BATS301
TRIBAL RIGHTS AND SOCIAL MOVEMENT

INSTITUTE OF DISTANCE EDUCATION **IDE**
Rajiv Gandhi University

BA (TRIBAL STUDIES)
5TH SEMESTER

Rajiv Gandhi University
www.ide.rgu.ac.in

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About the University

Rajiv Gandhi University (formerly Arunachal University) is a premier institution for higher education in the state of Arunachal Pradesh and has completed twenty-five years of its existence. Late Smt. Indira Gandhi, the then Prime Minister of India, laid the foundation stone of the university on 4th February, 1984 at Rono Hills, where the present campus is located.

Ever since its inception, the university has been trying to achieve excellence and fulfill the objectives as envisaged in the University Act. The university received academic recognition under Section 2(f) from the University Grants Commission on 28th March, 1985 and started functioning from 1st April, 1985. It got financial recognition under section 12-B of the UGC on 25th March, 1994. Since then Rajiv Gandhi University, (then Arunachal University) has carved a niche for itself in the educational scenario of the country following its selection as a University with potential for excellence by a high-level expert committee of theUniversity Grants Commission from among universities in India.

The University was converted into a Central University with effect from 9th April, 2007 as per notification of the Ministry of Human Resource Development, Government of India.

The University is located atop Rono Hills on a picturesque tableland of 302 acres overlooking the river Dikrong. It is 6.5 km from the National Highway 52-A and 25 km from Itanagar, the State capital. The campus is linked with the National Highway by the Dikrong bridge.

The teaching and research programmes of the University are designed with a view to play a positive role in the socio-economic and cultural development of the State. The University offers Undergraduate, Post-graduate, M.Phil and Ph.D. programmes. The Department of Education also offers the B.Ed. programme.

There are fifteen colleges affiliated to the University. The University has been extending educational facilities to students from the neighbouring states, particularly Assam. The strength of students in different departments of the University and in affiliated colleges has been steadily increasing.

The faculty members have been actively engaged in research activities with financial support from UGC and other funding agencies. Since inception, a number of proposals on research projects have been sanctioned by various funding agencies to the University. Various departments have organized numerous seminars, workshops and conferences. Many faculty members have participated in national and international conferences and seminars held within the country and abroad. Eminent scholars and distinguished personalities have visited the University and delivered lectures on various disciplines.

The academic year 2000-2001 was a year of consolidation for the University. The switch over from the annual to the semester system took off smoothly and the performance of the students registered a marked improvement. Various syllabi designed by Boards of Post-graduate Studies (BPGS) have been implemented. VSAT facility installed by the ERNET India, New Delhi under the UGC-Infonet program, provides Internet access.

In spite of infrastructural constraints, the University has been maintaining its academic excellence. The University has strictly adhered to the academic calendar, conducted the examinations and declared the results on time. The students from the University have found placements not only in State and Central Government Services, but also in various institutions, industries and organizations. Many students have emerged successful in the National Eligibility Test (NET).

Since inception, the University has made significant progress in teaching, research, innovations in curriculum development and developing infrastructure.

SYLLABUS

Tribal Rights and Social Movement

Unit-I Tribal Rights
    (a)   Land, Forest and Water
    (b)   Human rights
    (c)   IPR

Unit-II Intellectual Property Rights
    (a)   Intellectual Property Rights
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    (a)   Identity assertions
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CONTENTS

TRIBAL RIGHTS

Structure

1.1   Learning Objectives

After reading this Unit you will be able to
- understand the nature of tribal rights on land, forest and water over the years;
- identify contact with outsiders and State interventions as encroaching forces on tribal rights;
- compare contemporary status of tribal rights with traditional rights;
- learn the concept of intellectual property rights (IPR) and its significance;
- identify drawbacks in IPR in the context of tribal knowledge system;
- define geographical Indication (GI) and its role in protecting IPR;
- acquaint with GI and tribal interface with examples;
- learn the provisions of Human Rights and nature of violation of such rights;
- explain tribal rights within human rights framework; and
- enumerate situations in tribal society which lead to human rights violation.

1.2   Introduction

We are living in a post-colonial democratic world. In democracy, respect to and appreciation of differences and equality among all are two crucial pillars. Whether it is an individual or a community it has its own significance and thus is equal with others of the category. That is why issues of Human Rights, Indigenous Peoples' Rights, etc. are primary focus during our time.

