



The 'Goan Impasse'

Land Rights and Resistance to SEZs in Goa, India

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Abstract

This paper contextualizes conflicts over land grabs for industry, infrastructure and urbanization in emerging economies. A slew of policy measures undergird such land deals in India but have met successful resistance from peasants and citizens groups. In Goa, resistance led to the revocation of the state's Special Economic Zone (SEZ) policy with cancellation of all approved SEZs, many of them developed by prominent realty firms. As battle over three SEZs continues in the Supreme Court of India, there is hope that commons will be returned to local communities. However there is an impasse on the ground that begs resolution if the gains over SEZs in Goa are to be secured. The Goan Impasse needs to be broken with egalitarian and ecologically appropriate rights to land- and resource-use for all that counter existing inequalities. This requires programmatic social movements fundamentally reconstituting from below relationships around and to land and resources.

About the Author

Preeti Sampat is a doctoral candidate in Anthropology at the Graduate Center, CUNY. Her research focuses on land rights and conflicts over land and resources with respect to infrastructure and urbanization policy in India. Tracing the legal genesis of the Special Economic Zones Act 2005, it examines successful resistance to SEZs in Goa and discusses contemporary accumulation processes; social movements; democracy; development; negotiations over the rule of law; and implications for relationships around and to land and resources.

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"...if so many people come to this land it will be polluted and our environment destroyed... We have small plots of land, if they get destroyed, where will we go? Put it up anywhere else, but not on our lands. Our cattle get fodder from that land, where will we go if a project comes there? Night and day, we left our meals and affairs and took a lot of trouble to oppose the project. ...if we give up this land, where will we go?"

Chinu Gawde of Kerim, peasant in her seventies and veteran protestor in the Nylon 6,6 and SEZ agitations, interview July 5, 2012; translated from Konkani

On December 31 2007 the Chief Minister (CM) of Goa state in India, Digambar Kamat, facing tremendous pressure from peasants and citizens groups opposing Special Economic Zones (SEZs), announced "a new year's gift to the people of Goa," scrapping all approved SEZs in the state. As the Government of India (GoI; federal) declined to honor this decision for three SEZs that had already been 'notified,'¹ Kamat declared that SEZ developers in Goa could go ahead "at their own risk." Soon after, the Government of Goa (GoG) issued show-cause notices to SEZ developers demanding why their land allotments should not be cancelled. This took the conflict to the courts—five developers challenged the GoG's decision and anti-SEZ campaigners demanded accountability (punitive action) for irregularities in the SEZs approval and land-allotment processes. The court upheld the GoG's decision and took note of procedural irregularities but stopped short of punishing responsible officials at the High Court of Bombay at Goa.² The developers then appealed against the High Court ruling in the Supreme Court (SC) of India and anti-SEZ campaigners appealed the SC for accountability. The matter is currently sub judice with the official status of the five SEZs and lands allotted to them unresolved. Until such time as the SC pronounces its verdict, there is an 'impasse' on the ground.

It is widely recognized by politicians, bureaucrats and citizens groups however, that this impasse is more in the nature of legal procedure, as politically it seems unlikely that SEZs will be reestablished in the state. De facto, the lands are under the watch and use of the local communities since 2007. Even before the CM's announcement scrapping SEZs, villagers threw out the construction crew in two SEZs where construction had begun and would not let company personnel enter the premises. In Kerim village at the time of fieldwork in 2012-13, *dhangars*³ freely grazed their cattle on the 'SEZ lands.'

How did this significant 'reversal of power' come about in Goa? How was the alliance between the state and capital over SEZs sundered? What historical, political, economic and cultural specificities and strategies led to the success of the anti-SEZ campaign in Goa? Can peasant and citizens' resistance effectively prevent and overturn capitalist accumulation through land and resource grabs in India today? What are the implications of the 'Goan Impasse' for 'rights to land- and resource-use for all'⁴ in Goa, and by extension in India? These questions form the fulcrum around which the arguments in this paper are organized.

¹ SEZs are recommended by state governments but given final approval by an inter-ministerial Board of Approval presided by the central Ministry of Commerce and Industry.

² Goa does not have its own state High Court but has a dedicated bench of the High Court of Bombay.

³ Dhangars are a pastoral indigenous community that were nomadic but are now settled in different states in India.

⁴ Thanks are due to Albertina Almeida for helping frame this as use rights. I have used this phrase earlier to refer to contextualized, ecologically appropriate and egalitarian land- and resource-use rights that counter prevailing caste, community, gender and class inequalities. Thus, contextualized use rights in indigenous areas could be collectively held but in caste-based communities these may need to be individualized to counter caste-based marginalization (Sampat 2013; see also Borras and Franco 2010 for pro-poor land reforms).

The first section begins with an overview of issues around SEZs in India, locating them in contemporary global land-grab processes; it then introduces the resistance to SEZs in Goa and what I call the 'Goan Impasse,' and contextualizes the emergence of Goa's anti-SEZ campaign in the state's vibrant living history of environmental activism. The second section offers an account of the development of the anti-SEZ campaign, specifically by what came to be the SEZ Virodhi Manch (SVM; Anti-SEZ Front), a dynamic 'alliance of forces' across caste, class, gender and community⁵ difference that proved critical to the campaign.⁶ It then analyzes the factors enabling the campaign's success. The final section discusses likely resolutions for the Goan Impasse and possibilities for rights to land and resource-use for all in the wake of the anti-SEZ campaign. The ethnographic and archival materials used in this account were collected during five months of fieldwork from January 2012 to January 2013 in Kerim, Verna and Loutolim⁷ villages and Panjim (capital of Goa) and Margao cities.

1 Contextualizing the Conflict over SEZs

1.1 Land-grabs for Industrialization, Infrastructure Development and Urbanization

In 'emerging' economies, land-grabs by domestic capital for industry, infrastructure and real estate form predominant contemporary 'capitalism-facilitating accumulation'⁸ strategies. Much of the land-grab literature in recent years largely focuses on land-grabs for agriculture by global capital (White et al. 2012; Margulis et al. 2013; Borrás et al. 2013). Land and resource grabs by domestic capital (that is often also transnational⁹ and in competition with other transnational capital), for industrialization, infrastructure development and urbanization have received inadequate attention (see Walker 2006 and Levien 2012 for exceptions). In India, concerted policy emphasis aiding such land and resource grabs is most recently exemplified in the new land acquisition bill¹⁰ that considers all manner of investment in industry, infrastructure and townships 'public purpose,' suitable for forcible acquisition of land and resources. A slew of measures like the National Manufacturing Policy 2011, Public Private Partnerships Policy 2011, Petroleum Chemical and Petrochemical Investment Regions 2007, SEZ Act 2005, undergird this emphasis. At the same time, other Market Led Agrarian Reforms (Borrás and Franco 2010) like the Land Titling Bill 2013 promote regularization of land holdings to facilitate market transactions. Official data reveal that from 2007-11, the area of cultivable land in India has shrunk by 790,000 hectares, largely attributed to diversion for non-agricultural purposes like construction, industries and other development activities (Mohan 2013). A recent committee on Land Reforms appointed by the GoI has in fact decried growing corporate 'investment' in indigenous areas 'as the biggest land grab of tribal lands since Columbus' (GoI 2009). Transfer of land and resources by force or market transactions towards industry, infrastructure and urbanization thus, and conflicts over such transfer, have seen phenomenal rise in recent years (see Banerjee-Guha 2008; Levien 2012; Podur 2013; Chakravorty 2013; Sampat 2013, 2010).

⁵ Community refers to indigenous as well as religious communities.

⁶ While I focus on the SVM, the anti-SEZ environment in the state was also fueled by the activities of the Goa Movement Against SEZs (GMAS) and the Hindu-nationalist Bhartiya Janata Party (BJP) that was then the opposition party in the state (discussed later in the paper).

⁷ As construction had not begun in Sancoale's Peninsula SEZ, it was not a locus of public agitation although residents of villages around the SEZ actively participated in the anti-SEZ campaign.

⁸ Adnan (2013) offers this as a generic concept that takes into account transnational, domestic and local processes of primitive accumulation and accumulation by dispossession (distinguished as distinct phases of capital accumulation) through a variety of direct and indirect mechanisms and institutions.

⁹ Land Matrix data show that 1,289,000 hectares have been acquired via long-term lease or ownership in 39 deals by Indian companies, primarily for agriculture in Africa and Asia (Rebello 2013; see also Grain 2008).

¹⁰ The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Bill 2013 was passed by the Indian Parliament in September 2013.

