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JUSTICE AND CATEGORIES OF COLLECTIVE IDENTIFICATION

One morning in March 2015, during my fieldwork in Assam, I woke up to a call from an Adivasi activist telling me that there was going to be a demonstration in one of Assam's district capitals that day. On the spur of the moment, I rushed out and took a bus to the city where the protest was supposed to be taking place. Reaching the spot, I saw about a hundred people gathering. Augustin, an activist I knew from before, recognized me and slipped out of the crowd to great me. He was wearing a dark red Adivasi *gamchā* (cotton towel) wrapped around his head. I asked Augustin what the protest was about. "One sixty-nine," he replied, referring to the statutory minimum wage at that time, which was Rs. 169. The trade union had just agreed to a wage hike that was below this statutory minimum wage, and the Adivasi activists were there to protest this "illegal" wage agreement. The protestors shouted slogans loudly and synchronously: "*ACMS murdabad*!" ("Down with the trade union!") They shouted one slogan in English: "No justice—no rest!"

What conception of justice was in the minds of the protestors when they shouted, "No justice—no rest," and in the minds of the trade unionists when they signed the "illegal" wage agreement? At the time I was conducting my fieldwork, the trade union argued that agreeing to wages below the statutory minimum level was acceptable because nonmonetary benefits made up the difference. Adivasi activists had previously mainly promoted affirmative action as a means to improve the livelihoods of Adivasi tea laborers in Assam, but they started demanding minimum wages on plantations in 2014 under the guidance of international NGOs.

In this chapter, I focus on how changing conceptions of justice work at categories of collective identification by analyzing the different ways in which Assam tea plantation laborers are represented by different kinds of activists. While the literature on Indian tea plantations has focused on the "persistent association between ethnicity, place, and work" (Besky 2017a, 619; see also Raj 2013), I discuss the fuzziness and flexibility of tea laborers' collective categories of identification and their sociopolitical implications. I use the term *categories of identification* rather than *collective identities* to highlight the processual, contingent, and versatile character of identity (see Eidson et al. 2017).

I argue that changing visions of justice have transformed Assam tea laborers' categories of collective identification, turning them from "tea tribes" into Adivasis, and further into subjects of labor rights. As all these categories of collective identification are still actively used in Assam, the transformation should not be understood as linear and consecutive but as parallel and entangled. Tea plantation laborers in Assam have been, and still are, commonly designated as "tea tribes" or "ex–tea tribes" (those who no longer work on the plantation but still reside in villages adjacent to the plantations). Although the term *tribal* does not necessarily have "pejorative connotations" in India (Karlsson and Subba 2006, 4; Xaxa 2014), during my fieldwork Adivasi activists felt discriminated against because of the designation "tea tribes" and preferred to use the term *Adivasi* to describe both current and former tea laborers in Assam generally.[1] Adivasi movements in other parts of India have received broad scholarly attention (e.g., Nilsen 2012; Sanchez and Strümpell 2014; Shah 2010; Steur 2014). Studying Adivasis in Assam is particularly interesting because Adivasi groups are not recognized as Scheduled Tribes in Assam as they are in other Indian states, and Scheduled Tribes in Assam do not consider themselves as being Adivasis. This complicates the common equation of Adivasis with Scheduled Tribes and related questions of collective identification.

Since most of Assam's tea plantation laborers are Adivasis, the terms *tea laborers*, *Adivasis*, and *tea tribes* are often used interchangeably. Because these categories of identification seem broadly overlapping, replacing one collective designation with another appears to be only a matter of political correctness. However, I argue that the discrepancy between seemingly identical categories of identification and their specific situational adaptations in struggles for justice works along leadership patterns among activists. In this chapter, I discuss different justice imaginaries promoted by trade unionists, Adivasi activists and international labor activists, analyzing how they each influence laborers' categories of identification and how these in turn affect leadership patterns. As highlighted in the introduction, the analyzed justice imaginaries are not immutable, clear-

cut, and unambiguous but rather serve as heuristic devices to understand what people consider to be due to them and others.

