# ‘No Justice – No Rest!’: How Activist Conceptions of Justice Influence Categories of Collective Identification among Tea-Plantation Labourers in Assam

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**Abstract:** Activists working on behalf of tea-plantation labourers in the northeast Indian state of Assam have promoted various visions of justice. Trade unionists prefer to maintain an ‘old-style’ tea-plantation economy based on a combination of low cash wages and additional non-monetary benefits. Adivasi (indigenous) activists used to advocate ‘Scheduled Tribes’ status for Adivasis in Assam (most of whom are tea labourers) as a means to improve their livelihoods through affirmative action. In 2014, under the guidance of international NGOs, Adivasi activists turned instead to advocating statutory minimum wages for tea labourers. These transformative visions of justice not only imply different possible futures for tea labourers, but also affect their categories of collective identification, turning them from ‘tea tribes’ into ‘Adivasis’ and then into ‘subjects of labour rights’. While these collective identities are often used interchangeably, foregrounding particular aspects of them in different situations influences the constitution and transformation of leadership patterns within the interest groups that are working on behalf of Assam tea labourers.
*[collective identities, India, indigeneity, justice, tea plantations]*

One morning in March 2015, during my fieldwork in Assam, I woke up to a call from an Adivasi (indigenous) activist telling me that there would be a protest in one of Assam’s district capitals that day. On the spur of the moment, I rushed out and took a bus to the district capital where the protest was supposed to be taking place. Reaching the spot, I saw about a hundred people gathering. Augustin, an activist I knew from before, recognized me, and he slipped out of the crowd to approach me.[1] He was wearing a dark red Adivasi *gamchā* (cotton towel) wrapped around his head. I asked Augustin what the protest was about. ‘One sixty-nine’, he replied, referring to the statutory minimum wage at that time, which was Rs. 169.[2] The trade union had recently agreed to a wage hike that was below the statutory minimum wage, and the Adivasi activists were there to protest against this ‘illegal’ wage agreement. The protestors shouted slogans

1 All names of persons and places are pseudonyms. Interviews were conducted in Hindi and translated into English by the author.

2 The statutory minimum wage for unskilled labourers in Assam was increased to Rs. 287 in 2020. Rs. 10 are equivalent to about Euros 0.14.

 

loudly and synchronously: '*ACMS murdabad*!' ('Down with the trade union!') One slogan they shouted in English: 'No justice – no rest!'

What conception of justice was in the minds of the protestors when they shouted: 'No justice – no rest', and in the minds of the trade unionists when they signed the 'illegal' wage agreement? The protest described above exemplifies contesting visions of justice I encountered as I followed different activists working on behalf of Assam's tea-plantation labourers during my fieldwork in India between 2014 and 2017.[3] The trade union argued that accepting an agreement for wages below the statutory minimum wage was acceptable because non-monetary benefits made up the difference. Adivasi activists had previously mainly promoted affirmative action as a means to improve the livelihoods of Adivasi tea labourers in Assam, but they started demanding minimum wages on plantations in 2014 under the guidance of international NGOs.

While a growing number of ethnographic studies on tea-plantation economies in India (Banerjee 2017a; Besky 2014; Chatterjee 2001; Raj 2022) and beyond (Bass 2013; Ives 2017; Jegathesan 2019; Willford 2014) have been published recently, in this article I focus on how changing conceptions of justice have an impact on categories of collective identification by analysing the different ways in which Assam tea-plantation labourers are represented by different kinds of activists.[4] My argument is embedded at the intersection of the anthropology of justice, matters of collective identification, and questions of (collective) representation. While matters of justice have long been studied ethnographically by anthropologists (e.g., Benda-Beckmann 1981; Bohannan 1957; Cowan, Dembour, and Wilson 2001; Rosen 1989), until recently it was primarily in political philosophy that theories of justice were developed most elaborately (e.g., Fraser and Honneth 2003; Nussbaum 2007; Rawls 1971, 2001; Sen 2010). However, approaches in a 'new anthropology of justice' aim for a conceptualization of justice that is both ethnographically grounded and theoretically sophisticated (e.g., Anders and Zenker 2015; Brunnegger 2019; 2020; Clarke and Goodale 2009; Johnson and Karekwaivanane 2018).

In this new anthropology of justice, the leading scholar Sandra Brunnegger coined the term 'everyday justice' to emphasize the multifarious, spatiotemporally contingent, indeterminate and dynamic nature of justice as a complement to nomothetic, ahistorical and transcendental philosophical approaches to justice (Brunnegger 2019). I take Brunnegger's notion of 'everyday justice' as a starting point to elaborate further what justice does 'as an idea or a practice' (Brunnegger 2019:4), analysing how everyday con-

3 Between 2014 and 2017, I conducted thirteen months of fieldwork in Assam, Delhi, and Kolkata. I spent seven months on two plantations in Lower Assam, conducted participant observation in legal capacity training, attended NGO meetings and street protests, interviewed various trade unionists and activists working on behalf of Assam's tea plantation labourers, and analysed documents published by NGOs and the trade union as well as newspaper articles.