The SEZ Act 2005 sought to establish export-led enclaves for a comprehensive range of economic activities including manufacturing, services, agriculture and mining with 'state-of-the-art' infrastructure and urban amenities. Domestic capital invested enthusiastically in SEZs despite the 'global financial crisis' and between 2008 and 2011, the number of SEZs formally approved by the GoI nearly doubled from 404 to 747 (GoI 2011), given the relative insulation of the Indian economy from the crisis.¹¹ However, SEZs attained notoriety across India in two years of enactment. By 2007, forcible acquisition of land for SEZs in West Bengal, Maharashtra, Goa, Karnataka, Orissa and other states met fierce resistance from peasants and citizens groups, and state governments responded variously with violent repression, tactical reversal and/or negotiations.

SEZs in India were not just another development model of export-led economic growth in 'exceptional' zones, but a fundamental reconstitution of the social relations around (in ownership and use entitlement) and to (in actual uses they are put to) land and resources (cf. Escobar 2008). In their scale and scope, and the broader field of policy contextualizing them, they formed normative models of development; the 'exceptional' terminology at best misplaced and at least misleading.

A number of approved SEZs were near metropolitan areas with real estate stakes. Given that only 50% of the SEZ land was required to be used for economic activities (initially 25% but later increased on account of controversy), the rest could be used for social infrastructure including residential complexes, malls and golf-courses. SEZs attracted developers who sought to acquire land cheaply from the government to 'develop' and sell at high premium, and were roundly criticized as real estate grabs (see CPI (M) 2006; Basu 2007; Banerjee-Guha 2008; CAG 2008; Gopalakrishnan and Shrivastava 2008; Kale 2008; Sampat 2008; Levien 2012). In Goa too, SEZs were perceived as real estate scams in Goa's growing real estate market, since many SEZs developers were prominent realty firms.

As unrest simmered, the Board of Approval (BoA) for SEZs in a letter to all states as early as April 2007¹² retracted forcible acquisition for SEZs however, instructing: "The State Governments would not undertake any compulsory acquisition of land for setting up of the SEZs. BoA will not approve any SEZs where the State Governments have carried out or propose to carry out compulsory acquisition of land for such SEZs after 5th April 2007" (copy of letter obtained through RTI application¹³). This was a significant reversal, albeit under-celebrated by peasants and citizens groups opposing SEZs who in all likelihood were not even aware of it at the time. Of course, the onus for ensuring that no forcible acquisition was undertaken for SEZs was left to state governments with no clear procedure for establishing violations. By the time the anti-SEZ agitation coalesced in 2007 in Goa however, fresh forcible land acquisition for SEZs was legally untenable. This not only reflected the vitiated environment for SEZs in the country at the time but also the scale of popular pressure that state and central governments were facing vis-à-vis SEZs.

Plagued with controversy, one of the most ambitious land and resource transfer schemes undertaken by the GoI in recent years, SEZs today are on the policy backburner. Scrutiny of the meeting minutes of the BoA for SEZs show growing requests for denotification or extension of validity period from developers unable to acquire desired land. Resistance to land acquisition,

¹¹ A combination of monetary policy, expanding domestic market and capital and a mixed-bag of stimulus and welfare entitlements like the rural employment guarantee program helped insulate the Indian economy from 2008-11 (see Subbarao 2009; UNDP 2011).

¹² This letter was later backed up by a circular to all states in October 2009.

¹³ The use of the Right to Information (RTI) Act 2005 was significant in obtaining information, catalyzing resistance and challenging SEZs both on the streets and in the courts. The provisions of this act have also significantly enabled research on these issues and I have also obtained relevant documents through its provisions.

recently introduced taxes by the Ministry of Finance and the global economic slowdown have considerably derailed the model (see Mohanty 2010; Indian Express 2012; ET 2013).¹⁴ Today the number of formally approved SEZs stands at 588 on account of denotifications (GoI 2013).

1.2 The Goan Impasse

In Goa, 15 SEZs were given in-principle approval in 2006-07. Of these, seven received the GoI's formal approval (stage before notification) by 2007; five in the Verna Industrial Estate (VIE), one in the Sancoale Industrial Estate (SIE) and one on the Bhutkhamb plateau. Together, they were expected to attract investment worth approximately \$1048 million and generate 242,000 jobs over five years (GoG 2007). A total of 613.41 acres were allotted to the five SEZs in VIE; 50 acres at SIE; and 304 acres at Bhutkhamb, from commons *previously acquired* by the Goa Industrial Development Corporation (GIDC) from *Comunidades*¹⁵ by using the power of eminent domain. As such, they were not directly displacing people and villages. While fresh acquisition of 1548.44 acres was initiated for four other proposed SEZs, final allotments for them never took place (Da Silva forthcoming). Towards the end of 2007, three of the seven formally approved SEZs had received final notification from the GoI: K. Raheja SEZ in the VIE over 263.51 acres; Peninsula Pharma SEZ in the SIE over 50 acres; and Meditab SEZ on the Bhutkhamb plateau over 304 acres.¹⁶ Construction had begun on two, K. Raheja and Meditab. Together the three were to generate 105,000 jobs in five years.

The anti-SEZ agitation in Goa was overwhelmingly a response to what came to be considered a land and resource (largely water) grab for real estate and industry. The GoG was seen as *arbitrarily* and *illegally* handing over local land and resources to developers for profit from industry and residential colonies for rich metropolitans. But it was not just the 'terms of inclusion' or exclusion (cf. White et al. 2012) of the people impacted by SEZs that constituted the heart of contention; SEZs were perceived as adversely impacting existing local livelihoods and relationships with land and resources. The anti-SEZ agitation was principally against the use that the land was being put to, against *anticipated dispossession* in the backdrop of accumulation processes already underway in the state.

¹⁴ However, the uninhibited scale of SEZs is now replaced with National Manufacturing and Investment Zones or Special Investment Regions with integrated townships in industrial corridors that are emergent sites of resistance and conflict (see Thakkar 2013; Indian Express 2013; ToI 2013).

¹⁵ Traditionally *gaonkars* were considered the original inhabitants of a village with collective ownership of the lands and resources, leased for cultivation to 'users' through auctions. The income from auctions was equitably distributed among the *gaonkari* and the land could not be sold, nor converted for non-agricultural purposes. A share-holding system incorporated non-*gaonkars*. The *gaonkari* assigned fishing and market zones to fisherfolk, lands to washermen, barbers and gravediggers; zones for crematoriums, housing and agriculture; and were responsible for the protection of fields, bunds, sluice gates and other structures, building and maintaining village temples and later churches. The Portuguese retained and codified this system legally in the form of the *Comunidades*. Anti-caste activists point out that Dalits, so-called "lower" caste and indigenous communities and women were not members of the *Comunidade* and whether traditional *gaonkaris* are more egalitarian is disputed. At present at least in some villages like Loutolim and Verna, Scheduled Tribe members and women have shares in *Comunidade* lands and resources depending on their economic ability to buy shares. Lands and resources held by *Comunidades* have reduced considerably since 1961 with rising incidence of privately owned fields, forests and orchards. The British colonial legacy of eminent domain has superseded *Comunidades* and has also been exercised to acquire land for 'public purpose' including industrial estates (see Sridhar 2010).

¹⁶ K. Raheja and Peninsula are both realty companies with established projects in several Indian cities. Cipla's company profile describes it as one of the largest Indian exporters of pharmaceutical products with "a strong presence" in over 170 countries, with strategic alliances and arrangements for product registration, development and distribution, and technological consultancy particularly in the U.S. and Europe (see <http://www.krahejacorp.com/index-2.html>; <http://peninsula.co.in>; <http://www.cipla.com>).

As residents around SEZ areas discovered their implications for local livelihoods, resources, environment and infrastructure, they connected with each other and activists from existing campaigns. The state-wide anti-SEZ campaign comprised peasants, professionals, politicians, media persons, lawyers and other interested persons who demonstrated on the streets, negotiated with government representatives and took legal action. Many became politicized in the course of the agitation, at once rights-bearing citizens asserting claims over the 'rule of law' and 'vocal' members of local communities. Goa's rich history of environmental activism played a major role in forging a broad alliance of social forces. Indigenous religious values and practices for nature worship and conservation fueled environmental concerns. Existing stresses on the environment, infrastructure, resources and agriculture caused by tourism, mining, industry and real estate fomented anti-SEZ sentiment. Given Goa's history as a Portuguese colony until 1961 and its accession to India through military action, the mobilization of the 'Goan identity'¹⁷ based on local relationships to land and resources became an important frame against SEZs. Information obtained by activists regarding irregularities in approval and land allotment procedures for SEZs fueled public ire. Goa's small size, with its total area of about 1,429 square miles and population of 1.46 million, enabled mobilization for public action at fairly short notice. Opposition political parties' mobilization against SEZs led to a state of political contingency with electoral implications for the ruling Congress Party then in power. Forging a broad alliance of social forces, the agitation quickly gained momentum in eight months, successfully sundering the state-capital alliance over SEZs and reshaping the rule of law in the ferment of dissent.

