

## Introduction

The title of this book is drawn from a fieldwork episode during which the Indian state was adjudged, loudly and angrily, to be nothing but a paper tiger (*kaghaz ka bagh*). The episode was the arrival of a human-eating big cat in Gopeshwar resulting in multiple deaths and injuries and the commencement of what was popularly described as a ‘reign of terror’. The big cat’s reign appeared to, perplexingly, go unchallenged by the Indian state for well over 2 months. This period was defined by paper and tigers – in the most literal sense. The papers required included the all-important hunting permit that would allow the district authorities to legally kill this state-protected species. The feline in question was a leopard, a species that has the same legal protection in contemporary India as tigers do, and in addition is called *bagh* in Hindi, as the tiger also is. More generally and beyond the individual case of the human-eating big cat of Gopeshwar, ‘paper tiger’ is descriptive of the series of sophisticated plans and laws drawn up by the developmental Indian state, which consistently underperform, if not collapse outright.<sup>1</sup> My intention in this book is to provide an ethnographically derived, situated analysis of this paper tiger-like nature of the developmental state. This I do by focusing on precisely those repetitive, mundane, banal, and seemingly innocuous practices of local government offices that the bureaucrats I met adjudged as amounting to ‘nothing’ (*kuch nahin*). I show the consequences of these practices to be far reaching, ranging from the provision of employment and the payment of basic wages to the protection of humans from predatory animals. Ultimately, I propose that in the evaluation of the developmental Indian state, we refocus our critical attention on hitherto neglected sites and devise languages to express the truths that they produce.

My focus is on the process of enforcement, as well as the particular effects, of two widely commended laws: the National Rural Employment Guarantee Act of 2005 (henceforth NREGA) and the Wildlife Protection Act of 1972 (henceforth WPA). The NREGA was the original object of my anthropological attention. The WPA, on the other hand, I stumbled onto. This statute was

invoked, with profound consequences, during the big cat's reign of terror. This excursion into the field of human – animal conflict and relations now forms the lynchpin of my explanation for why laws can do what they do and not, usually, what one would think they should be doing. In the final chapter, I focus on big cat protectionism to discuss a perennial complaint against the Indian state: its staggering slowness and propensity for making people wait endlessly even when swift, decisive action is desperately required. The section on NREGA focuses on affective bureaucratic labour and materiality while the one on WPA on bureaucratic temporalities. All through, I am concerned with how law is translated into practice. I use 'translation' in two senses. First, I follow the conversion of a text authored in Delhi in the English language to a subject much-talked about and mulled over in Hindi, in the Himalayan borderland (Englund, 2006). In particular, I focus on how words on which the NREGA's legitimacy crucially depends – transparency, accountability, audit, participation, guarantee – were interpreted, understood, and acted upon by lower-level bureaucrats. Secondly, I use 'translation' to refer to the tracing of the labours of a heterogeneous group of actors and, especially, the marshalling of things in the process of making a law real (Latour, 1996; Mosse, 2005). There is a material – specifically, a paper-y – tangibility that laws must acquire as they painfully inch their way towards legitimate official proclamations of enactment. I find translation as an analytic device particularly appealing due to its 'critical openness' and, hence, 'its productivities as a nondeterministic act of meaning and value creation' (Turem and Ballesterro, 2014, p. 8). It is in the ethnographic elucidation of the process of translation that this book locates its contribution and, simultaneously, makes its case for shifting the frame through which we comprehend and analyse the developmental Indian state.

*Paper Tiger*, in the perusal of laws as they move through state bureaucracy, shows why certain laws do not work as they ought to and how they are capable of producing absurdity. This focus on the translation of law leads me to dwell on the struggles of state functionaries to read, understand, communicate, and execute laws. We know that citizens are often befuddled by state law. What has attracted less comment is the extent to which state officials themselves have to overcome what Das describes as the 'illegibility' of the state, the very 'unreadability of the state's rules and regulations' (2007, p. 168). Crucially, this struggle with illegibilities emerges not from some deficiency in the capacity of subaltern staff to comprehend law, but rather from the very practice of making