4 For excellent historical studies of Assam tea plantations, see e.g., Behal 2014; Varma 2017; and Sharma 2011.

ceptions of justice influence categories of identification for those involved in struggles for justice. I define justice as 'the constant and perpetual will to render to each his due' (Miller 2021). In other words, what people believe to be just or what people consider to be due to them and others has implications for their categories of identification and vice versa.

I use the term 'categories of identification' rather than 'collective identities' to highlight the processual, contingent and versatile character of identity (see Eidson et al. 2017). While a social constructivist understanding of collective identities has been widely accepted in anthropology since Fredrik Barth's edited volume *Ethnic Groups and Boundaries* (Barth 1969; see also Brubaker and Cooper 2000), emphasizing the 'persistent association between ethnicity, place, and work' (Besky 2017a:619; see also Raj 2013) on Indian tea plantations disregards the fuzziness and flexibility of tea labourers' collective categories of identification and the socio-political implications of this.

I argue that changing visions of justice have transformed Assam tea labourers' categories of collective identification, turning them from 'tea tribes' into Adivasis, and further into subjects of labour rights. As all categories of collective identification are still actively used in Assam, the transformation should not be understood as linear and consecutive but as parallel and entangled. Tea-plantation labourers in Assam have been and still are commonly designated as 'tea tribes' or 'ex-tea tribes' (those who no longer work in the plantation, but still reside in villages adjacent to the plantations). When I interviewed labour historian Rana Behal in January 2017, he said the category of 'tea tribes' was coined in the 1920s, when managers started to generate data on these groups for manager training. Since the mid-twentieth century, the term has had limited official status; for example, the Assam government has a 'Tea Tribe Welfare Department'.

Although the term 'tribal' does not necessarily have 'pejorative connotations' in India (Karlsson and Subba 2006:4), Adivasi activists felt discriminated against because of the designation 'tea tribes' and preferred the term 'Adivasi' to describe both current and former tea labourers in Assam generally. The term 'Adivasi', glossed from Hindi, literally means 'indigenous', although the indigeneity of Adivasis is controversial in India (see Béteille 1998).[5] Adivasi is not a legal category as such (Parmar 2016), but is rather a colloquial umbrella term that subsumes diverse ethnic groups, many of whom have been categorized as Scheduled Tribes in central Indian states (Deshpande 2013). Scheduled Tribes (ST) is an administrative category used in India to designate minorities who are eligible for affirmative action as a result of historical discrimination against them. Adivasi movements in other parts of India have received broad scholarly attention (e.g., Nilsen 2012; Sanchez and Strümpell 2014; Shah 2010; Steur 2014). Studying Adivasis in Assam is particularly interesting because Adivasi groups are not recognized as Scheduled Tribes in Assam as they are in other Indian states, and Sched-

5 For a sophisticated examination of the term 'indigeneity,' see Zenker 2011.

uled Tribes in Assam do not consider themselves as being Adivasi. This complicates the common equation of Adivasis with Scheduled Tribes and related questions of collective identification.

Since the majority of Assam's tea plantation labourers are Adivasis, the terms 'tea labourers', 'Adivasis', and 'tea tribes' are often used interchangeably. Because these categories of identification seem broadly overlapping, replacing one collective designation with another appears to be only a matter of political correctness. However, I argue that the discrepancy between seemingly identical categories of identification and their specific situational adaptations in struggles for justice has consequences that lead to different leadership patterns among activists. In the following, I introduce different ideal-typical visions of justice promoted by trade unionists, Adivasi activists and international labour activists, analysing how they each influence labourers' categories of identification and how these in turn affect leadership patterns.

## Trade Unionists and the 'Old-Style' Tea Plantation Economy

To establish commercial tea cultivation in Assam in the nineteenth century, labourers were recruited from central Indian states with large indigenous populations in India (Besky 2014:54–55). According to Indian census data (from 1911 and 1921), 50–60 percent of the recruited labour force consisted of Adivasis (called 'tribals' or 'aboriginals' in the census), around 30 percent were Dalits, and 10–15 percent were 'caste Hindus' (Behal 2014:255–256).[6] Since slavery was legally abolished in India in 1843, migrant labourers on tea plantations in Assam were employed as indentured labourers. The indentured labour system provided tea planters with the right to exert penalties on their labourers for any breach of contract, including attempting to leave the plantation before the contract had ended (Behal and Mohapatra 1992). The indentured labour system was gradually dismantled in the first half of the twentieth century.