Trade Unionists and the "Old-Style" Tea Plantation Economy

The Indian Trade Union Movement in India started in the 1920s with the establishment of the All India Trade Union Congress (AITUC) as the first national trade union in India (Ali 2011, 33). The first semblances of trade union–type organizations for tea laborers on plantations in Assam emerged in the late 1930s, at a time when a "fierce outburst of labor struggles all over the province of Assam" appeared in various industries, such as oil or railways (Behal 2014, 300). The first attempts to create union-like organizations on tea plantations were conducted by Congress Party members who tried to intervene as mediators in conflicts between planters and laborers. They were, however, not accepted by planters and could therefore not gain any substantial influence at that time. In 1939, other non-plantation industries in Assam had formed the first labor unions—for example, Digboi oil workers—which inspired the idea of a stronger labor unionization on plantations (301). P. M. Sarwan, a Christian who grew up on a tea plantation in Assam, formed the Chota Nagpuri Association in 1938, which aimed to improve tea plantation laborers' welfare under the influence of Christian missionaries from Central India (302). Historical sources mention four labor unions for tea laborers that formed as early as 1939 in the Assam Valley. Yet not much is known about these early unions' activities, which is why Rana Behal concludes that "it is likely that they never really became very effective" (302–303). Behal assumes that the reason behind the limited influence of these early trade union formations may be seen in the context of World War II, when the Indian government justified crushing labor unions in the name of defense under the Defense of India Rules, which allowed draconian measures against many forms of protest (303). A decline of labor unrest due to these strict political restrictions went on well into the early 1940s, although the harsh decline in real wages due to increased prices during wartime caused new resentment among tea laborers (303).

The Assam branch of AITUC, called Assam Provincial Trade Union Congress (APTUC), was formed in 1943 as the first labor organization at the province level in Assam (303). During APTUC's first state-level conference in Dibrugarh in 1943, its communist leaders raised progressive demands for tea laborers in Assam, including the following: a daily minimum wage of Rs. 1 for men and women alike; no increase in workload when wages increased; the abolition of child labor; an appropriate amount and quality of food rations and clothes at sub-

sidized rates for laborers' families; the provision of clean drinking water; fortified houses and latrines; free compulsory primary education; a tripartite committee of trade unions, planters, and government representatives to discuss tea laborers' economic, social, and political conditions; and the granting of civil rights (e.g., freedom of assembly) to laborers (304).

Encouraged by the communist union and its claims, tea laborers engaged in a new wave of labor protests, which were at times brutally defeated by the planters. For instance, there was a protest in which all laborers stopped working for two days and assembled in front of a manager's office. The manager killed one protestor, ran away, and was never sentenced for the murder. This incident caused the first collaboration between tea workers and workers from other industries against their common experience of exploitation; subsequently, the Assam Chah-Bagan Mazdoor Union was founded by communist activists (305). However, tea plantation laborers' "struggles did not emerge into a united labor organization which could involve the entire labor force working in the Assam Valley tea plantations till the end of colonial rule" (306) when the Congress Party's trade union wing, the Indian National Trade Union Congress (INTUC), the second-largest of five present-day recognized Central Trade Union Organizations in India, gained monopoly over the organization of plantation labor in the tea industry in Assam (J. Sharma 2011, 235). In contrast to APTUC, INTUC was supported and patronized by tea planters and was supported by the first postindependence elected Congress government in India on the national level and in Assam on the state level (Behal 2014, 305).

Tea planters in Assam had generally opposed the setting up of trade unions for tea plantation laborers until the early 1940s by arguing that "outsiders" were seeking to exploit "illiterate" laborers for political reasons (307). However, according to Rana Behal, toward the mid-1940s planters realized that they could no longer uphold their total opposition because trade unions had become more common and influential. Accordingly, they changed their strategy toward accepting only trade unions "which were willing to accept their terms and conditions" (308).