a law real. As Das notes, illegibility is not an exception but very much part of the way in which rules or laws are implemented (172). In the presentation of the contemporary Indian state as constantly entangled in the erasure of illegibilities, this book inverts Scott's (1998) now-famous thesis on modern statecraft as an exercise in legibility. In Scott's conceptualization, the practice of making legible through the use of state simplifications is problematic due to its profound misrepresentation of complexity. Scott's thesis begins at the point when legibility, with all its attendant problems and potentially catastrophic results, is achieved via modern state practices and rests on it as a fundamental assumption. The focus of this book, instead, is on the practices and things whereby legibility is *believed to have been achieved* in the eyes of the Indian state. Accordingly, I show how the NREGA was endowed with official reality on a piecemeal basis by the Uttarakhand state bureaucracy through slow and careful translations of the authoritative texts, letters, meetings, sedimented institutional knowledge of preceding rural employment schemes, and the incessant production of a variety of documents. The NREGA, I argue, never reached a legibility of the sort its framers anticipated and expected; rather, aspects of it were made more or less officially real through the daily labour expended on it. Agents of the state know that rules can never be followed to the letter. Their energies are directed instead at making it appear *as if* the illegibilities have been overcome, *as if* orders have been followed, *as if* the NREGA has been made real. And the primary means through which this occurs is by the production, circulation, reading, and filing of the correct documents – through the assembling of what I study as the paper state.

## The paper state

The Indian state is known to be an inveterate writer, its paper obsessions commented upon in film, novels, newspapers, everyday chatter and complaints, and various academic writings. Moir (1993) traces this form of governance, called the *Kaghazi Raj* or government by paper, to the operations of the East Indian Company in India as early as the seventeenth century. It was through an incredibly complex and comprehensive system of writing and reporting that the home government's ruling authority was maintained in India. That the post-colonial Indian state has, in crucial respects, retained the British colonial state's institutional structure and wider legal and cultural practices of rule, has been said many times in different contexts (e.g. in Chatterjee, 2004). In post-1947 India, the expansion and bettering of what Ludden (2000) has described as a 'Development Raj' has been effected through

the installation of a gigantic development bureaucracy through which development plans, programmes, projects and, more recently, laws flow. Development has been absorbed not only into the institutions of the state, but also into what my informants describe as its 'sarkari culture' (government/state culture). This absorption is most materially obvious in the Indian state's obsession with paper (*kaghaz*). The *Kaghazi Raj*, I argue, has not merely been inherited by the post-colonial Indian state. This book aims to show that contemporary neo-liberal dictums of 'transparency' and 'accountability' (Mathur, 2012a) are exacerbating the fundamentals of this supposedly antiquated system of the distant past: through an explosion in paperwork and an ever-expanding reliance on documents as constituting concrete evidence of the expending of state labour and production of 'results'.

While the Indian bureaucratic state's marked obsession with paper cannot but be linked to its particular colonial and even pre-colonial past,<sup>2</sup> I believe this is not a uniquely Indian story. A profound reliance on paper/documents/files is the constitutive feature of bureaucracy, as Weber has noted and the fiction of Kafka, Gogol, and Orwell has illustrated. Ethnographies of institutions and organizations (Harper, 1997; Riles, 2006b), states (Stoler, 2009; Feldman, 2008) post-war polities (Navaro-Yashin, 2012), and increasingly globalized auditing regimes (Hetherington, 2011) demonstrate the ubiquity of documentary practices and the manner in which paper underpins action and constitutes proof. Against this backdrop, while *Paper Tiger* is rooted in the interplay of law with bureaucracy and with the concomitant assemblage of the contemporary developmental Indian state, its implications for the three intertwined categories of law, bureaucracy, and the state extend further afield.

South Asia has generated an impressive regional literature on paper and documents, which is unsurprising, given their omnipresence as well as their power to alter lives.<sup>3</sup> My own study of the processes whereby laws are 'made real' (Latour, 2002 p. 85) by the state leads me to focus on the social and affective lives of documents as they circulate within the labyrinthine Indian bureaucracy (Appadurai, 1988). In writing an ethnography of Indian state bureaucracy I cannot but describe its domination by the documentary: the overwhelming desire to have everything in writing (*likhit mein*), a tendency and capacity to paper over things, the employment of an 'on paper' doublethink under which officials thunder at their juniors for working only with paper (as opposed to with some form of the real, the *asli*) even as they state that the only thing that matters is that the papers be in order. My conceptualization of the paper state

is not restricted to attaching an adjective to the state in order to highlight an aspect of this entity, namely its obsession with paper. Paper is not just a thing that bureaucrats work with, and documents do not only make visible a particular state-endorsed developmental reality. Rather, I highlight the centrality of this thing, paper, – to the composition, maintenance, and assemblage of the Indian state.<sup>4</sup> As Hull concludes in a review of the burgeoning literature on bureaucracy and texts, ‘documents are not simply instruments of bureaucratic organizations, but rather are constitutive of bureaucratic rules, ideologies, knowledge, practices, subjectivities, objects, outcomes, and even the organizations themselves’ (Hull, 2012b, p. 253). To dismiss paper as mere bits of official matter, as *just* paper, or even to restrict oneself to highlighting its capacity to create ‘paper truths’ (Tarlo, 2000) would be, then, to underestimate the life-endowing powers of paper, which are vital to the state.<sup>5</sup>