But this was not case during colonial period or in a monarchy or dictatorial regime. During such periods many communities including the tribes were not treated equally. You know that during colonial rule tribes were looked down. They were not allowed to enjoy the rights which other communities enjoyed. Even their rights over land, forest and water, which they enjoyed before their contact with colonial period, were encroached upon.

So, in our contemporary time the issue tribal rights assume greater significance. It is because the tribes are restoring their lost rights and are guaranteed the rights at par with other communities. The lost rights of tribes are apparently their rights over resources- land, forest and water. Of course, this loss has   compounding impact on other rights, but we shall restrict ourselves to tribal rights over land, forest and water.

The phrase 'tribal rights' apparently seems to mean rights of tribes as a category. Obviously it is so; it is generic understanding, though tribes display diversities. The most crucial point is the understanding of rights in a time scale. Accordingly, tribal rights can be viewed with regard to their traditions, customs and practices, and in the present context. In former sense, tribal rights are informal, recognised within customary frame and enforced by traditional system of governance. Such rights are community specific- the community   being a village or a tribe.

However, the village is not independent of general perspective of the tribe when the village is not coterminous with the tribe and the tribe spreads over a number of villages. In such cases the governance system manifests not only in villages but also at inter-village and tribe levels. We can cite the example of *dolung kebang* of the Adis, an acephalous tribe, at village level, *bango* at inter- village level and *bogum bokang* at tribe level. But for a cephalous tribe, like the Khampti, there may not be inter-village system of governance. Inter-village disputes are brought to *Mukchum*, the council of the Chief.

Rights enjoyed by the tribes over land, forest and water as per customary rules indicate tribal autonomy at village and tribe level depending on the context. When tribes interacted with the State, particularly from colonial time, their rights over land, forest and water were encroached upon and restricted. Rule and regulations were made and their informal rights were brought under formal system, though sometimes granting a few privileges/concessions. Tribal customs and traditional institutions were replaced by formal legal system in order to enforce rules with regard to their rights.

You will find a contradiction with regard to 'rights' in the process of tribal interaction and integration with the State. At one hand traditional rights have been encroached upon through state legislations and the other there are legislations and other provisions at national and international level to safeguard tribal rights. Whereas, for example, forest policies since colonial period have restricted tribal rights over land and forests, there are also Chhotanagpur Tenancy Act (CNT Act), 1908, Jhum Land Regulations,1947 and recently Panchayats (Extension to Scheduled Areas) Act, 1996 and Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA), 2006 which provide for protection of such rights.

In this unit you will learn traditional informal rights of tribes on land forest and water; state instruments curbing these rights and along with international instruments like human rights, providing for their safeguard. You will learn provisions of regulations in India providing for protecting tribal rights.

Check Your Progress-I

State whether the following answers are 'true' or 'false' with regard to 'tribal rights'

Tribal rights are

(a) human rights
(b) formal rights
(c) only traditional rights
(d) community specific
(e) enforced by legal system

1.3   Land, Forest and Water

As you know, tribes in India inhabit different ecological settings, follow different livelihood options and display different socio-political organisations. So you cannot have a picture of common tribal rights on land, forest and water. Each, tribe depending on its ecological setting, livelihood pursuit and socio-cultural organisation, has evolved its traditional regime of rights over natural resources namely land, forest and water. For example a tribe pursuing hunting and gathering has different rights regimes than settled cultivators, and both of their system would differ from a pastoralist community. An acephalous tribe would display normally a regime of communal right while a cephalous tribe the regime would operate under chief's authority- the chief who represents the community as an individual unlike the council in acephalous tribe. We will cite a few examples in course of our discussion which will clarify the above points on tribal rights over land, forest and water.

Nature of Traditional Rights: An Overview

In a tribe, except in matrilineal ones, female does not have any right to land, forest and water except a usufructuray right under specific conditions like widowhood. The individual right is governed by rules of inheritance prevalent in the tribe. In principle, the right to ancestral

property like land, forest and water bodies is vested on eldest or youngest son depending on the practice of primogeniture or ultimogeniture prevalent in the tribe. For example, in Apatani tribe primogeniture rule of inheritance of ancestral land is in vogue. The youngest son inherits father's house and homestead land.

In such tribes, the practice of sale and purchase of land exists within family/lineage/clan members within the village or within the tribe. Elwin (1959) writes,

> Land can be bought and sold by the Apa Tanis among themselves, but traditionally it must be bartered from livestock.