During my research, the Assam Tea Workers' Union (Assam Chah Mazdoor Sangha or ACMS), established in 1957, was the single most important trade union for tea plantation laborers in Assam.[2] It is affiliated to INTUC. Until 2014, the ACMS negotiated wage increases for tea plantation laborers in the Assam Valley bilaterally with the Consultative Committee of Plantation Associations (CCPA), a tea planters' union. The ACMS covers all plantations in the Assam Valley and has approximately 350,000 members. It has more than three hundred employees, and initially leadership positions were held primarily by "caste Hindu middle-class men from outside the labor communities," which is characteristic of the Indian trade union movement in general (J. Sharma 2011, 235). Over time, however, the ACMS

developed "an 'insider' union élite," meaning that the laborers themselves, or former laborers, or laborers' children, can now gain leadership positions. Lower-level leadership positions on the plantation are often occupied by laborers, while higher leadership positions are usually taken by their children. ACMS leaders are mainly caste Hindus today, such as Tanti, Karamkar, and Gwala, some of whom are categorized as Other Backward Classes (OBC) in Assam.[3]

When I visited the ACMS head office in Dibrugarh in 2015, I asked the general secretary, Dileshwar Tanti, why he had voted against implementing the statutory minimum wage of Rs. 169 during the last wage negotiations. His phone rang at that precise moment, and while he took the call, an administrative staffer sitting next to us exclaimed, "But the minimum wage is implemented if you take non-monetary benefits into account!" When Tanti finished his call, he added, "I voted for Rs. 115. One sixty-nine has no basis because the industries are so different, and in the tea industry there are many other obligations that are not there in other industries." He then explained that he believed Rs. 115 constituted a "fair" wage because "one fifteen with benefits is sufficient, and it is also within the management's capacity to pay" —that is, it would not cause the whole industry to collapse.[4]

FIGURE 10. ACMS logo on a picture in Dileshwar Tanti's office. Photo by the author, Assam 2015.

The ACMS's aim of maintaining the "old-style" tea plantation economy by promoting wages that are "within the industry's capacity to pay" must be contextualized within the Indian tea industry's recent economic and legal transformations as described in the introduction, which are characterized by, among other things, a gradual disarticulation of Assam tea production from the capitalist world economy; a shift from a plantation-dominated industry to a gradual replacement of plantations with smallholdings; a shift from the standard of permanent labor contracts to a casualization of labor; and the replacement of welfare labor laws with a new labor law regime that dismantles labor laws characterized by extensive social welfare measures. Hence, the trade union tried to retain the "old-style" plantation economy when it started being replaced by a new, less regulated political economy of Assam tea production. This is similar to the argument by E. P. Thompson (1971) that "the crowd" in eighteenth-century England was influenced by a "moral economy"—a specific social field of thought and action in which older, paternalistic practices and normative ideas were confronted with the practices and normative ideas of a "new political economy." Assam trade unionists were similarly attached to the normative ideas of the old-style moral economy of tea production based on comprehensive welfare measures legally prescribed in the Plantations Labour Act (PLA).

In the context of economic and legal transformation in India's tea plantation economy, the ACMS trade union opposed certain labor rights, such as the introduction of statutory minimum wages, in order to maintain an old-style plantation economy that provided dependent but secure livelihoods to tea plantation laborers. Adivasi activists, by contrast, based their justice imaginaries for tea workers on them receiving unconditional legal entitlements.

Adivasi Activists Fighting for Affirmative Action

The Adivasi movement in Assam evolved in the 1990s and consists of several organizations. The first organization, founded by Adivasi activists in 1996, is a student association called All Adivasi Students' Association of Assam (AASAA). In the early 2000s, additional NGOs were established—for example, People's Action for Development. Lastly, Adivasi activists registered a trade union in 2016 called Assam Mazdoor Union, which has not yet gained much influence. Adivasi activists are mainly the children or grandchildren of tea plantation laborers or former laborers. I will discuss the development and constitution of the Adivasi movement in Assam further below and focus for now on one of the Adivasi movement's most important justice imaginaries: to gain recognition for Adivasis

as Scheduled Tribes in Assam, as they are recognized as such in most other Indian federal states, to render them eligible for affirmative action in Assam.[5] One Adivasi magazine states the centrality of this aim for the Adivasi movement, which I encountered many times during my fieldwork: "Adivasi organizations . . . point to a particular policy feature that is historically missing here in Assam, which is the granting of Scheduled Tribe (ST) status to the Adivasis. . . . It is often the central, if not only, point of many of their campaigns" (Nawa Bihan Samaj 2013, 35).