After Indian Independence, working conditions on tea plantations in Assam were mainly regulated by the Plantations Labour Act (PLA). The PLA, implemented in 1951, stipulates working hours, paid and unpaid holidays, wages, and health and welfare facilities. In the tea-plantation economy, labourers live on the plantations in so-called 'labour lines'; they receive payments in cash and in kind (the dual wage structure) and are entitled to designate who will inherit their permanent position. Beyond

6 The term 'caste Hindu' is used to describe Hindus who belong to one of the four *varna*s. Dalits (formerly called 'untouchables') and Adivasis are usually not seen as caste Hindus. Adivasis are either seen as 'backward Hindus' (by assimilationist Hindu fundamentalists who want to incorporate Adivasis into the Hindu fold) or as outside the caste system and altogether distinct from Hinduism (by activist groups who want to protect Adivasi autonomy as distinct from Hinduism by reasserting a separate 'tribal identity') (Shah 2007:1814; Xaxa 2014:15–20).

housing, non-monetary benefits include health care, food rations, firewood and tea rations. Non-monetary benefits are extended to all the permanent workers' dependents.

The Assam Tea Workers' Union (Assam Chah Mazdoor Sangha or ACMS), established in 1957, is the single most important trade union for tea-plantation labourers in Assam. It is affiliated to the Congress party's trade union wing, the Indian National Trade Union Congress (INTUC). Until 2014, the ACMS negotiated wage increases for tea-plantation labourers in the Assam Valley bilaterally with the Consultative Committee of Tea Producers' Association (CCPA), a tea-planters' union. The ACMS covers all plantations in the Assam valley and has approximately 350,000 members.[7] The ACMS has more than three hundred employees, and initially leadership positions were held primarily by 'caste Hindu middle-class men from outside the labour communities' (Sharma 2011:235). Over time, however, the ACMS developed 'an "insider" union élite', meaning that the labourers themselves, or former labourers, or labourers' children could gain leadership positions (ibid.). Lower-level leadership positions on the plantation are often occupied by labourers, while higher leadership positions are usually taken by their children. ACMS leaders are mainly caste Hindus, such as Tanti, Karamkar and Gwala, some of whom are categorized as Other Backward Classes (OBC) in Assam.

When I visited the ACMS head office in Dibrugarh in 2015, I asked the general secretary, Dileshwar Tanti, why he had voted against implementing the statutory minimum wage of Rs. 169 during the last wage negotiations. His phone rang just at that moment, and while he took the call, an administrative staffer sitting next to us exclaimed: 'But the minimum wage is implemented if you take non-monetary benefits into account!' When Tanti finished his call, he added: 'I voted for Rs. 115. One sixty-nine has no basis because the industries are so different, and in the tea industry there are many other obligations that are not there in other industries.' He then explained that Rs. 115 constituted a 'fair' wage because: 'one fifteen with benefits is sufficient, and it is also within the management's capacity to pay' – that is, it would not cause the whole industry to collapse.

The ACMS's aim of maintaining the old-style tea-plantation economy by promoting wages that are 'within the industry's capacity to pay', has to be contextualized within recent economic and legal transformations in the Indian tea industry. Tea plantations are no longer legally regulated by the broad social welfare measures prescribed in the Plantations Labour Act, since the Indian government merged forty-four labour laws into four new labour codes. These ongoing changes include repealing the

7 The state of Assam has approximately 803 tea plantations, which employ altogether 686.000 labourers. Estimates are taken from Government of Assam Tea Tribes Directorate for Welfare, List of Tea Gardens at Assam: https://ttwd.assam.gov.in/frontimpotentdata/list-of-tea-garden-at-assam, accessed May 23, 2021 and Government of Assam Directorate of Economics and Statistics, Economic Survey of Assam 2017–18: https://des.assam.gov.in/information-services/economic-survey-assam, accessed May 23, 2021.

Plantations Labour Act and may dissolve the dual wage structure on plantations (Singh 2020). The Plantations Labour Act was replaced by two sections (92 and 93) in the Occupational Safety, Health and Working Conditions Code, adopted in 2020.[8] The regulations provided in these two short sections are less comprehensive and less legally binding compared to the Plantations Labour Act. Moreover, less than 50 percent of the tea produced in India in 2020 was produced on tea plantations; the majority was produced by small growers, who are steadily increasing and thereby changing the political economy of tea production in India (Tea Board of India 2020). Small growers raise tea on smaller plots of land of about two acres and sell fresh tea leaves to so-called Bought Leaf Factories, where the tea is processed and further sold (Das 2012). It is estimated that about five labourers work on a tea smallholding (Borah 2013:86). Yet, since most small growers are excluded from important labour laws, they do not have to make the same provisions for their labourers, and they mainly offer only temporary employment (Biggs et al. 2018). While Kaberi Borah (2013) and Sarah Besky (2017b) considered tea smallholdings a potentially promising opportunity for self-employment of tea labourers or the rural population in Assam, according to my knowledge former tea plantation labourers hardly become smallholders because they do not own sufficient land to start a smallholding, but would also never work on a smallholding because the labour conditions are much worse compared to plantation work.

