

Between Arrests and Acquittals

India's large plethora of preventive and punitive laws—the Preventive Detention Act, Terrorist and Disruptive Activities (Prevention) Act (TADA), Prevention of

Slum Acts by Veena Das, Cambridge: Polity Press, 2021; pp 190, price not mentioned.

Das uses multiple sources, ranging from documents relating to confessions, bail petitions, police diaries, prisoner monographs, which reveal the widespread use of torture to force admissions of guilt, and the highly contrived character of charges presented by the police. The police frequently use barely admissible reasons to refuse bail, which make no distinction between far-fetched and real possibilities, and emphasise the

The centrepiece of Das's analysis are two cases, first, that of Abdul Wahid Shaikh, who was arrested in connection with the bomb blasts at the CSMT railway station in Mumbai in 2006. Shaikh, a schoolteacher in a Muslim neighbourhood, was tried on charges of conspiracy and imprisoned for 10 years, before he was finally acquitted of the charges. In his book, *Begunah Qaidi: Aatankवाद के ज़ूतेय मुक़द़्दमों में फ़सादीय ग़ये मुस्लिम नौ ज़वानों की दास्तान*, or the Innocent Prisoner, Shaikh describes his personal experience of torture, his observations of the legal system and of his tormentors, but most importantly he writes his book as a manual or a guide for future victims, so that they may benefit from his experience, this being a powerful statement of how a Muslim might perceive the future of his community vis-à-vis the Indian state. Shaikh's acquittal highlights not only the minority community's complete vulnerability but also the dubiousness of judicial truth, based on legal fiction. For Das, the book constitutes a central text from which she draws not only invaluable evidence of police torture, but as a platform for reflecting on the relationship between Indian democracy and the Muslim minority community (pp 55–70).

Chapter 3 presents the second important case, that of a nine-year-old girl (named Kh in the book), who was abducted from a slum in Noida in the NCR region in 2011, confined for many months, raped and physically assaulted. The parents of the girl battled unsuccessfully for many

months to file a police case of their missing daughter. Finally, after the girl reappeared, the perpetrator of the crime was tried and imprisoned for life.

Das highlights that the legal narrative in the court transforms the very same police officer who consistently refused to file the case, into the police officer who finally rescues the girl. This transformation may (or may not) have happened in the context of media publicity and the role of human rights groups. However, she traces a school essay written by the girl, post her return, describing the escape of a girl from an abductor through her own efforts and intelligence. In this domain of light and shadow that envelops the case in mystery, sifting through multiple layers of evidence and fiction-making—the community's stories about informers, the role of mafia-police collaboration, and by tracking the life of minor documents generated from within the community—the facts that stand out most starkly are the parents' failure to get the case filed in the local thana, and the role of the rogue turned do-gooder police officer. The violence that the young child experienced, although perpetrated by a private individual and his associates, can hardly be distinguished from the violence that lies at the heart of the state, manifested in the police system in this case.

It is not possible to do justice to this wide-ranging, deeply reflective work in a short review. However, one can try to highlight some of the more striking themes that the work presents. One of these is of course the author's critique of the state, which goes beyond specific aspects of governance to question the justificatory foundations of state power. The state's monopoly of legitimate violence or its legal normativity provides the fault line along which she traces a multiplicity of structures and processes: the police-mafia and informer-witness collaboration, the use of custodial torture and finally the putting together of false charges. While these practices bend the normative purposes of the state, at the same time they lean on the ultimate justificatory premise that the state's practice of violence is rational and legitimate, in contrast to

non-state actors' irrational and illegitimate violence (pp 10–11).

Transforming a Community

Beyond the state, a significant area of understanding that the author holds out is what happens within the community itself. In Chapter 3, Das presents a discussion of the ways in which police posts near neighbourhoods, which are under suspicion, consolidate and create old and new loci of power within slums, constructing informers, locating possible witnesses, using the influence of dons and mafia. The local *jaankar* (informer), slum don, or the famed “fixer” have always functioned in slums, playing mediating roles in exchange for bribes/gifts. In the current context of global terror, their roles take on a different hue altogether. The neighbours turn informers, close relatives provide false witness accounts under pressure, and members of the community are arrested, tortured and incarcerated, frequently on false, untenable charges. These processes highlight, for the author, ways in which global terror and the local police penetrate into communities, uprooting their basic fabric of social relations, and transforming everyday life into one charged with fear, suspicion and threat.

State and Inordinate Knowledge

The state, for Das, is then not the physical location of centres of power. A work of this genre expectedly leans on Foucault, the location of power at multiple societal points. But the book goes beyond, in locating state power in the family, in lower income neighbourhoods, in a wounded body, in the language and terms used by communities under threat, in fact in a seemingly endless range of objects and processes through which the state passes (p 132). And it is in this context that she found the centrality of minor characters, for example, the large numbers who were arrested but were eventually released, many of whom disappeared completely from the neighbourhood, it is in their lives and experiences that she found state and power writ large (pp 133–35).

What is the nature of this knowledge, and how does one access it? Here too,

the analysis goes beyond Foucault's theory of tokens or symbols of disciplinary knowledge as power and contestations, resistance, and struggles as embodying subjugated knowledge. The book proposes a different “register of the darkness of knowledge that is carried, endured and worked on in the everyday” (pp 19–20). Insofar as the community and individuals absorb and internalise the knowledge of pain, torture, betrayal, and complicity, these constitute inordinate knowledge. This domain of knowledge would be critical to the anthropologist's understanding of the ways in which communities are torn apart, or may seek to rebuild themselves, if they do.

On Method

This perspective would profoundly impact the way we think about methods in the social sciences. As Das has stated, many accomplished anthropologists claim that direct physical violence and torture do not surface during fieldwork and are therefore hard to document. She maintains that this only means that we need to go beyond the methodological perils of “trusting only that which we have directly seen or being shown.” Her central point here is that violence or torture goes much beyond the body of the individual, not only in its psychological impact on the tortured, but also on his family, kin and community via threats, narrations, and memories (pp 136–37). This conceptualisation of what constitutes knowledge in a way overturns how we think of what it is that we need to understand in the social sciences. And in the author's signalling towards a completely different route to understanding this domain of darkness, we also must rethink our jaded methods of doing social sciences, the much used “qualitative data” and “focus group discussions” that are routinely taught to students in every research methodology course.

Different Faces of Normalised Violence

Finally, in the concluding chapter, which touches on debates on the use of torture, Das cites scholars from both sides of the spectrum. Her own understanding