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

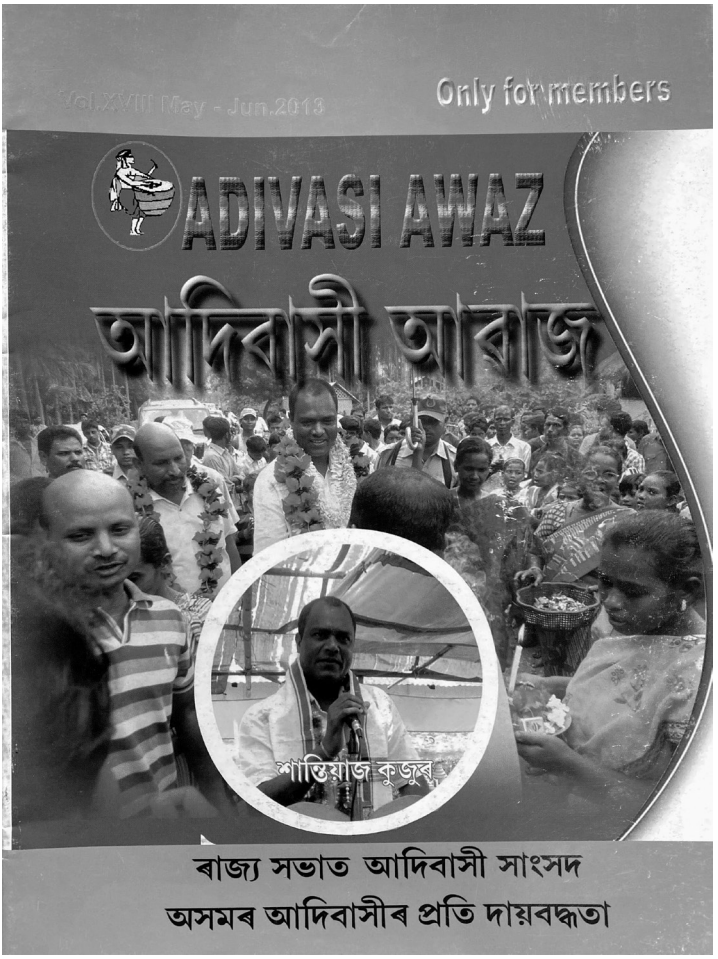

FIGURE 11. Cover of bimonthly Adivasi news magazine. Photo by the author, Assam 2017.

preferential treatment as Scheduled Tribes in Assam is based partly on their claim that they constitute India's "original inhabitants" and partly on their status as Scheduled Tribes in other Indian federal states. For instance, one Adivasi activist commented, "Juel Oram [a BJP politician from the Indian state of Odisha] is a tribal himself. How can he be a tribal and I am not—we have the same surname. How can I be OBC?" The argument evokes the larger idea of justice as the equal treatment of equals and takes the Indian nation-state instead of Indian federal states as the reference scale of justice. The main reasons cited for not recognizing Adivasis as Scheduled Tribes in Assam are that they are not indigenous to Assam and because of "inter-tribe contestation" (Ananthanarayanan 2010; Sharma and Khan 2018, 202). Townsend Middleton (2013, 15), in his study of civil servants who verify India's Scheduled Tribes, shows that there is "no standardized procedure for certifying 'tribal' communities." He states that "the viability of ST status derives not only from the advantages that the designation offers, but also from the pliability of the 'tribal' category itself" (13).