Hence, the trade union tried to retain the 'old-style' plantation economy when it started being replaced by a new, less regulated political economy of Assam tea production. This is similar to E.P. Thompson's argument that 'the crowd' in eighteenth-century England was influenced by a 'moral economy' – a specific social field of thought and action in which older, paternalistic practices and normative ideas were confronted with the practices and normative ideas of a 'new political economy' (Thompson 1971). Assam trade unionists were similarly attached to the normative ideas of the old-style moral economy of tea production based on comprehensive welfare measures legally prescribed in the PLA.

The dependence of labourers on plantation welfare provisions, coupled with low cash wages, has been criticized 'as a form of bondage' (Besky 2017a:619), 'modern-day slavery' (Ray 2016), and 'fixity' (Besky 2017a:619), while the Plantations Labour Act has been criticized for improper implementation (Banerji and Robin 2019; Rowlatt and Deith 2015). However, tea plantations have also been called 'states within states' (Raman 2015:146), and tea companies have been said to 'act as a welfare state' (Raj 2013:477) due to the encompassing welfare measures of the PLA legal regime, which makes tea-plantation labour less precarious and insecure compared to informal labour outside the plantations.

In this context of economic and legal transformation in the tea-plantation economy in India, the trade union opposed certain labour rights, such as the implementation

8 The implementation of the new labour law regime is still ongoing.

of statutory minimum wages, in order to maintain an old-style plantation economy, which provided dependent but secure livelihoods to tea-plantation labourers. Adivasi activists, by contrast, based their ideas of justice for tea workers on unconditional legal entitlements.

## Adivasi Activists Fighting for Affirmative Action

Adivasi groups are recognized as Scheduled Tribes in many other Indian states, and the Adivasi movement in Assam, which emerged in 1996, originally promoted such recognition there too, so that they would be eligible for affirmative action in Assam. One Adivasi magazine emphasizes: 'Adivasi organizations … point to a particular policy feature that is historically missing here in Assam, which is the granting of Scheduled Tribe (ST) status to the Adivasis … it is often the central, if not only, point of many of their campaigns' (Nawa Bihan Samaj 2013:35).

Affirmative action is an attempt 'to compensate for past discrimination and minimize existing inequalities that persist on the basis of group identity … to create the conditions for disadvantaged groups to compete equally' (Shah and Shneiderman 2013:3–4). In India, affirmative action is implemented through quotas in government jobs, higher education and political offices (ibid.). Groups that have historically been discriminated against are 'scheduled' in the Indian Constitution as Scheduled Castes (SC), Scheduled Tribes (ST), or Other Backward Classes (OBC). Over seven hundred ethnic groups are recognized as Scheduled Tribes in India. They constitute about 8.6 percent of the Indian population or 104 million people (International Work Group for Indigenous Affairs 2021:205). It is the different federal states that recommend to the union government which ethnic groups are acknowledged as Scheduled Tribes. This means that some ethnic groups that are categorized as STs in one Indian federal state are not necessarily recognized as such in another state.

The ethnic groups (e.g., Munda, Oraon, Saora) that are designated as Adivasis and acknowledged as Scheduled Tribes in central Indian states such as Chhattisgarh, Odisha, Jharkhand and Bihar are not among the twenty-nine ethnic groups that are acknowledged as Scheduled Tribes in Assam (Ministry of Tribal Affairs 2019). Adivasis constitute the majority of Assam's tea plantation labourers, who migrated as labour migrants to Assam from central India (Sharma and Kahn 2018:196), and in Assam, they are categorized as Other Backward Classes (OBC). The OBC category was introduced in 1980 with the Mandal Commission report and was implemented in the 1990s. It considers economic dimensions in addition to historical discrimination based on ethnicity or caste but does not provide the same affirmative-action provisions as the Scheduled Tribes category (Deshpande 2013:52, 53).

Most Adivasis living in Assam are either current or former tea plantation labourers or their descendants. Adivasi activists' conviction that Adivasis deserve preferential

treatment as Scheduled Tribes in Assam is based partly on their claim that they constitute India's 'original inhabitants' and partly on their status as Scheduled Tribes in other Indian federal states. For instance, one Adivasi activist commented: 'Juel Oram [a BJP politician from the Indian state of Odisha] is a tribal himself. How can he be a tribal and I am not – we have the same surname. How can I be OBC?' The argument evokes the larger idea of justice as equal treatment of equals. The main reasons cited for not recognizing Adivasis as Scheduled Tribes in Assam are that they are not indigenous to Assam and because of 'inter-tribe contestation' (Ananthanarayanan 2010; Sharma and Khan 2018:202). The Indian government objects to Adivasi claims of indigeneity, arguing that 'the entire population of the country at the time of independence from British rule and their successors are indigenous' (Parmar 2016:6), which makes 'indigeneity' obsolete. Instead, the Indian government categorizes Adivasis as 'tribes' who have been historically discriminated against and who are characterized by their 'primitive' traits, distinctive culture, geographical isolation, shyness of contact with the community at large, and overall 'backwardness' (Government of India 2005).