In matrilineal tribe ancestral family property is inherited by daughter following the principle of primogeniture, ultimogeniture or sharing among daughters. J.K.Bose (19800 informs that among the Garos, the family property is inherited from mother by *nokna*, in principle the eldest daughter, but in practice always not so. The right is conferred on her with at least information to her *machong*, the lineage group of a common motherhood (ancestress), for her recognition. Obviously, *machong* reflects a sense of community bondage and it is the practice that the land of a heirless mother goes to a girl of that *machong*. However, a family or a machong is not independent in itself; it is under the jurisdiction of village authority. The machong is also not independent of its own division which constitutes one of the three divisions, namely Marak, Momin and Sangma, of the Garo tribe.

Today, a tribal territory is dotted by inhabitations of other ethnic groups. In Jharkhand even in a particular tribal village you will find a few families of other tribes/ communities. In Chowkham circle of undivided Lohit district, you will find Galo village (Namliyang) surrounded by Chowkham, Manfactang, Mimey, M'pong and Momong villages of the Khamptis. Similarly, Bhils and other communities are intermixed in many areas of Rajasthan. But each tribe has a notional idea of its territory. Even today, as Behera (1994) reports from a field study, the Khampti elders describe traditional eastern boundary of the Khampti area from Diban to Parshuramkund, northern boundary from Parashuramkund to Sadiya along the Lohit, the western boundary from Sadiya to Lajum and the southern boundary from Lajum to Diban. At present, within this notional Khampti territory hundreds of non-Khampti (Mishmi, Singphow, Deori, Assamese, Adivasi, Adi, Chakma, etc.) settlements are observed.

In contrast to it, Toda or Bonda territory is a contiguous area like the Apatanis of Arunachal Pradesh. The Nyishi, the Adi, and the Galo, except those migrated to other districts or live among other tribes, have contiguous territory. In view of this, a tribe has ownership right over land (including hills), forests, and water bodies within its contiguous territory.

When population of a band/ small community grows, members migrate to different places, form different group identities (tribes) or maintain original identity. These migrated members establish their settlement(s) and demarcate territorial boundaries of each settlement/village. The sum total of such territories and unclaimed territories between demarcated territories belong to the tribe including forests and water bodies within it. In this regard Elwin (1959) has made the following observations:

There is first the area, established by old tradition and agreement with neighbouring villages, which is regarded as belonging to the village as a whole; all the inhabitants are concerned to preserve the integrity of its boundaries, which are clearly marked by streams, hills or great trees.

Nearly, every village was originally settled by the members of a single clan, who cleared the forest and endured all the hardships of pioneers. These are the ultimate owners of the land, the title to which passes to their male descendants. There is a sense in which all subsequent settlers, especially those of other clans and in the smaller villages, are tenants, though in practice they act as full members of the village community…When land is borrowed, however, and particularly, when the new settler is not of the founder-clan, he is entitled only to use the land so long as he resides on the spot; he cannot transfer his holding even to his own descendants without the permission of the village council; and should he go elsewhere his land reverts to the village as a whole.

Now it is clear that tribal rights, before contact with the State, particularly colonial rule, were communal rights and the individual rights were established within a main framework of community possession. The rights over land, forest and water within the boundary of the village were vested customarily on the village community. However, the communal rights express in different forms- rights of the tribe, rights of the village community (if a multi-clan village) and rights of the clan/lineage. In addition individuals also enjoyed restricted rights but, as has been mentioned, within community frame. Broadly, there are two types of traditional tribal rights over land, forest and water- communal and individual. The communal rights evolve generally from individual rights over time and space.

For example, among the Santals land belongs to those who first cleared the forests. The first settlers may be members of a family or lineage or a clan. In addition to the cleared forest patch, the forests they used also belonged to the first settlers. In other words, the land, forests, and water bodies within the territorial boundary belonged to individual family and subsequently, to the community (lineage/clan/village) when population increased and family broke up to new families.

In this regard, Khunti-Kattidari system as it prevails in Jharkhand among the tribes will clarify the above point that communal right evolved from individual (family) rights. In Jharkhand, as Gupta (2002) informs, a Munda who acquired jungle land for the purpose of bringing suitable portions thereof under cultivation by himself or by male members of his family is known as Khuntkattidar, the original clearer of the forest. This system prevailed among other tribes, like the Oraon, who later migrated to the area. As population increased, the descendants of the original settler, the Khunkattidar cleared forests for their respective families. All these families, being the descendants of the original settler and the pioneer with respect to clearing forest for their respective families were known as *bhuinhars*. The lands they reclaimed were called *bhuinhari* lands of their respective *khunts* (lineage). This *khunt* was further subdivided into lineage segments, each segment having the absolute rights of its

portion. Thus land was held jointly by each segment of the *bhuinhari khunt* under the control of Khuntkattidar. As these lands belonged to the persons who originally cleared the forest, and as the members of the village families have been considered to be *direct descendants* of that original founder of the village, so these lands have been recorded in the name of the whole community.