This lack of standardization contributes to confusion about the relationship between indigeneity and "backwardness" in granting ST status.[6] Along with Adivasis, five other groups in Assam currently claim ST status; among them are Thai-Ahom and Koch-Rajbonshi, historically the ruling classes in Assam. Thai-Ahom and Koch-Rajbonshi justify their claim by highlighting their indigeneity to the region and by disregarding their historically privileged socioeconomic status. The fact that Adivasis are only one group among others claiming ST status in Assam is seen as one major reason why they have not yet been acknowledged as ST in Assam. On the one hand, there is a fear of political unrest if only one community among those demanding recognition is acknowledged as a Scheduled Tribe. On the other hand, it is feared that (parts of) Assam may turn into a "tribal area." According to the Indian constitution's Sixth Schedule, regions with a "tribal" majority can turn into semiautonomous "tribal areas" with "tribal" political institutions (Middleton 2013, 14).

Since indigenous populations have often been discriminated against, historical discrimination and indigeneity are commonly linked (Zenker 2022). However, indigeneity is, to an extent, decoupled from historical discrimination in Assam, and therefore it has become possible for Assam's historical aristocracy to claim ST status based on the idea that its members, as the firstcomers to the region, are entitled to certain privileges (see Béteille 1998). If all six communities come to be recognized as Scheduled Tribes in Assam, it will be hard for Adivasis to compete with people from a historically privileged aristocratic class. Frustrated by the continuous denial of ST status, in 2014 Adivasi activists started giving more attention to labor rights, or more precisely to the drive for a statutory minimum wage for tea plantation laborers.

The Campaign for Statutory Minimum Wages

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

Adivasi activists in Assam learned about the minimum wage and the living wage in India from two international NGOs that conducted legal capacity trainings for leading Adivasi activists in July 2014, just before the wage negotiations began.[7] Following the training, Adivasi activists started a wage campaign for tea laborers in Assam. The shift from affirmative action to labor law also means that tea plantation issues are now considered more explicitly in the Adivasi movement. One Adivasi activist stated, "Initially, we did not focus so much on tea gardens. We rather fought for our community's right to get the ST status. The wage campaign was the first big initiative on tea gardens."

Some weeks after the protest against the wage agreement described at the beginning of this chapter, in which the trade union consented to a wage below the statutory minimum wage, I visited Mark, a prominent Adivasi activist who had led the protest that day (see fig. 12). We met in his house on a tea plantation. Mark was the son of tea pluckers; although his father had died some years earlier, his mother still plucked tea. Mark had decided to join the Adivasi movement when he was still in school, after seeing media reports about the first large protest of the Adivasi movement in Guwahati, the capital of Assam.

During that protest, civilians and police officers had beaten up protesters and had stripped a woman protester naked and harassed her. When Mark saw that "our people are treated like animals," it became a turning point in his life, he said. Mark became agitated as he spoke, raking his fingers through his moustache. Mark explained why he thought the trade union should not have agreed to the "illegal" wage agreement: "It is stated in our constitution . . . that the minimum wage for tea laborers should be Rs. 169. The reason for our movement (*āndolan*) is that we should get Rs. 169. . . . We live in a democracy. . . . It is our right (*adhikār*) to make demands! Our calculation is that one person (*ādmī*) needs at least Rs. 330 per day to live on (*ghar cālāne ke lie*). But the lowest wage should not be below the minimum wage!"

FIGURE 12. Protest in front of the trade union's head office in Dibrugarh. Photo by the author, Assam 2015.

Mark's statement illustrates how Adivasi activists applied their newly acquired knowledge about the statutory minimum wage in their movement. Mark called the wage agreement "illegal" because he considers the minimum wage to be a constitutional right; he sees laborers as being entitled to a minimum wage because they are citizens of India endowed with certain (labor) rights. Mark's and the Adivasi movement's claim appears in a broader context when "citizenship has resurfaced as a central format of struggles for justice and social well-being" (Eckert 2011, 309). Thereby, Mark, like other Adivasi activists, demands the unconditional fulfillment of Indian labor law for tea plantation laborers as Indian citizens, regardless of the tea industry's capacity to pay.