The 'Goan Impasse' over SEZs however, is not just an impasse for capital, domestic or otherwise; nor is it only an impasse for state policy promoting capital. While it establishes the role of 'the state' as contested space working on behalf of particular social forces at particular conjunctures (cf. Abrams 1982), the Goan Impasse represents a deeper historical impasse over securing 'rights to land- and resource-use for all' confronting peasants and citizens groups resisting dispossession in Goa, and elsewhere. Closer reading of the ethnographic material suggests that the resolution of this impasse requires a renewed political commitment to locally ecologically appropriate, egalitarian and democratically determined development processes. It requires an alliance of social forces that can *mandate the state* to secure rights to land- and resource-use for all. The Goan Impasse thus opens the possibilities for fundamental reconstitution of relations around and to land and resources.

To illustrate, one overcast monsoon afternoon in 2012 I joined artist Dilesh Hazare of Kerim, whose lush watercolors evoke his verdant Western Ghat¹⁸ surroundings, on a tour of historical, religious and spiritual places of significance in the area around the Bhutkhamb plateau. When we reached the entrance of the now under litigation Meditab SEZ, fenced with over 10-foot high barbed wire cut in several places, it was early evening. We saw cattle grazing on the fenced-in land. As I stopped to click photographs, a woman carrying a headload of fuelwood made her way out from the 'SEZ land' through one of the cuts in the fence, with her herd of about 50-60 goats and sheep. As they came through, I called out a greeting to find out more. During the course of our conversation, Salu Kodekar, in her mid fifties, revealed that she grazed her cattle on the plateau everyday. When I asked her about the SEZ, she added: "...I have goats and cows, we have taken our animals to the plateau for grazing from the beginning... we will only allow a factory to come up on the land if it gives something to us, gives us jobs, I don't have any other land to take the animals... my knees hurt

¹⁷ A Portuguese colony for 451 years, Goa's transition as Indian territory by the Indian military (that then ruled the state for six months) was controversial, with allegations of Indian imperialism. In 1967, amid unrest, an Opinion Poll was conducted by the Gol on Goa's merger with Maharashtra. A majority of Goans voted against the merger, consolidating Goa's status as a distinct political entity, albeit within the Indian union. Debates around the Opinion Poll articulated and mobilized a distinct 'Goan identity' and brought together sections of the Hindu and Catholic populations threatened by a merger with Maharashtra (Rubinoff 1992).

¹⁸ Geographically, Goa lies between the Western Ghats mountain range and the Arabian Sea.

but this is my livelihood, I have to take the animals to graze for my stomach..." (interview July 7, 2012; translated from Konkani). About 50 meters from where we talked, just across the road from the SEZ entrance, lay the *samadhi* (square stone memorial typically six feet across) dedicated to Nilesh Naik, Scheduled Tribe¹⁹ (ST) youth from Kerim 'martyred' in a police confrontation over the successful Nylon 6,6 agitation in 1995 for the same plateau against a project of the transnational Du Pont (see discussion below).

The settlement around the *samadhi* is a *dhangar* settlement. Given their pastoral origins, *dhangars* are not originally from Goa but some families settled here in the 1960s. *Dhangars* are typically not land owners and have no shares in *Comunidades*, generally subsisting as peasants and workers. Calls for a Goan identity may or may not resonate with equal valence for them as for others with deeper ancestral roots in the area. But they, along with other local communities, have clear stake in the local commons and political economy.

Salu Kodekar and Nilesh Naik in many respects are at the crux of the Goan Impasse, mediated as it is by caste, community, gender and class inequalities. What happens to the SEZ lands once the SC verdict is out—to what end these lands and water resources are used and controlled and by whom—will reveal possibilities of the gains made over SEZs. Can the anti-SEZ agitation facilitate the possibilities for programmatic social movements with ecologically appropriate egalitarian agendas that actively counter existing inequalities? Unless this deeper resolution is attained, the conflict over SEZs may return in another form, pitting the forces of capital, state and peasants and citizens in standoff, yet again. That evening, as Hazare and I turned a bend a few hundred meters from Bhutkhamb, in the valley to our right lay a massive mound of upturned loose black earth, waste from iron ore mines dumped unceremoniously, calling witness to the implications of another resolution of the Goan Impasse.

1.3 A Living History of Environmental Activism

Goa has a tropical moist climate and is marked by three broad types of physical divisions: the Western Ghats mountain range, the midland plateaus and the coastal areas. Nine river systems flow through the state, of which the river Sal originates in the Verna plateau. Each physical area has its own ecological and cultural characteristics impacting local political economies.

Extensive laterization with rich iron oxides that give Goan soil its deep red color have turned the state's mountainous region into a controversial mining belt. Rampant illegal and ecologically destructive mining has destroyed many water sources and adversely impacted agriculture. Diligent litigation by environmental activists, reports of judicial commissions and inquiries however, have resulted in suspending all mining operations in Goa since 2012 until all operations are comprehensively investigated.

Along the coast, tourism has been the economic mainstay. Policy frequently reflects the interests of pressure groups with government machinery rewarded for non-enforcement or misinterpretation of rules (Alvares 2002). Violations of regulations for coastal zones, building height, untreated sewage release in the sea and extraction of groundwater causing salination of aquifers are frequent. Given returns from tourism, sand dunes are denuded or razed for unhindered views; khazan²⁰ lands

¹⁹ Scheduled Tribes (STs) are indigenous communities notified in the Constitution of India and recognized as historically oppressed by dominant Hindu upper castes and non-Hindu communities. In Goa, as elsewhere, STs are predominantly peasants and among the state's poorest communities.

²⁰ Khazan lands are low-lying coastal lands reclaimed from marshy mangroves by constructing dykes and sluice-gates. Khazans are collectively used for salt pans, rice cultivation and prawn farms.

neglected; and land increasingly converted for beachfront hotels, beach shacks, restaurants and other entertainment activities (Alvares 2002; Kazi and Siqueira 2006).

The midland plateaus are traditionally used as grazing lands and form rich catchment areas for water, their laterite caps acting like sponges to store water and forming abundant sources for agriculture in the valleys and plains around them. The state's 21 industrial estates are atop and around several officially "barren" plateau lands acquired by the GIDC from *Comunidades* and have been the source of much grievance and agitation.

Traditionally, Goan villages have congregated either in the plains, the undersides of plateaus or the coastal stretches, with no settlements atop the plateaus and sparse settlements in the mountainous Ghats (Alvares 2002). Goa's rich history of environmental activism has thus typically unfolded along the plains, plateaus and coastal stretches of the state. Earlier agitations coalesced around Zuari Agro Chemicals in Sancoale in the 1980s; the Konkan Railway agitation along coastal areas from the late 1980s—early 1990s; the Nylon 6,6, agitation against the Du Pont plant in Bhutkhamb plateau from the late 1980s—early 1990s; the Meta-Strips agitation in the late 1990s near Verna Plateau; and the state-wide Regional Plan (RP) 2011 agitation in 2006. Numerous smaller local actions and legal activism by concerned individuals and citizens groups in villages are also common. I briefly discuss below the agitations against Nylon 6,6, Matastrips and the RP 2011, as these have close historical bearing on the anti-SEZ agitation.

Nylon 6,6: Bhutkhamb plateau near Kerim village (where the notified Meditab SEZ was to come up) is traditionally used for grazing and has local religious significance as each community has designated areas of worship on it. The plateau serves as a water catchment area for the many groves and farms around it. In the late 1980s, the GIDC acquired land on the plateau for Du Pont, a transnational corporation collaborating with the Indian business house of Thapars to produce Nylon 6,6. Made of two highly hazardous chemicals (adipic acid and Hexamethylenediamine), the Nylon 6,6 plant was officially declared a pollution free industry. Local residents discovered the industry's environmental hazards gradually and organized what catalyzed into a long drawn out agitation spanning several years. The final showdown came in 1995 when the police opened fired at protesters and one ST youth, Nilesh Naik from Kerim (whose *Samadhi* lies across Bhutkhamb today), was killed. In retaliation, protestors beat up the police, stripping some and chasing others into the woods. They then proceeded to the company's office in nearby Ponda town and burnt everything they could find, including cash. In the wake of the agitation, Thapar-Du Pont found no relief even in the courts that refused to extend police protection or issue restraint orders against protesters on account of its pollution generating potential. The company eventually shut shop and relocated to Tamil Nadu state (see Alvares 2002; Sadhle 2000). This significant living history fundamentally shaped the relationship between the plateau and local residents. While a largely younger generation of activists fought against SEZs, veteran protestors from the Du Pont agitation also supported the campaign.