The state, I believe, is best understood as a relational set of practices (Sneath, 2007; Berdahl, 1999; Chatterji and Mehta, 2007).<sup>6</sup> The set of bureaucratic practices that this book describes – reading, writing, lettering, filing, producing and circulating documents, holding meetings and conducting audits – allow the developmental Indian state to come into being. As anthropologists of the state have emphasized, our task is to understand *how* an it-ness is attributed to ‘the state’, not to assume ‘it’ exists as ‘an a priori conceptual or empirical object’ (Sharma and Gupta, 2006, p. 8; Mitchell, 1999). The bureaucratic practices that go into composing the Indian state are charged with contingency, uncertainty, coercion, and affect; there is a precarious nature to their unfolding. They do not occur mechanically despite that oft-repeated metaphor of the machine of the state, which, with all its connotations of a unitary system working on automatic, is highly misleading. The intentionality that is often attributed to the state-as-monolith collapses once the ethnographic black box of a *sarkari daftar* (government office) is opened up to reveal, in all its greyness and haplessness, the movement of law through the bureaucratic everyday.

## The law and its interpretation(s)

While bureaucracy has remained relatively understudied (Bear and Mathur, 2015), the primary law under scrutiny here – NREGA – has generated a substantial corpus of analytical work. Given the wealth of work on NREGA, two points are worth outlining: first, the harvest to be reaped from an ethnographic approach to law in its localization within the everyday world of lower-level bureaucracy. Second, the differences between such a study and others are not only

methodological but also, more importantly, epistemological. I therefore provide a brief reading of NREGA and touch upon its varied interpretations before proceeding to situate *Paper Tiger*. NREGA is one of India's most well-known welfare attempts in recent years. It guarantees the right to work (albeit for only 100 days in year and as unskilled labour) for 67 per cent of 1.3 billion people (the rural population of India). This makes it a legal gesture of Himalayan proportions by the developmental Indian state. In a period of states being advised to 'cut back' or 'retreat' from direct welfare-related activities, NREGA stands out due to the vast financial investments it requires of the state. In August 2005 when it was unanimously passed by the lower house of the Indian parliament, estimates of its cost ranged from anything between 0.5 and 4 per cent of India's GDP.<sup>7</sup> In 2009, it was renamed the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). I continue to refer to it as NREGA not just because that was how I knew it during my fieldwork, but also because I am loath to participate in the project of appropriating a law to a particular political party or person.

Various authors have described and analysed how this bill was conceived and approved with total consensus in the otherwise fractious Indian Parliament (see Lakin and Ravishankar, 2006; MacAuslan, 2007). I do not rehearse the process of NREGA's conception and passage but, instead, touch upon the vocabulary employed in the English language and in the national capital of Delhi by NREGA activists and advocates. The narratives woven around it and the adjectives and metaphors employed possess in and of themselves clues to how the law was subsequently translated. The law is often ascribed in the press and particularly by the Congress party to their President, Sonia Gandhi.<sup>8</sup> Gandhi herself has more than once located NREGA within the larger politics of her husband and mother-in-law – Rajiv and Indira Gandhi – who had also initiated similar public works and rural employment schemes. On the other hand, politicians and academics associated with the various Communist parties would inform me repeatedly in my interviews with them that NREGA is a product of the Left's historic pressure on the Indian state to constitutionally enshrine the right to work. Thus, the Left stressed the rights-based character of the law as opposed to Congress highlighting its patrimony. One activist giddily described the movement for the NREGA, which featured bus rides around the country and signatures on saris that were subsequently strung from lamp posts outside Parliament, as a '*nasha*' (a high). A member of the Communist Party of India (Marxist) (CPI-M) memorably converted the law into a verb by speaking of 'the NREGA-ing we have been doing for so long.' There were plenty of plays