The wage of Rs. 330 per day that Mark is seeking had been suggested by the international NGOs as a "just wage" —a wage that would enable tea laborers to cover their basic expenses like clothing and food as well as additional costs like housing, electricity, education, medical care, and an old-age pension. The proposed "just wage," which activists sometimes also referred to as a "living wage," starts from a needs-based minimum wage. Needs-based minimum wages were

drawn up by the Tripartite Committee of the 15th Indian Labour Conference in 1957, which declared that minimum wages in India should be calculated to ensure "minimum human needs" (Ministry of Labour and Employment 2008).

Since the current Indian labor law reform and the replacement of the Plantations Labour Act with the Code on Occupational Safety, Health and Working Conditions is ongoing, it is unclear whether nonmonetary benefits will continue to be paid next to higher cash wages in the Indian tea industry or if higher cash wages will eventually replace the dual wage structure. There is a lack of agreement about whether higher cash wages in the Indian tea industry have primarily positive or negative implications. Some people regard the elimination of nonmonetary compensation in the Indian tea industry as "a welcome decolonization of agriculture," while others fear consequences such as the "breakup of both families and social and ethical lifeworlds" (Besky 2017a, 628).

On February 26, 2015, the trade union, the ACMS, and the planter's union, the CCPA, came up with a decision to increase wages from Rs. 94 to Rs. 115 that was below the statutory minimum wage of Rs. 169 and far below the requested living wage of Rs. 330. The wage increase was nonetheless historically high. Until 2014, tea plantation laborers' wages in Assam had been increased by just a few rupees per year; after, the increases became bigger, and since 2023, laborers have earned Rs. 250 per day.[8]

The implications of the higher cash wages and the possible erasure of nonmonetary benefits in the tea industry must be studied carefully in the future. But in this chapter, I want to focus on an aspect that has received little attention in the ongoing debate: how shifting visions of justice shape tea laborers' categories of identification and the sociopolitical consequences that arise from this.

Situational Adaptations of Collective Identities

The shared labor migration history of tea plantation laborers from the "tribal belt" led to their labeling as "tea tribes" in Assam, while those who migrated to the villages surrounding the tea plantations in Assam are called "ex–tea tribes." This category gained limited official status when "Tea Garden and Ex-Tea Garden Tribes" were mentioned in a 1946 memorandum of the Assam government, which defines ex–tea garden tribes as "descendants of 'immigrants who originally came for employment in tea garden'" (Kikon 2017, 320). The term *tea tribes* appears in official administrative designations such as the Assam government's "Tea Tribes and Adivasi Welfare Department" or by the denotation of the first interest group for tea laborers, the All Assam Tea Tribes Student Association (ATTSA). The group is closely linked to the trade union, ACMS. However, the

term *tea tribe* does not have the same legal meaning as collective ethnic designations, such as "Munda" and "Oraon," which may be declared "tribes" eligible for affirmative action. The notion "tea tribes" also resembles the local notions *bāgāniyā* or *bāgān ke log*, which can be literally translated as "garden people."

While the terms *tea tribes* and *ex–tea tribes* are commonly used, Adivasi activists have resisted being designated as such because they feel the terms are derogatory—not because of the term *tribe* but because of its combination with *tea*. Adivasi activists often asked me rhetorically: "How can a tribe be named after a commodity?" The Adivasi movement has struggled to replace the term *tea tribe* with *Adivasi* and to encourage tea laborers to identify as Adivasi rather than with their particular ethnic group. For example, an Adivasi activist from the Khondo community on a tea plantation in Assam commented, "I do not know what is particular about Khondos. We do not have a Khondo society or common Khondo celebrations [as other ethnic groups have]. . . . But I am also not interested in preserving the Khondo culture. My sentiment goes toward being Adivasi. If everyone focuses too much on his own separate *jāti*, then there will be a divide, and our Adivasi community will become weak."

