welfare provider to join private players in transferring resources. Thus, SEZs and similar neo-liberal designs must be questioned not only on social and environmental grounds, but for their long-term economic repercussions and impact on livelihoods. Justifiable questions are being raised by the struggles of the displaced, even as economists and others often lack the courage and commitment to challenge the vulgarly manipulative and repressive national and global powers. Thus, the struggles of the displaced people all over are leading to the linking of micro-issues with larger macro-concerns, just as several authors in this volume do.

The State in India and elsewhere, however, is not in a mood to listen. In response to the fiery struggles by the people there have been increasing brutal atrocities and fictitious claims of rehabilitating or

benefiting the affected. The new policies and enactments are, in reality, legitimising displacement on an unprecedented scale and at the cost of the people, especially the owners and possessors of natural resources and human power. The Land Acquisition Act of British legacy (1894) has not been abolished but is rather being misused for private interest, through a widening of the definition of 'public interest'. Industries, with only a stated objective of employment generation, can thus be included in the public purpose category, as per the new national Indian policy statement on Rehabilitation (October 2007). The 2007 policy also provides no clarity and process directive on options assessment that can lead to plans with minimum displacement or no displacement. Rehabilitation, with livelihood compensation, has again been compromised along with market prices for resources to be acquisitioned or purchased for industries and projects. Recently, the judiciary has also started avoiding intervention on these basic issues, in spite of the acknowledged violation of fundamental rights and amidst growing alliances between bureaucrats, corporates and politicians, ranging from the local to the global. Rightist or Leftist, those in power and in electoral politics are tending to compromise on basic values due to the perks of profits and power. The Constitution, no doubt, is being upheld, though not by the rulers and the powers that be but by the common people who display uncommon strength and commitment to human rights and human-centred change.

Thus, when the unprecedented onslaught of market forces causes uprooting and even the demise of communities, the response of the societies that face the backlash cannot be restricted to merely demanding compensation. A very strong and natural direction of the counter-attack has been developed in the appeal to the territorial rights of affected communities, who see all their natural resources as well as themselves as a unified whole that is a life support, and not an input for markets or machines. This phenomenon has been evolving over the last few decades into a comprehensive alternative development paradigm based on the due primacy of the principle of free, prior and informed consent, that is not just limited to *adivasis* (indigenous peoples). This has provided the only solution and hope for all the affected communities, including farmers, fish workers, artisans and small traders, who insist on their right to resources and their right to consent and dissent with respect to

development proposals and projects. Such thinking has emerged directly from people's struggles as well as from people-centred theorisation and research wherein many of the contributors to this volume have played a key role. The impact of this thinking has found its way into both United Nations conventions and World Bank manuals and other reports, though much of the latter is merely rhetorical and remains on paper. However, such visions can only come true through sustained struggle and by challenging the dominant notions of 'eminent domain', on the one hand, and farcical forms of democratic representation on the other. Such thinking is also the basis of a new form of economics, which is an alternative to the neo-liberal paradigm.

This book's focus on gender justice and the feminist vision provides powerful alternative ways to look at development and sustainability by highlighting equity and respect for nature, by questioning conventional notions of costs and loss, and by calling for life-supporting change to be seen as progress. Any alternative vision cannot ignore these trends and potentials, which need to be made real and carried forward through the generations. Gender issues, gender injustice and gender empowerment in both ideological conception and the execution of 'development' are parameters which necessitate serious public debate and popular understanding by all those who are up against the injustice done to the oustees. Gender, it must be realised, is not merely one of the criteria but a main social test, which helps us assess and define the impact of policies and programmes, besides acting as a source of vision to determine our future course of action. Our values and our responsibility to the vulnerable sections can be better reflected in development conceptions and the planning process only if we are sensitive to gender-just perspectives and are able to mobilise women's power in our battles.