Meta-Strips: The Meta-Strips agitation of the late 1990s involved residents around the Sancoale plateau (where the notified Peninsula SEZ was to come up). Meta-Strips sought to process scrap imported from Europe for export of valuable metals back to Europe, disposing the waste in Goa. The project got GoG's clearance in 1996 in a record six days. While an Environmental Impact Assessment was conducted to preempt opposition, it obfuscated potential hazards of the industry that included unacceptable levels of toxic and carcinogenic metal fumes and groundwater pollution (Alvares 2002). Residents from surrounding villages, including some near the Verna plateau (given Sancoale and Verna are 10 kilometers apart), organized a campaign in the late 1990s. Road blockades and sit-ins met with police repression, several activists were seriously injured, some became disabled and one policeman died. Meta-Strips booked cases against activists in different states to harass them. By May 2000, with intense agitation on the streets, and the company's electricity and water supply cut,

the High Court refused to entertain the company's applications for continued electricity and water supply citing environmental concerns. The GoG finally ordered the plant shut and constituted an expert committee that confirmed the project's environmental hazards but did not recommend closure, suggesting instead costly investment in pollution control. The plant operates today but its production is drastically reduced and it has had to invest heavily in pollution control technology (Alvares 2002).

Regional Plan 2011:²¹ The more recent state-wide anti-RP 2011 agitation in 2006 was spearheaded by the Goa Bachao Abhiyan (GBA; Save Goa Campaign) and foregrounded the concerns with growing real estate pressures in Goa. Tourism and migration (both intra-state and from other states caused by Goa's generally high human development indicators; PTI 2011) have put Goa on the real estate map and are exerting a pull on agricultural land, commons and forests. The phenomenon of 'second homes' or 'holiday homes' of rich metropolitans who come to Goa for vacations and lock their properties for most of the year is seen to drive property prices beyond local affordability.²²

Thus, when a resident of the popular tourist village Baga noticed construction on a local hill in 2006 and made inquiries, he discovered that the entire hill was demarcated as "settlement" area (with permission for real estate development) in the final RP 2011 released earlier that year, whereas it was in reality a "green" area (forest, agriculture or otherwise non-settlement). As he studied the plan along with an architect, they discovered that a large extent of green area was being shown as settlement and raised the issue in village meetings. As news regarding these conversions spread, concerned residents of various villages undertook studies. The studies revealed that many mangroves, coastal regulation zones and fields were shown as settlements in the final RP. After an initial meeting of a heterogeneous group of professionals, non-profits and interested persons, several public meetings were organized. These culminated in a huge meeting in Panjim of about 10,000 people, and a subsequent protest at Margao demanding cancellation of RP 2011. On Republic Day in January 2007 several *gram sabhas* (village assemblies) took resolutions to scrap the RP 2011. The GoG, under considerable public pressure with elections later that year, soon buckled and denotified the RP 2011 by February 2007.

The Congress government was reelected to power that year and constituted a 'task force' with representatives from the RP agitation to design a methodology for drafting a new RP, changing its mandate later to drafting a new RP 2021. Resident committees from various villages undertook detailed geographic and demographic mapping exercises to determine locally desirable environmentally and socially appropriate development for submission to the RP 2021. In its final release in October 2011 however, the RP 2021 disregarded many of these recommendations, fueling controversy yet again. For a combination of reasons including the SEZ agitation, the opposition Hindu-right Bhartiya Janata Party (BJP) subsequently came to power in Goa in 2012 and review of the RP process was an important part of its election manifesto. The RP process was set aside however, as controversy over rampant mining absorbed state affairs from September 2012.

Each of these struggles uncovered not just official disregard of the destruction of the environment and traditional livelihood bases in favor of capital but also a corrupt system that enabled state and private actors to violate laws with impunity. Importantly, *land and resource grabs for capitalism-facilitating accumulation form a historical trajectory of development and resistance in Goa.*²³ The impact of industrial pollution and real estate on the local environment, resources, agriculture and

²¹ This account is largely constructed from interviews with activists from the GBA (also see <http://www.savegoa.com>).

²² A recent report puts the number of such houses at 21.8 percent of the total houses in Goa (Firstpost 2013).

²³ Newman (1984) points out that under Portuguese rule social structures in Goa remained more or less the same and its transformation into a bourgeois capitalist society began post 1961.

infrastructure were thus already areas of concern in Goa, including in some areas where the SEZs were to come up. Additionally, these struggles largely emerged in the more populated hence electorally significant plateau and coastal regions, laying historical grounds for often successful negotiations with the state. Its important to note that a mixed social base of caste, class, gender and community identities²⁴ has been a historical feature of environmental struggles in Goa that defies their categorization as 'environmentalism of the poor' (Guha and Martinez-Alier 1997). Protesters in these struggles were professionals and peasants; educated, semi-literate and nonliterate people. While livelihood concerns flowing from environmental and infrastructure stresses formed significant cause for agitation, identities and relationships around land and resources also formed important refrains for organization. Historically shaped protest and repression repertoires over capitalism-facilitating accumulation by social movements and the state respectively (cf. Edelman 1999; Leon and Edelman forthcoming), fostered a culture of environmental vigilance among Goans with an abiding if implicit impact on the SEZ agitation. *Any analysis of social movements in Goa must be contextualized in this dynamic living history of citizen-state negotiations over industry, development, agrarian livelihoods and the environment.*

For the SEZ agitation it is important to note that the Congress Party came back to power in 2007 with the experience of the state-wide RP 2011 agitation fresh behind it. By the time the SEZ agitation coalesced later that same year it was likely not in a position to politically withstand another state-wide agitation's momentum.

2 Amka Naka SEZ! Amka Zai PEZ! The Anti-SEZ Agitation

We don't want SEZ! We want PEZ²⁵!

"we had planned to take... ordinary dharna [sit-in] outside the police station. Means assemble at Azad Maidan [public park in Panjim]. We had a crowd which came from everywhere. Kerim was very supportive, Verna, Sancoale also, Loutolim... We made placards... we were supposed to have a silent march... we came out from the Azad Maidan, we crossed the street, we came to the police headquarters and we were supposed to stand out and you know, put those placards... then, we just started moving... we just walked towards the gate, the gate was open, we expected them to close or come and stop us... nothing happened, we just proceeded... we walked inside, the crowd followed. Inside we are scared and we were worried something may happen to us... they might lathi-charge [baton-charge] or something... but the crowd just moved in... 100-150 people... they wanted to arrest us... but we put the ladies in front, the Kerim ladies in front and the way they shouted... I'm sorry to say we abused the Goa police over there... we shouted... Goa police chor hai! [Goa police are thieves!]... We went to that extent, in the police headquarters, and the first time in the history of Goa... Next day it was headlines..."

Charles Fernandes, SVM Convener and small-scale businessman from Loutolim, interview June 22, 2012.²⁶

The following account of the anti-SEZ campaign in Goa is predominantly from the perspective of SVM members. The anti-SEZ agitation brought together people across religious, caste, community, class and gender differences and hierarchies, pooling their different strengths to wage the struggle against SEZs on the streets and in the courts. Like other agitations, the anti-SEZ campaign comprised

²⁴ This should not be read as 'exonerating' hierarchies in the context of social movements, nor as diminishing the extremely necessary and important work of gender-, caste- and other community-based mobilizations for equity and justice.

²⁵ Pez is rice gruel in Konkani but as an acronym here also doubles as Peoples' Economic Zones.

²⁶ When quoting my interview respondents verbatim in the paper I have deliberately avoided using the indicator 'sic' to resist privileging standardized English over local parlance.

men and women; professionals and peasants;²⁷ educated, semi-literate and nonliterate people; Catholics from Scheduled Tribes,²⁸ mixed-caste or Brahmin communities; Hindus from various castes; and unconverted Scheduled Tribes.²⁹ Many of the protesters and organizers at the frontline were women. Six of the approved SEZs, including the notified K. Raheja and Peninsula SEZs, were to come up in Salcete *taluka* (administrative block) in South Goa district, with the largest Christian population (57.4 percent, GoI 2001). The notified Meditab SEZ was to come up in Ponda *taluka* of North Goa district which has a high Hindu population (84.9 percent, GoI 2001). As a result the cultural idioms and repertoires that found resonance among activists from the two *talukas* also differed. In the narrative that follows I use the terms protesters, campaigners and local residents interchangeably but reserve the term activist for key organizers. However, it was over the course of the agitation that many of the local residents became politicized and evolved into key activists of the campaign.