Townsend Middleton, in his study of civil servants who verify India's Scheduled Tribes, shows that there is 'no standardized procedure for certifying "tribal" communities.' (Middleton 2013:15) He states: 'the viability of ST status derives not only from the advantages that the designation offers, but also from the pliability of the "tribal" category itself.' (ibid.:13)

Lacking standardization contributes to confusion about the relationship between indigeneity and 'backwardness' in granting ST status. Along with Adivasis, five other groups in Assam claim ST status; among them are Thai-Ahom and Koch-Rajbonshi, historically the ruling classes in Assam. Thai-Ahom and Koch-Rajbonshi justify their claim by highlighting their indigeneity to the region and by disregarding their historically privileged socio-economic status. The fact that Adivasis are only one group among others claiming ST status in Assam is seen as one major reason why they have not yet been acknowledged as ST in Assam. On the one hand, political unrest is feared if only one community among those demanding recognition is acknowledged as a Scheduled Tribe. On the other hand, it is feared that (parts of) Assam may turn into a 'tribal area'. According to the Indian constitution's Sixth Schedule, regions with a 'tribal' majority can turn into semi-autonomous 'tribal areas' with 'tribal' political institutions (Middleton 2013:14).

Since indigenous populations have often been discriminated against historically, historical discrimination and indigeneity are commonly linked (see Zenker 2021). However, indigeneity is to a certain extent decoupled from historical discrimination in Assam, and therefore it has become possible for Assam's historical aristocracy to claim ST status based on the idea that they, as the first comers to the region, are entitled to certain privileges (see Béteille 1998). If all six communities come to be recognized as Scheduled Tribes in Assam, it will be hard for Adivasis to compete with people from a historically privileged aristocratic class. Frustrated by the continuous denial of ST

status, in 2014 Adivasi activists started giving more attention to labour rights, or more precisely to the drive for a statutory minimum wage for tea-plantation labourers.

## The Campaign for Statutory Minimum Wages

The International Labour Organisation (ILO) defines a minimum wage as 'the minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract.' (ILO 2017:4) Minimum wages were first fixed in New Zealand and Australia in the late nineteenth century and were defined for particular regions and fields of labour, mainly low-wage labour (Starr 1981). The first international law to promote minimum wages was implemented by the ILO's *Minimum Wage Fixing Machinery Convention* of 1928. Minimum wages in India were introduced through the Minimum Wages Act of 1948.

Adivasi activists in Assam learned about the minimum wage and the living wage in India from two international NGOs that conducted legal capacity trainings for leading Adivasi activists in July 2014, just before the second-to-last wage negotiations began.[9] Following the training, Adivasi activists started a wage campaign for tea labourers in Assam. The shift from affirmative action to labour law also means that tea-plantation issues are now considered more explicitly in the Adivasi movement. One Adivasi activist stated: 'Initially, we did not focus so much on tea gardens. We rather fought for our community's right to get the ST status. The wage campaign was the first big initiative on tea gardens.'[10]

Some weeks after the protest against the wage agreement, described at the beginning of this article, in which the trade union consented to a wage below the statutory minimum wage, I visited Mark, a prominent Adivasi activist who had led the protest that day. We met in his house on a tea plantation. Mark was the son of tea-pluckers; although his father had died some years earlier, his mother still plucked tea. Mark decided to join the Adivasi movement when he was still in school, after he saw media reports about the first large protest of the Adivasi movement in Guwahati, the capital of Assam. During the protest, civilians and police officers had beaten up protesters and had stripped a woman protester naked and harassed her. When Mark saw that 'our people are treated like animals', it became a turning point in his life, he said. Mark became agitated as he spoke, raking his fingers through his moustache. Mark explained why he thought the trade union should not have agreed to the 'illegal' wage agreement:

9 The names of the international NGOs are intentionally not mentioned to keep them anonymous. The founders and leaders of the NGOs were either foreigners or higher caste Hindus.

10 'Garden' is a euphemism for the large-scale capitalist tea plantations of Assam.

> It is stated in our constitution … that the minimum wage for tea labourers should be Rs. 169. The reason for our movement (*āndolan*) is that we should get Rs. 169 … We live in a democracy … It is our right (*adhikār*) to make demands! Our calculation is that one person (*ādmī*) needs at least Rs. 330 per day to live on (*ghar calāne ke lie*). But the lowest wage should be not below the minimum wage!

Mark illustrates in his argument how Adivasi activists applied their newly acquired knowledge about the statutory minimum wage in their movement. Mark called the wage agreement 'illegal' because he considers the minimum wage to be a constitutional right; he sees labourers as being entitled to a minimum wage because they are citizens of India endowed with certain (labour) rights. Mark, like other Adivasi activists, demands the unconditional fulfilment of Indian labour law for tea-plantation labourers in Assam, regardless of the tea industry's capacity to pay.