Women are at the forefront of the millions who are out on the streets and in the fields opposing displacement and realising that rehabilitation is neither a salvation nor achievable. These people include the socially and economically disadvantaged *dalits* (the erstwhile 'untouchable' castes), *adivasis*, farmers, fish workers and others, but there are women across all these groups. Women, whether in resource-dependent societies or on the move towards 'modernity', still play a major role in sustaining

their families. Their social status and economic contribution (especially in the tribal-rural context, but also in the labour-intensive occupational groups such as agricultural labourers and urban construction workers) is highly dependent upon natural and human resources, and they become paralysed and peripheralised without those. Since their rights and lives are often more rooted in natural resources than in marketable commodities, they tend to respect the non-quantifiable value of resources more than men. Thus, when cash compensation is clearly rejected by groups confronted by displacement, it is usually women who lead the way in this. Men tend to accept, play and plunder when cash compensation is accepted. Time and again, I have witnessed how women in countless struggles rarely demand or accept cash compensation. They also question their menfolk when the latter accept compensation, and resort to further struggle.

These are the themes that have been brought out and analysed in this remarkable volume. Budhiben, the *adivasi* woman from a family affected by the Sardar Sarovar Project in the Narmada Valley, to whom Lyla Mehta has devoted this edited volume, and what happened to her life, her natural treasures and her community, are all symbols of genderised struggle. Within her ancestral habitat in the Vindhya mountain range on the banks of the Narmada and with the river symbolising the life flowing with her, she was all alone in catching the system by its horns. She stood up against the exploitation and denudation of both humans and nature. Reckless though she was, Budhiben had to exhibit extra courage to prevent the trucks and the officials (whom she considered to be 'thieves') from entering her forest to strip it bare, and to expose her own community brethren who were in alliance with them. None else but the police, in the infamous state of Gujarat, representing the cumulative strength of both statutory power and patriarchy, raped her. The resultant protest by the women and men in the valley was quelled, and no forum of law and justice could grant her any solace. She is no more, but the decade-long struggle by others in her community continues. Even today, with much of their land and forest lost, the river stagnant and homes submerged, her spirit is still alive.

Budhiben and the Budhibens all over, from Narmada to Nandigram, have borne the brunt of the battles but have not given up. In the struggle,

we have witnessed that whenever women are enabled to occupy decision-making and strategising spaces, they are always marked by innovation and creativity. Still, it is true that such movements sometimes cannot offer women their due place when the challenges are deep and formidable. Movements can also fail to advance women's interests. For example, men can demand that women be used as shields to protect themselves and the agitators from the police and the brutal forces of the State. Women are also brought in to make up the numbers. But often the leaders of the movements realise that women's contributions go far beyond these aspects, and that they have something unique to contribute and their strategies work better in the present world of money and markets. This happens when men themselves change and are more sensitive to gender concerns, and begin to treat women and other subordinate groups as equals. When this happens, gender inequities, class and caste divides within society are addressed. It also leads to changes in relations within the family and changes in relationships with subordinates. This is not easy to attain but can only take place through a long and deep process of empowerment of both women and men.

In the course of struggles, many women have argued for the need to use resources in more equitable and sustainable ways. This is what gives them the strength to raise basic and radical questions fearlessly. Often powerless and compelled to remain in the fourth corner of society, with patriarchy, power, the police and physical force dictating ways and means, women leaders are usually the ones who strike with a difference, with patience, perseverance and penetration. Women's power and the feminising strategies of a mass movement allow for the possibilities of non-violent strategies and creativity which conventional resourcefulness or power can neither evolve nor carry forward for long. For example, when the women from urban slums in Mumbai reached and blocked the gates of the Mantralaya (the administrative headquarters of Maharashtra state) or those from the Narmada Valley encircled the World Bank officials in the early 1990s, they expressed both outrage and grief with *satyagraha* (non-violent resistance), a medium that was strikingly different and innovative. Women have also played a major role in keeping other movements alive for decades, for example, in the workers' movement in Chhattisgarh, in *adivasi* struggles in Jharkhand

and in the *dalit* and *adivasi* communities' assertion for the right to land in Kerala. Furthermore, in building self-reliant solutions, whether in the water, power or industrial sector as in Gujarat, it is often women who are at the forefront. This has always startled those in power, who at times become speechless, and are compelled to react and meet the demands of these women.