2.1 Loutolim, Verna and the Villages around the Verna Plateau³⁰

In the spring of 2007 Franky Monteiro, a small-scale builder from Loutolim and currently President of the Loutolim *Comunidade* got wind that a Twenty-point Program³¹ (TPP) was approved by the GIDC on land acquired from Loutolim and Verna *Comunidades*. He filed an RTI application for more information. As the documents provided seemed inadequate, he requested an inspection of relevant documents. It was during the inspection that he says: "...I found this minutes of the 287 meeting of the [GIDC] board of 19th April [2006] which showed land being given for SEZ companies to the tune of around 22 lakhs of sq. mts., four companies, and it said it was for SEZs. Now to me at that time, SEZ, I did not even know what was SEZs... It seemed to be a very nice word, like Special Economic Zones. So... then I said let's just find out what is SEZ..." (interview January 5, 2012). Monteiro first obtained relevant information, "...which company had asked [for] what, what was the date of the minutes, everything." Figuring project details he said, he was shaken: "...I saw that they were supposed to be declared as autonomous bodies, out of the control of the local bodies as well as the state government. There were... no revenue for the local government where it was all supposed to be export-oriented... and they were supposed to be given uninterrupted water... and power supply, they were supposed to be having their own law and order... I said... this cannot happen here. I thought like if five SEZs, means there will be five enclosures doing whatever they want in there... and then... SEZs included commercial units, recreational centers, hotels, resorts everything. So I said this

²⁷ ST and Scheduled Caste (SC; formerly deemed 'untouchable') communities are often landless peasants tending the lands of upper caste Catholics and Hindus and/or have small holdings. Depending on their class status in some villages, they may however purchase shares in a *Comunidade* for cultivating rice, tending coconut and arecanut groves, growing fruits and vegetables, producing coconut oil and farming prawns and other shellfish. According to a GoG (2004) survey, 20.39 percent of ST heads of households are cultivators and 18.46 percent are agricultural labourers, making them significantly agricultural communities. ST communities are 12 percent of the state's population (including 36.58 percent ST Christians) while SC communities are 1.8 percent.

²⁸ Depending on a Catholic person's locality of origin, their "original" caste can be determined and often though not always corresponds with their socio-economic status such that the Brahmin and upper caste Christian converts are generally better off than SC and ST Christians.

²⁹ The caste and community affiliations of the individuals mentioned in this narrative are not disclosed to protect cultural sensitivities but needless to say, form major axes of political economic and social inequality.

³⁰ While I interviewed Anti-SEZ campaign members around Sancoale, the bulk of my fieldwork was conducted around the Verna and Bhutkhamb plateaus.

³¹ The TPP is a contentious poverty alleviation scheme as the GoG has used *Comunidade* lands for housing low-wage workers from other states in slum-like conditions near industrial estates. Immigrant workers often form captive 'vote-banks' for political patrons in return for favors like housing, access to water, electricity etc. While class-bias may be an issue in the opposition to TPPs, SEZs were to attract white collar immigrants, revealing that the underlying issue of contention is the burden on local resources and infrastructure.

cannot be..." (ibid.).³² With his neighbor and later Convener of the SVM Charles Fernandes, the village *Sarpanch* (elected head) Sejo Fernandes and several others, Monteiro began sharing information with residents of Loutolim, Verna and other surrounding villages.

Other initiatives around SEZs had also been previously undertaken. These included a communication inquiring about likely SEZs in Goa by John Phillip Pereira of Nagoa village to then Industries Minister in 2005 who responded in the negative; a symposium on SEZs by the Council for Social Justice and Peace (CSJP; the social work wing of the Archdiocese of Goa) in 2005 in which the Secretary, Industries Department responded to questions raised by the women's group Bailancho Saad; a Roundtable on SEZs by newly formed SEZ Watch in 2006 that resolved to track SEZ related developments in the state and contact villages where SEZs were to come up; and a *gram sabha* resolution opposing SEZs in Verna initiated by Peter Gama in January 2007 after then CM Rane inaugurated the K. Raheja SEZ site. But it was not until after Monteiro stumbled upon the information regarding SEZs that a concerted campaign effort coalesced. Soon, other groups like Goa Bachao Abhiyan and Jagrut Goem (Vigilant Goans) were also contacted.

The land for seven SEZs had already been allotted in April 2006, *before* the state's SEZ policy was even notified. While Meditab at Kerim and Peninsula at Sancoale had already been notified by mid-2007, K. Raheja initiated construction at Verna even before it was notified. A well-known realty firm from Mumbai, RTI documents and internet research by activists revealed that K. Raheja's SEZ was being promoted as a comprehensive township of 275 acres called "Mindspace" on the company's website.³³ Implications of the residential project for water, agriculture and infrastructure like transport and garbage disposal alarmed local residents. In July 2007, a meeting was arranged with residents from villages around the SEZ sites near the Verna and Sancoale plateaus. Subsequently at a meeting in Verna, the anti-SEZ campaign, People's Movement Against SEZs (PMAS) took shape.

2.2 Kerim Village

"First we never heard about the SEZ policy, what it was like, we were not aware of the thing. It is only the rumors that one CIPLA company is coming over there... only one plant... it is not... pollution... main plant is in Verna and this is only a sub-unit... slowly we found out that this was not a small thing... it was bigger than Nylon 6,6, it was the whole plateau..." (Swati Kerkar of Kerim, social activist, interview May 12, 2012).

Ramakrishna Zalmi, a schoolteacher from Kerim who was then part of the Akhil Bhartiya Vidyarthi Parishad (ABVP), the youth wing of the Hindu-right Sangh Parivar,³⁴ (Zalmi later repudiated his affiliation to ABVP and Hindu-right politics), read a news report about SEZs in 2005. A seminar in Goa University on SEZs soon after piqued his interest and he sought information from a friend who worked in a SEZ in another state. A meeting organized by the non-profit Jagrut Goem in Panjim where members from PMAS from the Verna area were also present sealed the interest of the few

³² SEZs are deemed foreign territories for commercial activities and have their own administrative and security structure with only identity carrying persons allowed entry.

³³ After anti-SEZ campaigners raised issue over a real estate 'scam' in the guise of SEZs, the "Mindspace" advertisement disappeared from the company's website, though not before campaigners had taken printouts that were subsequently furnished as evidence in court. The company's website reveals that it is developing several SEZs in different Indian cities called "Mindspace." Fieldtrips taken to the location of the K. Raheja SEZ on the Verna plateau revealed an area ideal for a premium realty project given its location atop the plateau with sea breezes, pristine views of the Zuari river, proximity to the airport, the VIE and Margao and Panjim cities, and abundant ground water and natural springs.

³⁴ Sangh Parivar or the Rashtriya Swayamsevak Sangh (RSS) family comprises various fronts of the Hindu-right that mobilize and represent its cadres.

participants from Kerim. With more information on SEZs including a documentary film on SEZs in Maharashtra made available by SEZ Watch, they sensed that an SEZ might come to the Bhutkhamb plateau lying 'unused' since the Nylon 6,6 agitation. There had been talk of CIPLA, a pharmaceutical industry, coming to the vicinity. At the company's initial meeting in the village in 2006, a local youth group, Abhiyan, challenged its claims regarding local employment generation and eventually opposed it. Meditab SEZ that was to come up on the plateau was a CIPLA project.

Initially an informal group of concerned residents called village meetings and organized film screenings (the film had greater resonance in Kerim because of its larger Hindu population and their cultural affinity with neighboring Maharashtra). In village *Panchayat* elections a candidate from this informal group, dentist Dr. Videsh Zalmi won and was appointed the *Sarpanch*. The Kerim Kriti Nagrik Samiti (Kerim Citizens Action Committee; KKNS) was subsequently formed with about 80 registered members and Dr. Zalmi was strategically appointed its president. As the KKNS stepped up advocacy, the local Member of the Legislative Assembly (MLA) of the state from the MGP (Maharashtrawadi Gomantak Party), whose trucks were contracted for SEZ construction, allegedly sent people, sometimes drunk, to disrupt KKNS meetings.

In the meanwhile water tables began declining because of illegal bore-wells dug for the SEZ, and villagers raised issue. The private security would not allow KKNS entry into SEZ premises, so they invited the MLA for a joint inspection of bore wells. During this inspection, while the MLA went about in his car, the KKNS members surveyed the land on foot and chased away construction workers from the premises.³⁵ However, construction soon resumed, and KKNS subsequently organized a big public meeting in Kerim with support from PMAS and other activists from Panjim. Meetings were subsequently held in surrounding villages to mobilize support, with veteran protesters from Nylon 6,6 adding forces.