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Excerpt

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on the name itself – NREGA is pronounced as *naregaa* in Hindi and English alike. It rhymes quite well with *marega* or ‘will/to die’ in Hindi, allowing for phrases and slogans such as ‘without NREGA one will die’ (NREGA *nahin to marega*), and so on. A very prominent narrative form emerging in particular from people associated with the influential Peoples Action for Employment Guarantee (PAEG) linked NREGA to the Maharashtra State’s well-regarded employment guarantee scheme (MEGS) and to the pressure from local organizations in the State of Rajasthan to ‘see official records’ of famine-relief works. The narratives from civil society activists showed, clearly, that there was heavy emphasis on the visual aspect – of seeing, inspecting, transparency, witnessing, publishing, and publicizing. This emphasis on being able to see, and forcing the state to disclose records and facts is the most prominent aspect of the design of the NREGS, one that is continually celebrated by activists as a singular achievement. This book shows that the effects of this turn to transparency are double-edged. While they upset previous manners of welfare delivery, they are not, I claim, revelatory of the real (*asli*) workings of the state. Rather, they lead to an enhanced focus on the production of what my informants described as the *sarkari zindagi* (state life) of NREGA, a life that, more often than not, does not readily map onto its *asli zindagi* (real life).

In the English language and the cosmopolitan centres where NREGA commands a particular discursive framing, the many supporters of the NREGA describe it variously as a ‘progressive’, ‘historic’, ‘flagship’, ‘productive’, ‘revolutionary’, ‘empowering’, ‘radical’ legislation/programme. In Uttarakhand, however, the vernacular press coverage has moved away from such normative accounts to a much more descriptive coverage of the prosaic practicalities of the scheme. Accounts of this type appearing in the media at the time of my research were, invariably, highly critical of NREGA’s performance. Strongly worded headings dominated its coverage in Chamoli: ‘thousands of rupees spent but not a road in sight’, ‘plenty of progress in official figures but none at the ground’, ‘people continue to tolerate corruption in government schemes, nothing has changed’, ‘tired of empty promises by *sarkar*’, ‘another regime, another scheme, same result’, and so on. In Uttarakhand, agents of the state did not consider NREGA revolutionary – rather, the word they used most often to discuss it was, in English, ‘unimplementable’. For lower-level officials, this law and the operational guidelines that govern its implementation were products of a crazed imagination and of an elite disconnection from the labours of real implementation. This programme, they said, could only be authored by people who work out of ‘air conditioned offices

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in Delhi'. In the state spaces of Uttarakhand, I found a profound cynicism towards NREGA, one that was enfolded within a wider narrative of critical deconstruction of the state-led project of development (Mathur, 2012b). Puzzlement with the varying and discrepant portrayals of the NREGA encouraged me to work my way backwards to study its conception, passage into law and rationale *after* I had completed fieldwork in Uttarakhand. A central claim of this book is that these discrepant portrayals of a single legislation are not the product of a lower-level bureaucracy that is slothful, corrupt, or simply incapable of understanding the law. Rather, I argue and demonstrate in the pages that follow that these discrepancies in everyday chatter arise because the lower-level bureaucracy is all too aware of the difficulties intrinsic to the implementation of this new legislation.

Another point of difference between my informants in Uttarakhand and the hegemonic discourse emerging from the metropolises such as Delhi is that the former are not invested in the project of stabilizing a 'particular framework of interpretation' (Mosse, 2005, p. 168) that was essential not just to bring NREGA into being but also to ensure its continued existence. NREGA in India has managed to recruit a huge coterie of advocates, practitioners, and lobbyists, forming what Mosse terms an 'interpretive community' (2005, p. 9) and what I gloss together as 'NREGA interpreters'. These include politicians from all shades of the political spectrum, bureaucrats, certain academics, activists, and groups ranging from small grassroots NGOs to large international organizations such as the United Nations Development Project (UNDP). All of them celebrate NREGA as a singular achievement of the developmental Indian state. A rhythmically catchy, egalitarian political slogan is attached to the NREGA – *har haath ko kaam do, kaam ko saheen daam do* (give work to each hand, and give the correct wage for all work) – which is shouted out as a preamble to public meetings and is printed on posters and T-shirts distributed among students and activists. Equally arresting are advertisements the government of India often runs for its own work with the NREGA, which prominently feature similarly self-laudatory exhibitions. For instance, a full-page advertisement, which appeared in all the major English-language newspapers, shows a pretty, young, smiling woman dressed in bright pink with silver jewellery. The setting is distinctly rural and the young woman, evidently the village belle, stands before a pool of water, bearing a surprisingly light load on her daintily covered head. Behind her, other men and women are seen hard at work. On the horizon one sights a long single file of people with loads on their heads, marching purposefully in one direction. The caption reads, 'Towards a Republic of Work'. Underneath the photograph, the sub-heading states, 'National Rural Employment



Guarantee Act connects rural India to work opportunities.’ Another popular image accompanying write-ups on the NREGA is shot from an angle well above a labouring group of veiled women in brightly coloured saris, diligently engaged in kneading mud (Figures 1 and 2). A strategic utilisation of such imagery and the constant references to the NREGA in speeches, newspaper articles, scholarly analyses of development in rural India, workshops and activist meets, and in other such forums allowed this law to acquire a particular life – one that endowed it with legitimacy as the ‘flagship programme’ of the former ruling coalition in power, the United Progressive Alliance (UPA).