The terminological shift from "tea tribes" or from the names of their constituent ethnic groups (*jāti*s) to "Adivasis" has been an implicit objective of the Adivasi movement from its outset. The common narrative told by Adivasi activists traces the movement's inception back to 1996. In that year, about 250 Adivasis were killed by Bodo extremists in plantations and villages in Lower Assam (West Assam), and more than 200,000 people were expelled from their homes without being properly resettled (Bora 2014). The Bodos are the largest Scheduled Tribe in Assam. Bodo extremists attacked Adivasis because Adivasis do not support their claim for an independent state, Bodoland, and because the Bodos oppose Adivasis' claim to ST status due to intertribe contestation. Adivasi activists assert that neither the government nor any of the existing interest groups took care of Adivasi victims after the Bodo attack, which is why they decided to form their own movement. One of the Adivasi movement's founders, who was a teacher at that time, recalled the experience of ethnic violence toward Adivasis in 1996 and how this became a turning point in his life:

> In 1996, an ethnic attack took place in Kokrajhar [district in Lower Assam]. It was an ethnic clash between Bodo and Adivasi. When I saw it on TV, my mind was very disturbed. And without permission from my school, I went to Kokrajhar and stayed there for some days. . . . There were thousands of people sleeping on the open roads at night. And it was very painful to see the situation. Because of that scenery, I myself questioned many things, and it was a turning point of my life. Many people

> say that this was a turning point for the Adivasi society. . . . I resigned from school. . . . I was present at that meeting where AASAA [All Adivasi Students' Association of Assam, the first organization that was established by Adivasi activists on July 2, 1996] was founded. At that time, we were trying to build AASAA to unite our community so that we could fight for our rights. I completely gave up teaching and engaged in building up that organization. . . . We were forced to form an organization to protest against all this injustice to the Adivasi community.

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

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

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

First, it must be kept in mind that the term *Adivasi* has no legal recognition in India today (Parmar 2016, 6). Although *Adivasi* is an umbrella term designating diverse ethnic groups, it would not be legally possible to acknowledge Adivasis as Scheduled Tribes in Assam. Of the estimated ninety-six "tribes" who work as laborers on tea plantations in Assam, only twenty-six are listed as Scheduled Tribes elsewhere in India and could therefore be considered for possible designation as Scheduled Tribes in Assam as well (Choudhury 2015).

Second, while Adivasi activists used the terms *tea tribes*, *tea plantation laborers*, and *Adivasis* synonymously in the "public transcript," they differentiated

between "real" and "false" Adivasis in the "hidden transcript" (Scott 1990). Only "real" Adivasis, meaning those who had been acknowledged as Scheduled Tribes in other Indian states, were allowed to take leading positions in the Adivasi movement, even though the Adivasi movement claimed to represent all Adivasis or all tea plantation laborers (and ex–tea laborers) in Assam. Adivasi activists were playing with the alignment of different ethnic groups under the umbrella term *Adivasi* in different situations and for different purposes (Eidson et al. 2017, 341). This public inclusion and internal exclusion of "false" Adivasis resembles the way ATTSA and ACMS open up leadership positions to caste Hindus alone, despite claiming to speak on behalf of all tea laborers.

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

> Actually, I am also confused myself about what Adivasi means. Maybe I can say that personally I am Oriya, but in order to access governmental schemes, I have to call myself Adivasi.[9] Formerly, we were tea tribes and there was a Tea and Ex-Tea Tribes Board to access governmental schemes. Now the Adivasi Development Board has been established . . . if I say that I am Oriya, then I will not be acknowledged by the government and I will get nothing.[10] I look forward to an Oriya movement. But since no Oriya movement has started so far, I have to be an Adivasi.

The shift of allegiance from ACMS and ATTSA to the Adivasi movement, together with the fuzzy, overlapping, and flexible categories of tea tribes, Adivasis, Scheduled Tribes, tea plantation laborers, former tea plantation laborers, and so forth, creates a peculiar dynamic regarding the categories of the concerned agents of justice and subjects of justice. The trade union ACMS focuses on tea laborers as subjects of justice. It was established at a time when trade union movements and labor movements in India were booming and influential (Ahuja 2020). The Adivasi movement started as an ethnic or indigenous movement, which again resembles global trends (Della Porta and Diani 2006). Social movements with a focus on diverse identity categories beyond class started developing from the 1960s onward (Fraser and Honneth 2003). This move from "old" to "new" social movements has been characterized as a shift from class-based "materialist" claims, as in the trade union movement, to more "ideological" issues in identity-based movements, which challenge the dominance of the conflict between capital and labor, as well as the homogenous representation of people in classes (Buechler 1995). Indigenous movements with an emphasis on the diversification of identity categories beyond class have increased globally since the 1990s (Della Porta and Diani 2006) and have united across borders in