The wage of Rs. 330 per day that Mark is seeking was suggested by the international NGOs as a 'just wage' – a wage that would enable tea labourers to cover basic expenses like clothing and food as well as additional costs like housing, electricity, education, medical care and an old age pension. The proposed 'just wage', which activists sometimes also referred to as a 'living wage', starts from a needs-based minimum wage. Needs-based minimum wages were drawn up by the Tripartite Committee of the 15th Indian Labour Conference in 1957, which declared that minimum wages in India should be calculated to ensure 'minimum human needs' (Ministry of Labour and Employment 2008).

There is lack of agreement about whether higher cash wages in the Indian tea industry have primarily positive or negative implications. Some regard the elimination of non-monetary compensation in the Indian tea industry as 'a welcome decolonization of agriculture', while others fear consequences such as the 'breakup of both families and social and ethical lifeworlds' (Besky 2017a:628).

On February 26, 2015, the trade union, the ACMS, and the planter's union, the CCPA, came up with a decision on a wage increase that was below the statutory minimum wage and far below the requested living wage. The wage increase was nonetheless historically high. Up until 2014, tea plantation labourers' wages in Assam were increased by just a few rupees per year; after which the increases became bigger: from Rs. 94 in 2014, they jumped to Rs. 115 in 2015; to Rs. 126 in 2016; to Rs. 137 in 2017; and to Rs. 205 in 2021.

Envisioning justice in different ways has complex political and economic implications for Assam tea-plantation labourers. Rather than taking a position on the question of whether higher cash wages in the Indian tea industry will eventually have positive or negative implications on tea labourers in Assam, I want to draw attention to an aspect that has not gained much attention in the ongoing debate: how shifting visions of justice affect tea labourers' categories of identification.

## Shifting Visions of Justice and Tea Labourers' Collective Identification

The shared labour migration history of tea-plantation labourers led to their labelling as 'tea tribes' in Assam, while those who migrated away to the villages surrounding the tea plantations in Assam are called 'ex-tea tribes'. This category gained limited official status when 'Tea Garden and Ex-Tea Garden Tribes' were mentioned in a 1946 memorandum of the Assam government, which defines ex-tea garden tribes as 'descendants of "immigrants who originally came for employment in tea gardens"' (Kikon 2017:320). The term 'tea tribes' appears in official administrative designations such as the Assam government's 'Directorate for Welfare of Tea and Ex-Tea Garden Tribes', or by the denotation of the first interest group for tea labourers, the 'All Assam Tea Tribes Student Association' (AATTSA). The latter group is closely linked to the trade union, ACMS. The term 'tea tribe' does not have the same legal meaning as collective ethnic community designations, such as 'Munda' and 'Oraon', which may be declared eligible for affirmative action. The notion 'tea tribes' also resembles the local notions '*bāgānia*' or '*bāgān ke log,*' which can be literally translated as 'garden people.'

While the terms 'tea tribes' and 'ex-tea tribes' are commonly used, Adivasi activists have resisted being designated as such because they feel the terms are derogatory – not because of the term 'tribe', but because of its combination with 'tea'. Adivasi activists often asked me rhetorically: 'How can a tribe be named after a commodity?' The Adivasi movement has struggled to replace the term 'tea tribe' with 'Adivasi' and to encourage tea labourers to identify as Adivasi rather than with their particular ethnic group. For example, an Adivasi activist from the Khondo community on a tea plantation in Assam commented:

> I do not know what is particular about Khondos. We do not have a Khondo society or common Khondo celebrations [as other ethnic groups have] ... But I am also not interested in preserving the Khondo culture. My sentiment goes toward being Adivasi. If everyone focuses too much on his own separate *jāti*, then there will be a divide, and our Adivasi community will become weak.[11]

The terminological shift from 'tea tribes' or from the names of their constituent ethnic groups (*jātis*) to 'Adivasis' has been an implicit objective of the Adivasi movement from its outset. The common narrative told by Adivasi activists traces the movement's inception back to 1996. In that year, about 250 Adivasis were killed by Bodo extremists in plantations and villages in Lower Assam (West Assam), and more than 200,000 people were expelled from their homes without being properly resettled (Bora 2014).

11 The term *jāti* (literally 'birth'), which is used to describe lineages or endogamous groups in India that are located in hierarchical relation to each other, indicating spiritual (im)purity, is often used interchangeably with the term 'caste' in colloquial language. In the plantation context, both terms were used to denote both Adivasis in general and smaller ethnic groups such as Munda, Oraon or Gwala, despite the fact that incorporating Adivasis into the caste system is highly contested.