2.3 SEZ Virodhi Manch

"We chased all the workers away. It was spontaneous as after the accident we got a chance to chase them. We went to Anna's [local spice plantation owner] and planned for arrests etc. We called four advocates beforehand. Here people are disciplined and don't get out of hand. The agitation was mature. We told the police we'll set fire to the machines. Poornima [from Kerim] threatened to set fire to herself. The police did not touch us. They knew Goa would burn".

interview with Ramkrishna Zalmi, schoolteacher and cultivator from Kerim, July 5, 2012

At the same time as PMAS stepped up its agitation, another outfit, the Goa Movement Against SEZs (GMAS), with the tacit support of the BJP, also began opposing SEZs. This led to confusion as PMAS constituents wished to maintain a clear distance from GMAS, partly because of BJP's religion-based communal politics and partly to keep at bay partisan political party interests. By now, people from Kerim had joined forces with the PMAS and in late October 2007 a meeting was held in Panjim that had a pan-Goa presence from all the SEZ affected villages, other activist groups like the GBA, Jagrut Goem, SEZ Watch and the CSJP. SEZ Virodhi Manch was chosen as the new name for the campaign.

From November 2007 to January 2008, SVM stepped up the agitation, organizing relentless protest actions and public meetings with regular press releases and media reports. On November 3, around 200 SVM supporters stormed the K. Raheja SEZ raising slogans to halt construction immediately and chased the construction crew away. Construction resumed soon however, and much to SVM's ire,

³⁵ Construction workers across India are generally immigrant workers who are extremely poor and vulnerable as they are dependent on contractors and local residents for their livelihoods and stay. In Goa, construction workers are generally from rural Bihar, Jharkhand and Karnataka states.

the SEZ was officially notified three days later. Not only was the construction undertaken prior to notification illegal, the Congress party had promised to review the SEZ policy in the South Goa bye-elections in October. Following protest rallies in Panjim, CM Kamat finally formed a Ministerial Committee under his leadership to review SEZs by mid-November, additionally directing the RP 2021 Task Force to prepare a report on SEZs. At the same time the Goa State Congress Committee (GPCC) set up a panel to study the implications of SEZs.

In the wee hours of December 7, as Kerim residents were returning home from a ritual ceremony near Bhutkhamb, they witnessed an accident as a construction truck from the SEZ rammed into an electricity pole near Bhutkhamb. A wave of anger simmering from the frustration of having been unable to stop construction earlier resulted in a spontaneous decision to throw out the construction crew once and for all that very day. Overnight, KKNS mobilized support from surrounding villages and called other SVM activists and supporters. Early that morning another minor accident as a car struck the stationary truck added to the already agitated atmosphere. By late morning other SVM members, journalists and lawyers arrived at the venue, police platoons following soon after. The atmosphere was charged through the day but the police held restraint; reportedly no violence was used on either side. Activists even warned the police to stay away claiming the police had no jurisdiction inside SEZs as they were deemed foreign territories. By evening, the protesters managed to round up construction workers and in a sympathetic gesture of solidarity for their loss of wages and obvious poverty, transported them to the bus terminal at Ponda town at their own cost. Machines were brought out of the premises and their owner was warned to take them by the next day or face damages. Construction never resumed on Bhutkhamb.

Energized by their success in Kerim, SVM members once again stormed the K. Raheja site in Verna on December 11, chasing the construction crew away. Interestingly, the police response was again restrained. In interviews with activists and residents, two likely possibilities emerged for the relatively soft response of the police—the Nylon 6,6 and Meta-Strips agitation experiences had created apprehensions for the ramifications of violence; and that CM Kamat may have asked the police to go 'soft' to avoid political escalation of the agitation (see discussion below).

A massive public meeting held in Margao city three days later saw about 10,000 people in attendance from affected villages and across the state. This was a major signal of opposition to the GoG.³⁶ By December 29, the GPCC released its critical evaluation of SEZs, recommending that they were unviable in Goa. On the same day, a White Paper on SEZs was released by the Ministerial Committee that echoed this sentiment but recommended six SEZs. The next day, the RP Task Force released its report on SEZs, concluding they were detrimental for Goa. About 1,000 people from villages around Verna and Sancoale walked in a 10 km rally that day, December 30th, to the house of the local MLA and then Minister of Industries, Alexio Sequeira, handing him a memorandum opposing SEZs. Sequeira was also the GIDC chair when the SEZs were approved and allotted lands. They were greeted by a large police contingent but again, no physical violence was used. On the 31st, the CM announced his "New Year gift to the people of Goa" scrapping all approved SEZs.

Soon after, in early January of 2008, the SVM organized the demonstration at the Panjim police station (see quote earlier) as the police was repeatedly refusing to officially register cases against the GIDC and SEZs. Two days later the GoG issued stop-work orders to the notified SEZs. SEZ Watch soon called a round-table with SVM and GMAS to share experiences, and PEZ Watch was constituted to monitor developments, though the two groups remained independent. By April, while the BOA conceded to the withdrawal of all other formally approved SEZs in the state, in the matter of the three notified SEZs at Verna, Sancoale and Bhutkhamb, they urged the state government to come to

³⁶ Soon after, at the peak of the Christmas-New Year tourist season, the GMAS announced that tourists in Goa should leave as a 'Nandigram-like situation' was developing (see discussion below).

an amicable settlement with the developers, considering their sunk investment. The same month, the developers and SVM approached the courts. In August 2008, despite the ongoing court case and stop-work order, the SVM members noticed that construction had resumed in the K. Raheja SEZ. This time they stormed the premises and used physical intimidation to stop construction. No construction has taken place on the premises since. The GoG formally withdrew its SEZ policy in June 2009.

2.4 Court Proceedings

The first petition was filed by Pereira in April 2008. The developers went to court the same month, challenging the revocation of the Goa SEZ policy and the show-cause notices issued by the GIDC. SVM members filed public interest petitions against irregularities with the support of a legal aid non-profit, Human Rights Lawyers Network, in July 2008. Around 50-200 residents from the SEZ affected villages attended each hearing to demonstrate continued opposition.

The court finally gave its verdict in November 2010 upholding the GoG's prerogative to withdraw its approvals to SEZs and revoke the SEZ policy. On the question of denotification of notified SEZs, the court reserved comment as that had not been specifically challenged by the petitioners. The judgment acknowledged gross irregularities in SEZ land allotments, noting: "The allotment of lands to the companies has been made in undue haste and without proper scrutiny of their applications. The allotment of lands has been made arbitrarily. Procedure adopted in the allotment is not fair and transparent. The allotments made by the GIDC do not stand the test of reasonableness" (Franky Monteiro and four others vs. State of Goa and six others 2010). Disappointingly for the anti-SEZ activists however, no punitive action was taken against responsible officials. As noted, all parties are now in ongoing litigation in the Supreme Court of India.

During the agitation and court proceedings the professional class of actors from all caste and religious backgrounds bore most monetary expenses (institutional donations were refused to retain independence) and RTI, media and legal tasks. Peasants formed the backbone of public meetings, protest demonstrations and presence at the court hearings. Activists also reported receiving 'offers' for peaceful settlement. Monteiro and Zalmi were offered cash for calling off the agitation. When these offers did not work, they also received threats. Two dogs of Fernandes were mysteriously poisoned and killed one night. Threatening phone calls and indirect messages through "well wishers" were also reported by several of them. Faleiro and Monteiro faced bureaucratic delays and rejections for work related applications. Solidarity, conviction and an abiding sense of ethics and responsibility were cited as sources of strength in ignoring threats and continuing with the agitation.

3 Analyzing the anti-SEZ Agitation

3.1 An Alliance of Forces: Resources, Jobs, Migration and the 'Goan Identity'

The Verna Industrial Estate has been a constant source of grievance in surrounding villages. Industries on the plateau pump ground water to meet their needs, impacting water levels in the area; a Coca Cola plant is particularly notorious. Waste from the industrial area finds its way into fields around the plateaus through canals. Many natural springs in the region, some said to be medicinal, have dried up. The source of the river Sal in the plateau has also been adversely affected, in turn affecting the fields on its banks. Activist Peter Gama of Verna, a civil contractor and *Comunidade* shareholder key to peasant mobilization in the area points out: "*Sometimes people [would] grow three crops ...[on] both the banks of river Sal. During my childhood, Utorda, Majorda [villages] was a famous place for watermelon; that time watermelons are not coming from outside Goa. Now due to scarcity of water this river Sal just dries up in... April...* (interview July 19, 2012). Gawde from Kerim recounts: "...we harvest arecanut and coconut in our orchard, but when they put

a bore well and pumped ground water, we could not grow anything as water dried up... (interview July 5, 2012; translated from Konkani). Gama sums up, "I would say this Verna plateau, is the head of this village. When you carry some load, there's a capacity, I can carry certain kilos of weight you know. So this plateau is like that... you can put some certain factory, ...carrying capacity is there. So I would say there is no carrying capacity at all, as far as Verna is concerned. In spite of this they bring SEZs also" (interview June 17, 2012).