India’s 2009 general elections returned the Congress and the UPA to power, which was widely attributed to these parties’ so-called ‘inclusive growth’ policies, of which NREGA was a primary example. In the afterglow of the election victory,

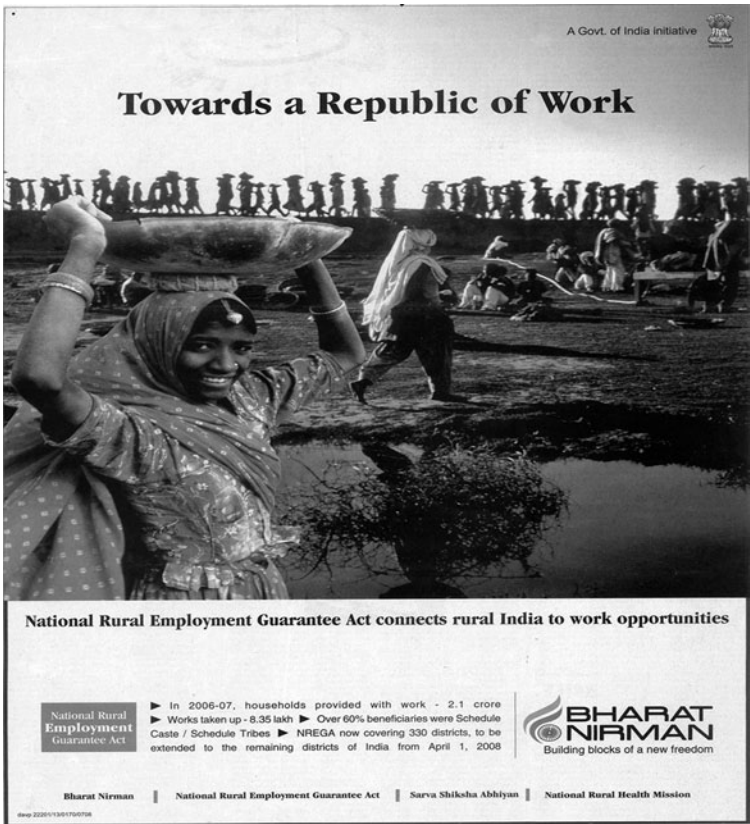


Figure 1: Full page newspaper advertisement for NREGA



**Figure 2:** Image commonly accompanying write-ups on NREGA

Congress Vice-President Rahul Gandhi (son of Rajiv and Sonia Gandhi) made his very first public appearance on national television and declared: ‘the people of India’ have seen that the Congress stands for the development of ‘All of India ... which is why we have schemes such as the NREGA.’<sup>9</sup> After the decimation of the Congress and the UPA in the recent 2014 national elections, NREGA has all but vanished as an explanatory trope. This overnight disappearance of what are now-dismissed as tokenistic measures that are unable to meet the aspirations of the rural poor or as mere populism serves to show how critical the constant task of interpreting and presenting NREGA was in the first place and how this labour was what allowed – for the time the UPA was in power at the centre – to keep a particular imagination of the law and its effects alive.\*

\* As this book goes to press, speculation on the fate of NREGA continues in India. The day before the union budget of 2015 was announced the Prime Minister described the programme, in particularly stinging terms, as “a monument to the failure” of the Congress party. The day after NREGA was to get one of its highest ever allocations in the budget. The ambivalence towards NREGA as evidenced in its many unflattering descriptions made by highly placed politicians, bureaucrats, and media persons has not – for the time being – resulted in its scrapping. It remains unclear if it is simply a fear of electoral losses or a backlash by the rural unemployed and/or other, unknown factors that has prevented the present dispensation from getting rid of it or squeezing it dry of funds. Whatever the future holds, the heated debates and incredibly diverse interpretations of this developmental law’s performance and utility serve as a mirror on the many ideological and political rifts in contemporary India.