their struggle to fight discrimination against Indigenous people as subjects of justice worldwide, as manifested in institutions such as the UN Working Group on Indigenous Populations, established in 1982 (Kikon 2017, 319).

All the interest groups working for tea plantation laborers (as subjects of justice) co-constitute a metagroup whose leaders as concerned agents of justice seek to represent the group's interests (objects of justice) in particular frames. Pierre Bourdieu (1989, 22–23) has described representation as the "power to make a new group . . . by speaking on its behalf as an authorized spokesperson." This "double representation"—creating a group by speaking on its behalf—shows that representation is always a *Vertreten* ("speaking for") and a *Darstellung* ("as in art or philosophy") (Spivak 1988, 275). Different kinds of representation or different ways of defining subjects of justice thereby create different mechanisms of inclusion and exclusion within justice regimes. Caste Hindus have occupied most leadership positions as concerned agents of justice in the trade union movement and "tea tribe" organizations. The Adivasi movement situationally adopted the use of "strategic essentialism" (Spivak 1988) to convince tea (and ex–tea) laborers to identify as Adivasi and thereby shift the subjects of justice, while granting only "true" Adivasis as truly concerned agents of justice access to leadership positions, and this enabled them to occupy important leadership positions for the first time in tea plantation history.[11]

Justice in Transition

In this chapter, I have analyzed different ideas about just working and living conditions for tea plantation laborers in Assam, which were prevalent among interest groups working on laborers' behalf during my fieldwork in India between 2014 and 2017. In the shifting political economy of tea production in Assam, the trade union ACMS promoted low cash wages with additional nonmonetary benefits to protect the tea plantation industry from a total collapse. Adivasi activists, who, since the 1990s, had fought for Adivasis to be acknowledged as Scheduled Tribes in Assam to make them eligible for affirmative action, have changed their object of justice to the implementation of the statutory minimum wage on tea plantations in Assam, criticizing the trade unionists as not really being concerned agents of justice for tea laborers.

Rather than providing a conclusive answer to the question of which idea of justice led to greater sociopolitical justice for tea laborers, I have drawn attention to the question of how visions of justice work at laborers' collective identities. I argue that, with the multiplication of objects of justice—from protecting the old-style plantation economy to promoting affirmative action to fighting for the

implementation of statutory minimum wages for tea laborers in Assam—it was not only the better futures the interest groups envisaged for tea laborers that changed but also the categories of collective identification of subjects of justice and concerned agents of justice. Tea laborers as subjects of justice were designated either as "tea tribes," "Adivasis," or "labor rights' subjects" in different justice imaginaries. While being used as seemingly identical categories of identification, I contend that the categories were fuzzy and overlapping. This fuzziness allowed these categories to be used differently in different situations. Seemingly identical subjects of justice and concerned agents of justice turned out to be variable and flexible in different situations.

Adivasi activists advocated replacing the term *tea tribes* with *Adivasis*, which seemingly subsumed a large and inclusive group of people as its subjects of justice. However, in their hidden transcript, Adivasis differentiated between "real" Adivasis and "false" Adivasis to decide who was eligible for leadership positions or to be considered a legitimate concerned agent of justice in the Adivasi movement. Their situational adaptation of strategic essentialism resembled earlier strategies by the trade union movement that claimed to represent all "tea tribes" as subjects of justice but only allowed the caste Hindus among them to gain leadership positions or be concerned agents of justice in the trade union. The Adivasi movement and its members' visions multiplied objects of justice and leadership patterns in Assam. Justice imaginaries in transition changed not only objects of justice but also subjects of justice and concerned agents of justice that were declared to remain the same.