SEZs in Goa promised the creation of 242,000 new jobs, whereas the state's official unemployment estimate is 80,000. The anti-SEZ agitators were not explicitly against industrialization, in Gama's words again: "... industry means they always promise 80% jobs to locals, but frankly speaking, or in practical, locals peoples does not even get 10% jobs in this industrial belt or area. And that's why we say, ...migrants, workers are coming from neighboring states, even from Jharkhand and UP, not only Karnataka and Maharashtra. So my point is this... why they're bringing more factories on this plateau? Instead of bringing factories or industries in this plateau or area, they have to give it to them... Karnataka or Jharkhand..." (ibid.). For Gawde similarly: "...if they put up factories they will need technical expertise and such jobs are of no use to us... using the land for cultivation will give us all work... here we don't have a hospital or facilities... there is no old age home, that will be of use to us..." (interview July 5, 2012; translated from Konkani).

Several bureaucrats, developers, activists and others I interviewed claimed that the native Goan population has grown by zero percent in recent decades; population increases are perceived as resulting from migration. In 2001, immigrants in Goa totaled 20 percent of the population while the latest 2011 census puts this figure at about 30 percent (cf. Tol 2012). A recent GoG report raises apprehensions that by 2021 the Goan population will be outnumbered by migrants and a delegation by present CM Parrikar (from BJP) to the Prime Minister of India requested 'special status' for Goa to prevent local land and resources from being purchased by non-Goans (Firstpost 2013). Tourism, industrial estates and a generally high level of human development indicators attract migration to Goa. Shifting demographics have caused insecurity among some Goans, exacerbated by growing resource constraints and rising property prices. Working class migrants may sometimes be vilified as 'criminals' and 'drunks' but white-collar migrants may also be resented with fears of migrants in some quarters assuming xenophobic and nativist overtones.

SEZs were seen to promote white-collar immigration from other states to a scale that would destroy or burden existing livelihoods, resources and infrastructure, raise real estate prices beyond local affordability and threaten local political economies and relationships with land and resources. Combined with the historical relationship of Goa to India, these concerns fueled the use of the frame of the 'Goan identity' vis-à-vis SEZs. Resonating among residents from diverse backgrounds, these concerns helped forge the broad alliance of social forces that proved critical in negotiations with the state.

3.2 "Our God was with us... and God means nature"

A constant refrain among campaign activists, Catholic, Hindu or indigenous, when talking about the campaign's success was that "our God was with us..." In Kerim, with a high indigenous population, this was almost always followed by "...and God means nature." Activists from Kerim recounted how they first took the blessing of the village-God *Betal devta* through the ritual practice seeking divine will and advice on material issues through the mediation of a priest using flower petals as means of communication (see Borkar 2006). The local campaign was initiated only after the divination of blessings. Additionally a 'sacred presence' was attributed to Bhutkhamb emanating from the designated places of worship for local communities. Residents often recounted that they went to the plateau to offer prayers on special occasions and any project would prevent access to their areas of worship. Borkar (ibid.) discusses natural worship practices in Goa that have helped conserve its rich

biodiversity. Given that the plateau is the main source of water for the orchards around it, it is possible that religious significance was historically attached to the plateau for preservation.

The Church similarly plays a significant role in the Goan Christian community, with parish sermons every morning and Sunday sermons in the main village churches that families diligently attend. Campaign members I interviewed in Loutolim and Verna describe themselves as devout Catholics and participate in religious activities diligently. Post-sermon exchanges thus helped in the daily sharing and updating of information during the campaign. In Verna, Loutolim and Sancoale, parish priests also played a key role in encouraging support against the SEZs. Fr. Jose Dias, Sancoale priest in 2007 with a long history of environmental activism from the Konkan railway agitation, and Fr. Eremit Rebello were key in mobilizing support around Sancoale. Fr. Dias notes a growing awareness of 'environmental protection from destructive development' in the church (interview with Fr. Dias June 27, 2012). The CSJP's participation was similarly key to the campaign. Local religious values informing and drawing from environmental preservation practices thus added a complementary frame to the anti-SEZ campaign.

3.3 Evidence of Irregularities

The mandate of the GIDC is to encourage small and medium scale industry. Export oriented large enclaves were a violation of policy. Documents obtained through RTI applications revealed that the state's SEZ policy was notified in July 2006, but land for seven SEZs was allotted (and fresh acquisition for another approved) in March-April 2006. These included the three notified SEZs and four others (in the VIE). All seven applications were incomplete when land was allotted, some missing even their company seals. The GIDC approved two of these applications within a day, four within a week and one in 12 days. The land was allotted at discounted rates (of approximately \$14 per square meter³⁷ in Verna, \$1.9 in Bhutkhamb and \$6.3 in Sancoale), on account of lack of infrastructure (Da Silva forthcoming). GIDC's allotment procedure mandated individual plots to industrial units whereas SEZs required larger parcels of contiguous land. Designated open spaces and roads were subsequently allotted to the SEZs (initially for free but after protests at discounted rate) to help fulfill their contiguity requirements. In the case of the K. Raheja SEZ, its status was changed from a multi-purpose SEZ to a service sector SEZ on the day of the lease agreement to help fulfill minimum land criteria. Moreover, the GIDC was so enthused with SEZs that its approval for four additional SEZs (1,548.44 hectares) amounted to more than the total land acquired by it in five years!

According to Goa's Comptroller and Accountant General (CAG), the resultant loss to the exchequer over SEZ land deals was over \$20 million. The GIDC additionally took upon itself the responsibility to provide water, drainage and roads to the SEZs. Rent concessions were also given at a fixed rate for 30-year leases. The Town and Country Planning Department of Goa was requested to increase the Floor Area Ratio permission for new construction from 100 percent to 150 percent for Information Technology and other specific buildings that amounted to additional concessions for SEZs (for more details see Da Silva forthcoming; Franky Monteiro and others vs. State of Goa and others 2010; CAG 2008; GoG 2007). This information regarding irregularities and concessions was used extensively by the campaign to mobilize support, in public meetings, press releases, agitations and negotiations with the state, as well as in the court.

3.4 Other Anti-SEZ Mobilizations

Da Silva (forthcoming) points out that the GMAS and SVM mobilized a broad base of people that sustained the anti-SEZ environment. The GMAS, led by the late activist and politician Mathany

³⁷ All dollar figures are calculated at the then prevailing rate of approximately \$1 to Rs. 43.

Saldanha (from the United Goan Democratic Party, UGDP), shared its platform with Hindu-right political parties like the BJP and the Shiv Sena and was able to draw upon their network in all 40 state constituencies (ibid.). During the build-up to the October 2007 bye-elections in South Goa, the BJP made SEZs a state-wide issue, fermenting anti-SEZ sentiment and helping pressure the ruling Congress government to review the SEZ policy. While initially both GMAS and BJP were in favor of scrapping all SEZs except the three notified ones, by November 2007, they demanded the scrapping of all SEZs in the state. On December 19, 2007, the GMAS held a massive public meeting in Panjim, issuing deadlines to the government for scrapping the SEZs and warning of a 'Nandigram-like situation.'³⁸ On Christmas Eve, at the height of the tourist season, GMAS declared that all tourists should leave the state by December 28, as the agitation could take an 'ugly turn' (ibid.). However, while both the GMAS and the BJP helped catalyze a state-wide campaign until December 2007, they refrained from taking the issue to the courts revealing, especially for the BJP, its politically motivated opposition to SEZs.

3.5 Electoral Imperatives and Police Restraint

Goa has 40 elected representatives in its Legislative Assembly. As such, a simple majority of over 50 percent requires 22 MLAs. Opportunist defections among the political parties, the Congress, the BJP, the MGP, the UGDP, the SGF (Save Goa Front) or the NCP (Nationalist Congress Party) are common especially since the 1990s and cause much political instability (cf. Rubinoff 1992). It is very easy for a ruling party to lose its majority as allegiance from coalition partners or ministers from within the party shifts and they (threaten to) defect. Insecurity over electoral outcomes has made the political parties more receptive to popular pressures in Goa (cf. Heller 2005). During and after the October bye-elections in South Goa in 2007, the coalition partners of the Congress had started voicing their opposition to SEZs (Da Silva forthcoming). Since the South Goa bye-elections of October 2007 came on the back of the RP 2011 agitation and the ongoing SEZ agitation, it is likely that another hostile state-wide agitation was not something the ruling Congress felt it could sustain.