Lyla Mehta has been a sensitive witness to many of these events and upheavals. She and the volume's contributors address the issue of displacement, gender and development with great analytical ability, sensitivity and respect for the displaced people and their movements. That is what has made her an academican-researcher raising appropriate issues at the right time. All the pieces in this volume, despite arising from people from different backgrounds, are united by two common causes, namely, to explore the impact of the gendered dimensions of displacement on the socio-politico-economic spaces of women and men, and to critique the current processes that legitimise unjust displacement. The authors also unite in highlighting how the displacement project, with its claim of rehabilitation and the inevitability of forcible eviction, is flawed.

Only an academic close to social movements such as Lyla Mehta can bring together leading scholar-activists and contributors from people's movements to provide a trenchant critique of contemporary displacement politics, making gender visible while also presenting ideological and strategic perspectives. This book will go a long way in providing independently documented impacts of displacement, the role of the State and State policies, and also in addressing radical alternative visions.

I hope that this book will be on the shelves of not just scholars and activists, but also of policy-makers and administrators, who need to embrace new visions of development to be able to resist displacing options. I also hope that the book will be translated into regional languages and reach out to many in local communities and small townships, beyond the libraries and universities. That would be the success of the book: to be attained by linking up with social movements.

The remit of a work with contributions from senior analysts and activists obviously cannot merely stop at description or abstraction.

It has to project future steps, help others who are seeking to attain an agenda for a world free of displacement and prepare for truly humane development, which will be in the spirit of humanity and nature. That is where this book leads us, and hence its contribution will surely go way beyond classical academic research to positive action by charting out a framework of not just legal but human justice. We look forward to this achievement.

December 2007

Medha Patkar



PREFACE

Every year the lives and livelihoods of more than ten million people across the globe are affected by forced displacement due to infrastructure projects such as dams, mines, industries, power plants and roads. Millions also leave their homes 'voluntarily' to seek new livelihoods or to avoid conflict and hardships in their place of birth. Most displaced people belong to poor and marginalised communities, and within them, women and children experience special vulnerabilities. It was in this context that the Institute of Development Studies, UK, and ActionAid, India, organised a workshop on 'Engendering Resettlement and Rehabilitation Policies and Programmes in India', held in New Delhi on 12 and 13 September 2002. It was attended by 60 participants representing a broad range of interests—ranging from displaced people, social activists and academics to those working in NGOs, donor agencies and the government. Drawing on a range of cases from many displacement contexts, the workshop participants discussed how resettlement programmes and schemes had so far been blind to social and gender justice issues and had thus often failed miserably. The workshop was rooted in the conviction that projects entailing forced displacement must be avoided as far as possible and that development models that legitimise forced displacement must be questioned. In the first instance, non-displacing alternatives must be explored. When displacement is absolutely

unavoidable, resettlement schemes must actively incorporate gender and social justice concerns at every stage, from decision-making to implementation processes. The workshop also examined the political economy of displacement and resettlement processes and explored how social activism that challenges displacement can create new spaces for displaced women and men to assert their rights. For many people, it was the first concerted attempt to explore concrete links between gender, displacement and resettlement. This volume is an outcome of this process and my own research on gender and displacement.

This volume could not have been possible without the support and hard work of many individuals who contributed with their ideas, time and enthusiasm. The project has taken on a life of its own, given the time that has elapsed between the workshop and the final publication of the book. As each contributor to the book is either an engaged researcher or activist or both, and is actively involved in ongoing social justice issues in India and elsewhere, the final versions of the chapters took a long time to see the light of day. It has been a pleasure to work with such a committed and interesting group of people, and I thank all the authors for their hard work and patience, and for tolerating my editorial interventions and the long delay. Unfortunately, not everybody who presented a paper at the workshop could write a chapter for this volume, but hopefully the following pages will capture some of the rich and stimulating discussions in Delhi.

I am extremely grateful to Mohammed Asif then with ActionAid, Delhi, who helped co-organise the 2002 workshop. His contribution was immense, both in terms of creating an intellectually coherent programme as well as organising the logistical arrangements, along with his other ActionAid colleagues. I am also grateful to Harsh Mander, former director of ActionAid India, who agreed to co-organise the workshop and provided guidance throughout the process. I also thank Bashabi Gupta, Natasha Kandwal, Nilanjana Sengupta and Carol Yong who worked hard to ensure the overall success of the workshop.