Rights on land, forest and water are traditionally vested on the community. Elwin (1959) writes in the context of present Arunachal Pradesh that ' every tribe, every village has forests and streams over which it claims hunting and fishing rights…'. Individual rights are enjoyed within the frame of community possession. Individual rights are distinct not only in landownership but also in the use of forests and rivers in a village. Tatak (2004) informs that rivers and streams within the village boundary are individually owned. The entire river flowing in the village is divided into different segment and families in the village own each segment of it. Similarly, a family may own forest tracts for trapping rats, birds, etc. Such tracts are known as *eda* in Adi and even owner has the right to collect fine if someone fells tree in these tracts without permission. Even among the Apatanis, as Elwin (1959) informs citing Haimendorf, tracts of village forests belong to particular clans 'where only the clan members of the owner-clan have the right to hunt and trap'.

What you have learnt from above discussion is that there are individual rights over resources and resource use, but these rights are conditioned within the community framework. In other words, community rights over resources- land, forest and water, are the norm in traditional tribal communities. But this norm was violated during colonial rule and also in Independent India.

Interaction and tribal Rights

From above discussion you have learnt that tribals traditionally enjoyed community rights over land, forest and water within territorial boundary of the community- tribe, village, clan or lineage. Individual rights existed as an integral part of community rights. The arrangement within tribal autonomy over resources almost continued till British rule. Before British rule, the tribes came in contact with non-tribals during State formation and foreign invasions.

You must have heard about the Gond queen Rani Durgnavati. The point is that some tribes like the Bhil, the Gond, the Jaintia, etc. participated in state formation and a few of them had their kingdoms/chiefdoms. The tribal king, being the supreme of the tribe enjoyed the rights over resources of the kingdom, but the tribes enjoyed their community rights even though they were under a king. No doubt, tribes like Bhils who participated in state formation process had enjoyed their traditional rights at village level. Similar was the case with the Khamptis who ruled Sadiya outpost of the Ahoms during early 19th century but their traditional practices prevailed at community level. From Gupta (2002) we learn that during Muslim rule tribes of Jharkhand paid revenues through their respective heads, but did not interfere in their community rights over resources. Guha (1983) informs, 'The waste and forest lands… never attracted the attention of former (pre-British) Governments'. That is

why, as Somnath Ghosal (2011) maintains, these people believed themselves to be the actual owners of forest with rights to use forest products for their subsistence livelihoods and rituals.

Before colonial rule only the Khamptis and the Jaintias were rulers. Chiefdom also existed among Dimasa and Naga tribes. However, the community rights were not encroached upon; rather chieftains enforced customary rules and ensured community rights.

Tribal rights were visibly encroached upon right from colonial rule, because colonial administration required resources for various reasons. Confrontation began as colonial British became a competitor for land to lay rail line, commercial cultivation, etc. and forests for timber for railway slippers; boat/ship building, etc. in India and in Britain. The colonial administration formulated policies and enacted laws with an aim of increasing revenue. Forests were cleared to increase land area under permanent cultivation. This practice reduced forest lands and the rights of tribals who depended on these forest resources for secured livelihoods.

Dinesh Narayan Verma in a paper entitled *Vulnerability of Autochthon Paharias of Santal Parganas: Revealing Continuity of Colonial Legacy* (in Behera,2018) informs that the East India Company's officials encouraged and assisted Santals to settle in villages and pursue settled agriculture. The Santals cleared the forest land which traditionally belonged to the Paharias and the administration declared such land to be the land of the Santals. Though the Paharias challenged them they could not subdue the Santals. So, they retired to hill tops and became completely isolated from the outside world.

In course of time, the Santals also began to lose their land because of heavy taxes and exploitation by the money lenders. They also found the Zamindars asserting control over the forest land. So they exploited against the British. The Permanent Settlement Act of 1793 introduced Zamindari system. With the Zamindars money lenders, traders, revenue collectors, etc. entered into tribal areas. They exploited the tribals and established their rights over tribal land. Tribals lost their rights to Zamindars and their supporting team.