At the same time, SEZs had been promoted by the previous CM Rane, albeit also of the Congress Party. Some activists pointed out that it was likely that as CM Kamat did not have a personal stake in the SEZs he was more receptive to popular pressure. According to Kamat: "SEZs in Goa were scrapped because the people of Goa did not want any SEZs. Although one SEZ could have been tried, but it became a serious political problem with 10,000 people on the street and work being stopped so that even under police protection work could not continue" (interview July 20, 2012). Rane on the other hand claimed that one or two SEZs would have been good for the state's economy and that the agitators were parochial and withdrawing into regionalism, but needed to have a broader view and not a "village mentality" (interview July 20, 2012). Another senior Congress Party politician who requested anonymity but was an ardent supporter of SEZs was of the opinion that Kamat had been a "weak" CM and should have *lathi*-charged (baton-charged) the agitators, which would have taught them a lesson and helped implement the policy in the state. The fact that the police did not unleash violence on the agitators even once despite frequent public demonstrations, storming of SEZ premises, chasing of the construction crew and even a siege on the police station, is significant. The historically frequent and often successful negotiations with the state by activists may have also impacted police response in the face of massive public protest. The 'repertoires of repression' of the state (Edelman and Leon forthcoming) were thus historically blunted in Goa as a result of historical repertoires of protest, successful negotiations by activists and immediate political contingencies for the ruling Congress.

³⁸ Nandigram in West Bengal was the site of the Indonesian Salim group SEZ that witnessed mass violence through 2007 as local farmers, residents and opposition political parties resisted land acquisition by the state government. The violence in Nandigram peaked in November 2007.

3.6 Small State and Sympathetic Media

The small size of the state worked to the advantage of the campaigners. It was relatively easy for people to congregate in meetings at short notice. As social distance is not acute, people know their politicians and bureaucrats and have greater degrees of interaction than in larger constituencies, and vice versa. Frequent communication with the GoG representatives likely fostered greater receptivity to campaign demands among state actors.

The small size of the state also helped focus media attention relatively quickly, aiding state-wide campaigns. Activists point out that as the anti-SEZ agitation intensified, media representatives across the state were very sympathetic, ensuring prompt coverage of all events and press releases. Local journalists from Loutolim, Verna and Kerim also helped sustain media attention on the issue and were often present when the SEZ sites were stormed.

A combination of contextual and contingent factors contributed to the success of the anti-SEZ campaign in Goa, bringing it to the current impasse. While such state-level policy reversal is rare, it was aided by the vitiated atmosphere of conflict around SEZs in India. Located in the historical fields of capitalism-facilitating accumulation, environmental activism, resultant repertoires of protest and repression and religious practices, the alliance between corporate developers and the state over SEZs was rent by the anti-SEZ campaign. How these gains over SEZs can be further consolidated is the discussion I turn to below.

4 Resolving the Impasse: Land Rights and Democracy

A representative of the notified K. Raheja SEZ I interviewed indicated that they were waiting for the SC verdict but were unwilling to give up on their investment. If the land goes back to the SEZs however, the campaign members may step up the agitation once again and this time it could assume a very different form from the previously non-violent one. If it goes back to the GIDC as well, the fate of the lands will depend on the next project sanctioned on them. Having fought long and hard against the SEZs, local residents and activists will likely not give up the land again easily. At the same time, the irregularities in the approvals and land allotment processes render both outcomes unlikely. How the SC deals with the argument that the developers have already 'sunk' investment remains to be seen, but there is precedent to assume that the court may not take to it favorably. For instance, in *Jagpal Singh vs. the State of Punjab and Others (2011)*, the SC noted that common lands of villages have been "grabbed by unscrupulous persons using muscle power, money power or political clout, and in many States now there is not an inch of such land left for the common use of the people of the village, though it may exist on paper... This was done with active connivance of the State authorities and local powerful vested interests and goondas [thugs]." Dismissing acquisition in the particular instance the SC further directed all state governments to evict "illegal/unauthorized occupants of *Gram sabha*/Panchayat/Poramboke [grazing lands]/Shamlat land" and restore these lands "to the *Gram sabha*/Gram Panchayat for the common use of villagers... Long duration of such illegal occupation or huge expenditure in making constructions thereon or political connections must not be treated as a justification for condoning this illegal act or for regularizing the illegal possession."

The SVM activists in their appeal to the Supreme Court have asked that the land should revert to the original owners, the *Comunidades*. However, there is a difference in local perceptions with regard to *Comunidades*. Verna and Loutolim *Comunidades* have a mixed membership from communities, with women also holding shares, and are perceived as conducting their affairs transparently. In Kerim the *Comunidade* is under the control of two Brahmin families who are not from the village and do not enjoy a relationship of trust with the local residents. Activists from Kerim prefer that the land be brought under the control of the village *Panchayat*, circumventing the *Comunidade* altogether.

Monteiro argues that a combined control of the *Comunidade* and the *gram sabha* requiring minimum quorum of participation for decision-making, rather than a reversion to the village *Panchayat* or *Comunidade* exclusively is ideal as the decisions taken by the *gram sabha* are more transparent and hence accountable to local residents than the village *Panchayat*. The *Comunidade* collectives and *gram sabhas* can together ensure transparency and accountability in land and resource use. However, whether the land comes back to the *Comunidades* or the village *Panchayats*, the fundamental questions of egalitarian access to land and resources and the need for any development project to redress local caste, class, gender and community inequalities remain central to locally appropriate development needs.

Campaign activists have several suggestions for locally appropriate projects that will help conserve the environment and provide jobs to local youth, from agro-processing cooperatives to educational hubs. There are numerous ideas and initiatives in Goa ranging from farmers' cooperatives and associations, land rights for Dalit and ST communities and alternative economic parks or people's economic zones. A consolidation of the gains made over SEZs, indeed made historically over capital in Goa, requires a renewed political commitment among social forces engaged in struggle, including SVM. It requires, fundamentally, a *reconstitution from below* (cf. Barker et al. 2013) of relationships around and to land and resources.

In this regard a distinction needs to be made between *issue-based campaigns* and *programmatic social movements* with explicit agendas for democratically determined egalitarian and ecologically appropriate development. While the SVM was successful as a campaign against SEZs, a fundamental reconstitution of relationships around land and resources requires different frames and repertoires of mobilization, focused on existing inequalities. These frames are also located in and limited by *historically instituted social relations of power* (cf. Verdery 2003), like unsuccessful pro-poor land reforms that were inadequately supported by social forces.

The Goan Impasse demonstrates that 'the state,' despite interests within it working actively in aid of capital (even as land-broker, see Levien 2012), is not immune to popular pressure. This learning has also emerged in the course of successful resistance to SEZs in other Indian states. Assertions by citizens over rule of law have borne results given electoral party insecurities. The broad alliance of social forces that came to oppose SEZs in Goa underlines that few stood to gain and many to lose from the projects. While democracy remains quintessentially a class compromise (cf. Sandbrook et al. 2007), the Goan Impasse has opened possibilities to push back the capitalist offensive. The ethnographic material indicates a deeper alliance of social forces intent on disembedding existing inequalities and pushing the state toward egalitarian, ecologically appropriate and democratic rights to land- and resource-use for all is critical to a deeper resolution of this impasse. If the spirit of the anti-SEZ campaigners walking through the gates of the police headquarters or grazing their cattle through the 'SEZ fence' daily stands witness, the possibility of walking through this impasse too, beckons.

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A convergence of factors has been driving a revaluation of land by powerful economic and political actors. This is occurring across the world, but especially in the global South. As a result, we see unfolding worldwide a dramatic rise in the extent of cross-border, transnational corporation-driven and, in some cases, foreign government-driven, large-scale land deals. The phrase 'global land grab' has become a catch-all phrase to describe this explosion of (trans)national commercial land transactions revolving around the production and sale of food and biofuels, conservation and mining activities.

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The 'Goan Impasse': Land Rights and Resistance to SEZs in Goa, India

This paper contextualizes conflicts over land grabs for industry, infrastructure and urbanization in emerging economies. A slew of policy measures undergird such land deals in India but have met successful resistance from peasants and citizens groups. In Goa, resistance led to the revocation of the state's Special Economic Zone (SEZ) policy with cancellation of all approved SEZs, many of them developed by prominent realty firms. As battle over three SEZs continues in the Supreme Court of India, there is hope that commons will be returned to local communities. However there is an impasse on the ground that begs resolution if the gains over SEZs in Goa are to be secured. The Goan Impasse needs to be broken with egalitarian and ecologically appropriate rights to land- and resource-use for all that counter existing inequalities. This requires programmatic social movements fundamentally reconstituting from below relationships around and to land and resources.



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