I am grateful to those who contributed actively at the workshop (as chairs, discussants and speakers) and later with ideas and guidance. In particular, I thank Sarah Ahmed, Vimal Bhai, Urvashi Butalia, Anita Cheria, Vasudha Dhagamwar, Alex Ekka, Jean Drèze, Enakshi Ganguly Thukral, Arjan de Haan, S.R. Hiremath, Reidar Kvam, Miloon Kothari,

Smitu Kothari, S. Parasuraman, Vijay Paranjpye, Mahesh Rangarajan, N.C. Saxena, Shekhar Singh, Nandini Sundar and Shiv Visvanathan. I also thank Rewa Nayar, who was then Member-Secretary of the National Commission on Women, S. Jalaja of the National Human Rights Commission and M.S. Rana of the Ministry of Rural Development.

I have been interested in gender and displacement issues since 1991, which is when I first went to the Narmada Valley. I am particularly grateful to those whose ideas and work have inspired me over the years. I owe a very special thanks to Alok Agrawal, Asit, Michael Cernea, Arundhati Dhuru, Pervin Jehangir, Matamai, Amit Mitra, Nandini Oza, Chittaroopa Palit, Medha Patkar, Urmila Patidar, Anand Punja, Ramkuwar and Rukmini Kaki. I also thank the countless families in the Narmada Valley who have taken me into their homes and shared their lives and stories with me, in particular from Manibeli, Gadher, Malu, Pathrad and from the Nimar area in Madhya Pradesh. I am grateful to the Department for International Development (DFID), UK, for supporting my research in 2000 and for funding the 2002 workshop. I fondly remember and thank Bina Srinivasan, Kersi Sabavala and Sanjay Sangvai for their friendship and inspiration. Their passing away (at different points in time) was far too early and a tremendous loss for displaced people's struggles for justice. In particular, Bina Srinivasan's recent death leaves a tremendous void in debates and practices concerning gender and displacement.

I am also grateful for the support and patience from SAGE, in particular, Ashok Chandran, Rekha Natarajan, Trinankur Banerjee, Richa Raj and Meena Chakravorty. At the Institute of Development Studies, University of Sussex, I am most grateful to Petra Bongartz, Chris Hunter and Naomi Vernon for their help. Deepa Shankaran's editorial assistance and insightful comments were crucial during the final months. I was greatly assisted by Naomi Vernon in finally putting the volume together. Many thanks! The book eventually saw the light of day during a fellowship at the Department of International Environment and Development Studies, Noragric at the Norwegian University of Life Sciences, Aas, Norway. I am grateful to my colleagues there for providing me with such an enabling and peaceful environment to make this and other work possible. I thank Morten Sjaastad for engaging with the ups and downs of the editing process and for encouraging me to work on the volume during the unforgettable summer of 2006.

I dedicate this book to the memory of Budhiben, whose story captures how despite many disempowering experiences and victimisation, displaced women can be agents of social change.¹ She was a spirited *adivasi* activist from a tribal village in the submergence zone of the Sardar Sarovar (Narmada) Project in Gujarat. I enjoyed spending time with her in 1993. Budhiben unfortunately was the target of both state-sponsored and gender-based violence and died suddenly in 1994. The fact that such a fiery and dynamic woman suffered due to both State and community prejudices is striking. I think she would agree that all displaced people, especially women, should be spared the same fate that befell her. But Budhiben was not just a victim. She played a crucial role in the protests against unjust forced evictions in the early 1990s and inspired many people. Thank you, Budhiben. May your struggle for justice be one day realised and may this book be a small step in that direction.

November 2007

Lyla Mehta

Note

1. I am usually against revealing the identity of women who have been the targets of gender-based violence. However, Budhiben was a public figure and in the early 1990s, her case was discussed (perhaps wrongly) by journalists, activists and officials in the press and in reports without concealing her identity.