Land Acquisition Act of 1894 also empowered government to occupy tribal land for public purpose. This Act has been amended a number of times. In its 1955 amendment it also empowered government to occupy land in public interest under the concept of 'eminent domain'. When mining activities were under taken in the area of present Jharkhand land transfer was conducted through the Land Acquisition Act of 1894. In Singhbhum, as Upadyay (2005) informs, most of the traditional land rights were derecognised by the State as it took over the common village lands under the provisions of 1894 Act. The Government of India Report (also known as Xaxa Report), 2014 generalises tribal land alienation in the following words:

> 'State has succeeded in acquiring vast tracts of land and diverting common property resources for construction of dams, infrastructure development, mining and industry, Special Economic Zone (SEZ), etc. Private land has been acquired under provisions of the Land Acquisition Act 1894, under the concept of 'eminent domain' based on

the principle that the interest and claim of the whole community is always superior to an interest of the individual'.

In addition to land regulations, the colonial ruler enacted forest laws which also reduced tribal rights over forests. Formally, beginning with the Forest Act, 1865 the British Government laid down provisions in Indian Forest Acts, 1927 which drastically reduced tribal rightsThe Company ruler and subsequently the British government in India in the name of national interest tried to legitimise control over forests for commerce and revenue earning. They classified forests as conservation forests, commercial forests and minor forests and pasture lands. The first two categories denied access to tribal and other traditional forest dwellers and thus restricted their rights only to minor forests and pasture lands. These types of forests were used more as grassland for animals than for human use.

The colonial tradition continued after Independence. The Forest Policy of 1952, the Wildlife Protection Act of 1972, the Recommendation of National Commission on Agriculture of 1976 and Forest Conservation Act of 1980 further put restrictions on tribal rights. As per provisions of Wildlife Protection Act conservation zones were created. Tribes and other forest dwellers were displaced from these conservation zones and thus lost their traditional rights over forests and land. The welfare commitment and constitutional safeguards could not be able to protect traditional tribal rights.

Even in our time the colonial tradition prevails in the economic model we have adopted for our nation. You are aware of tribal displacement from their land in order to clear ground for launching mega projects. Even where they are not displaced, they have lost their community rights over resources used for establishment of projects either through legislation or through manipulation by the nexus of corporate house, bureaucrats and politicians. Nyiamgiri case from Rayagada and Kalahandi districts, Odisha is a burning example. The Vedant, a UK based Multi-National Company exploited bauxite from the range of Nyiamgiri hills ignoring livelihood and religious connection of Dongaria Kondh of the area. Constitutional safeguards and various favourable regulations do not benefit due to hidden forces working against the 'powerless' like the tribes.

However, there were some enactments to safeguard tribal rights. Mention may be made of 'The Chotanagpur Tenancy (CNT) Act (1908) and Santal Pargana Tenancy (SPT) Act (1949) were enacted specifically to protect tribal land from being expropriated by non-tribals. The major thrust of both these tenancy Acts was to protect the interest of weaker and vulnerable sections including tribes on their rights over land and forests. It makes stringent provisions to regulate the transfer of land from tribals to non-tribals. It has recognised the rights of Khunkatidar. In Arunachal Pradesh also there are such regulations. Similarly, the Agency Tracts Interest and Land Transfer Act, 1917 also regulated tribal land transfer to non-tribals in the then Ganjam,Vizagapatnam and Godavari districts of Madras Presidency. In the present territory of Arunachal Pradesh, Jhum Land Regulations of 1947 provided customary rights to jhum land in favour of any village community. The regulations defined jhum land as 'all lands which any member or members of a village or a community have a customary right

to cultivate by means of shifting cultivation or to utilize by clearing jungle or grazing livestock provided that such village or community is in a permanent location'. According to the provisions of these regulations some tribal council were recognised to manage forests within the village boundary.

But the tribal rights are vulnerable due to the hidden forces. However, two tribal friendly Acts have been enacted which specially provide for protection of community rights. The two acts are the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (shortly PESA, 1996) and The Scheduled Tribes and Other Forest Dwellers Act (Recognition of Forest Rights),2006 (shortly FRA,2006).

Section 4   of PESA, 1996 contains provisions having bearing on customs and practices in general and protection of community rights on land and water in particular. A few provisions are as follows:
  i.   State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;
  ii.   a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;
  iii.   every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;
  iv.   the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-setling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;
  v.   planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;
  vi.   the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;
  vii.   the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction, etc.
  The act also empowers GP/GS to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe.