The Bodos are the largest Scheduled Tribe in Assam. Bodo extremists attacked Adivasis because Adivasis do not support their claim for an independent state, Bodoland, and because the Bodos oppose Adivasis' claim to ST status due to inter-tribe contestation. Adivasi activists claim that neither the government nor any of the existing interest groups took care of Adivasi victims after the Bodo attack on Adivasis, which is why they decided to form their own movement. One of the Adivasi movement's founders, who was a teacher at that time, recalls the experience of ethnic violence towards Adivasis in 1996 and how this became a turning point in his life:

> In 1996, an ethnic attack took place in Kokrajhar [district in Lower Assam]. It was an ethnic clash between Bodo and Adivasi. When I saw it on TV, my mind was very disturbed. And without permission from my school, I went to Kokrajhar and stayed there for some days … There were thousands of people sleeping on the open roads at night. And it was very painful to see the situation. Because of that scenery, I myself questioned many things, and it was a turning point of my life. Many people say that this has been a turning point for the Adivasi society ... I resigned from school ... I was present at that meeting where AASAA [All Adivasi Students' Association of Assam, the first organization that was established by Adivasi activists on 2 July 1996] was founded. At that time, we were trying to build AASAA to unite our community so that we could fight for our rights. I completely gave up teaching and engaged in building up that organization ... We were forced to form an organization to protest all this injustice to the Adivasi community.

Former organizations working for the welfare of the 'tea tribes', such as the All Assam Tea Tribes Students' Association (AATTSA), commentated critically on the emergence of new interest groups. Ajay, an AATTSA district-level president, commented: 'Nowadays, different organizations have been formed. Before, there were only two organizations [the trade union and AATTSA]. We were working from one platform. What I want to say is that the unity or strength that was there before got weakened.' Ajay said this as an Odia caste Hindu, the group that occupies almost all leadership positions in both AATTSA and the trade union ACMS. Ajay bewails the fact that unity has been disturbed by the emergence of new interest groups. However, although all the 'tea tribes' are included as AATSAA's protégés, only certain people have been able to gain leadership positions in AATTSA and ACMS alike, namely (male) caste Hindus.

Therefore, another Adivasi activist once suggested a further reason why it was important to form an Adivasi movement in Assam. Caste Hindus like the Odia often considered Adivasis to be inferior. Adivasis formed their own movement to provide social upward mobility for their Adivasi leaders, since they would accept only Adivasis into leadership positions.

As the Adivasi movement has gained in popularity, the fuzziness of categories of identification in the emergence of new interest groups with different visions of justice has caused leadership patterns to change. This is a dynamic that is often overlooked in the public debate on Adivasi claims to be recognized as Scheduled Tribes in Assam.

First, it must be kept in mind that the term 'Adivasi' has no legal recognition in India today (Parmar 2016:6). The Indian Constituent Assembly decided to use the term 'Scheduled Tribes' instead of 'Adivasis' when they drafted the Indian Constitution, against the opinion of the Adivasi representative Jaipal Singh, arguing that the term 'Adivasi' would lack legal specificity (ibid:5–6).[12] So although the term 'Adivasi' is an umbrella term designating diverse ethnic groups, it would not be legally possible to acknowledge Adivasis as Scheduled Tribes in Assam. Of the estimated ninety-six 'tribes' who work as labourers on tea plantations in Assam, only twenty-six are listed as Scheduled Tribes elsewhere in India and could therefore be considered for possible designation as Scheduled Tribes in Assam as well (Choudhury 2015).

Second, while Adivasi activists used the terms 'tea tribes', 'tea-plantation labourers' and 'Adivasis' synonymously in the 'public transcript', they differentiated between 'real' and 'false' Adivasis in the 'hidden transcript' (Scott 1990). Only 'real' Adivasis, meaning those who have been acknowledged as Scheduled Tribes in other Indian states, were allowed to take leading positions in the Adivasi movement, even as the Adivasi movement claimed to represent all Adivasis or all tea-plantation labourers (and ex-tea labourers) in Assam. Adivasi activists were playing with the alignment of different ethnic groups under the umbrella term 'Adivasi' in different situations and for different purposes (Eidson et al. 2017:341). This public inclusion and internal exclusion of 'false' Adivasis resembles the way AATTSA and ACMS open up leadership positions to caste Hindus alone, despite claiming to speak on behalf of all tea labourers.

Nevertheless, many people wanted to join the most powerful movement. One Odia said:

> Actually, I am also confused myself about what Adivasi means. Maybe I can say that personally I am Oriya, but in order to access governmental schemes, I have to call myself Adivasi.[13] Formerly, we were 'tea tribes' and there was a Tea and Ex-Tea Tribes Board to access governmental schemes. Now the Adivasi Development Board is established … if I say that I am Oriya, then I will not be acknowledged by the government and I will get nothing. I look forward to an Oriya movement. But since no Oriya movement has started so far, I have to be an Adivasi.

The shift of allegiance from ACMS and AATTSA to the Adivasi movement, together with the fuzzy, overlapping and flexible categories of tea tribes, Adivasis, Scheduled Tribes, tea-plantation labourers, former tea plantation labourers, and so forth, creates

12 Jaipal Singh is important for Adivasi politics in postcolonial India because he fought for his convictions that Adivasis are India's 'original inhabitants', are marginalized by non-Adivasis in India and should be compensated for their historical discrimination (Guha 2008:115). He founded the Adivasi Mahasabha in 1938, which later became the Jharkhand Party, and fought for the establishment of Jharkhand as a separate Adivasi state in India (Guha 2008:267).

13 In 2011, Odiya people and the Oriya language were renamed 'Odia', and the federal state of Orissa was renamed 'Odisha'.

a peculiar dynamic. The trade union ACMS is concerned with tea labourers. It was established at a time when trade union movements and labour movements in India were booming and influential (Ahuja 2020). The Adivasi movement started as an ethnic or indigenous movement, which again resembles global trends (Della Porta and Diani 2006). Social movements with a focus on diverse identity categories, rather than class, started developing from the 1960s onward (Fraser and Honneth 2003). This shift from 'old' to 'new' social movements has been characterized as a shift from class-based 'materialist' claims, as in the trade union movement, to more 'ideological' issues in identity-based movements, which challenged the dominance of the conflict between capital and labour, as well as the homogenous representation of people in classes (Buechler 1995). Indigenous movements with an emphasis on the diversification of identity categories beyond class have increased globally since the 1990s (Della Porta and Diani 2006) and have united across borders in their struggle to fight discrimination against indigenous people worldwide, as manifested in institutions such as the UN Working Group on Indigenous Populations, established in 1982 (Kikon 2017:319).

All the interest groups working for tea-plantation labourers co-constitute a meta-group whose leaders seek to represent the group's interests in particular frames. Pierre Bourdieu has described representation as the 'power to make a new group … by speaking on its behalf as an authorized spokesperson' (Bourdieu 1989:22–23). This 'double representation' – creating a group by speaking on its behalf – shows that representation is always a *Vertreten* ('speaking for') and a *Darstellung* ('as in art or philosophy') (Spivak 1988:275). Different kinds of representation thereby create different mechanisms of inclusion and exclusion. Caste Hindus have occupied most leadership positions in the trade union movement and 'tea tribe' organizations. The Adivasi movement situationally adapted the use of 'strategic essentialism' (Spivak 1988) to convince tea (and ex-tea) labourers to identify as Adivasi while granting only 'true' Adivasis access to leadership positions, and this enabled them to occupy important leadership positions for the first time in tea-plantation history.[14]

## Conclusion

In this article, I have analysed different ideas about just working and living conditions for tea-plantation labourers in Assam, which were prevalent among interest groups working on labourers' behalf during my fieldwork in India between 2014 and 2017. In the shifting political economy of tea production in Assam, in which large-scale

14 Spivak defines strategic essentialism as 'a strategic use of positivist essentialism in a scrupulously visible political interest' (Spivak 1988:205), while Zenker refines it as 'the stance of theoretically rejecting homogenising, reductive and atemporal categories, while politically endorsing them for situated struggles' (Zenker 2016:295).

plantations are increasingly being replaced by small growers, and labour laws and obligations are being de-regulated, the trade union ACMS promoted low cash wages with additional non-monetary benefits to protect the tea-plantation industry from a total collapse. Adivasi activists, who had fought for the acknowledgement of Adivasis as Scheduled Tribes in Assam since the 1990s to make them eligible for affirmative action, have shifted their struggles for justice to the implementation of the statutory minimum wage on tea plantations in Assam, criticizing the trade unions' position as not really working for the welfare of labourers.

Rather than providing a final answer to the question of which idea of justice led to greater socio-political justice for tea labourers, I draw attention to the question of how visions of justice work on labourers' collective identities. I argue, that with the multiplication of ideas of justice – from protecting the old-style plantation economy to promoting affirmative action to fighting for the implementation of statutory minimum wages for tea labourers in Assam – it was not only the better futures the tea labourers envisaged that changed, but also their categories of collective identification. Tea labourers are either seen as 'tea tribes', 'Adivasis' or 'labour rights' subjects' in different regimes of justice. While being used as seemingly identical categories of identification, I contend that the categories were fuzzy and overlapping to a certain extent. The fuzziness allowed these categories to be used differently in different situations.

Adivasi activists promoted the replacement of the term 'tea tribes' with 'Adivasis', seemingly subsuming a large and inclusive group of people. However, in their hidden transcript, Adivasis differentiated between 'real' Adivasis and 'false' Adivasis to decide who is eligible for leadership positions in the Adivasi movement. Their situational adaptation of strategic essentialism resembles earlier strategies by the trade union movement that claimed to represent all 'tea tribes', but allowed only the caste-Hindus among them to gain leadership positions in the trade union.

The Adivasi movement diversified leadership patterns in Assam, although other diversifications (especially involving gender) are yet to come.

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