The FRA,2006 makes the following provision to protect forest rights of the tribes. Some of them are as follows:
          (a) right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or

members of a forest dwelling Scheduled Tribes or other traditional forest dwellers;

(b) community rights such as *nistar*, by whatever name called, including those used in erstwhile Princely States, Zamindari or such intermediary regimes;

(c) right of ownership, access to collect, use, and dispose of minor forest produce which has been traditionally collected within or outside village boundaries;

(d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;

(e) rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;

(f) rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;

(g) right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;

(h) right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity;

(i) any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal and so on.

The recognition to traditional rights of tribes on land, forest and water in the above Acts are legal initiatives. If strictly implemented the tribes will get back to some extent what they have lost over centuries.

1.4   Human Rights

All of us speak of human rights, but none of us provides an agreeable definition. It varies from time to time, community to community and context to context. Therefore, we have indigenous people's rights, rights of the child, etc. to suit to the context, i.e. that special category of the general humanity. In a general sense,   human rights can be understood as minimum *rights, which every human person must have for no other reason except that he/she is a human person. If these rights are taken away he/she will be reduced to sub-human status*. These rights believe in (i) human dignity and worth, (ii) human freedom and equality and (iii) human autonomy and human rationality- the capacity of the individual to take decision in his/her private space.

As you know Human Rights instruments can be placed under two phases. The first one is the Universal Declaration of Human Rights which contains 30 articles on civil (social), political, economic and cultural rights and was adopted in UN General Assembly on 10th December, 1948. The Universal Declaration begins by recognising that 'the inherent dignity of all

members of the human family is the foundation of freedom, justice and peace in the world'. This Declaration has given rise to a range of other international agreements consisting of covenants and conventions which marked its second phase. The second phase began with the International Convention of the Elimination of All Forms of Racial Discrimination, adopted on 21st December 1965 and followed by three covenants in 1966.

The issue of human rights is comprehensive and covers a wide range of safeguards. For our purpose we will discuss some important human rights problems of tribes in India with reference to   relevant articles contained in the Universal Declaration of Human Rights. The articles can be briefly stated as follows:

Article 1: Right to Equality
Article 2: Freedom from Discrimination
Article 3: Right to Life, Liberty, Personal Security
Article 4: Freedom from Slavery
Article 5: Freedom from Torture and Degrading Treatment
Article 6: Right to Recognition as a Person before the Law
Article 7: Right to Equality before the Law
Article 8: Right to Remedy by Competent Tribunal
Article 9: Freedom from Arbitrary Arrest and Exile
Article 10: Right to Fair Public Hearing
Article 11: Right to be Considered Innocent until Proven Guilty
Article 12: Freedom from Interference with Privacy, Family, Home and Correspondence
Article 13: Right to Free Movement in and out of the Country
Article 14: Right to Asylum in other Countries from Persecution
Article 15: Right to a Nationality and the Freedom to Change It
Article 16: Right to Marriage and Family
Article 17: Right to Own Property
Article 18: Freedom of Belief and Religion
Article 19: Freedom of Opinion and Information
Article 20: Right of Peaceful Assembly and Association
Article 21: Right to Participate in Government and in Free Elections
Article 22: Right to Social Security
Article 23: Right to Desirable Work and to Join Trade Unions
Article 24: Right to Rest and Leisure
Article 25: Right to Adequate Living Standard
Article 26: Right to Education
Article 27: Right to Participate in the Cultural Life of Community
Article 28: Right to a Social Order that Articulates this Document
Article 29: Community Duties Essential to Free and Full Development
Article 30: Freedom from State or Personal Interference in the above Rights

You know that there is an international instrument, called United Nations Declaration on the Rights of Indigenous People concerning the rights of indigenous people of the world. It

contains 46 articles. Indigenous peoples were mostly colonised peoples and they lacked in many fundamental rights in comparison to their colonisers. Their rights not only claim what they had been denied of historically but also reflect what are due to them as human beings and as indigenous peoples. Therefore, indigenous peoples' rights are also human rights.

In West the need for Human Rights was felt to checkmate arbitrary powers of monarch. West traces its genesis in a drama called 'Antigone', written by Greek-writer-philosopher Sophocles about 500 years before the birth of the Christ. Creon, the tragic hero in the play, declares that any law, if violates a higher law of conscience and justice, is not valid.

Government of India, however, does not recognise the international criteria laid down to classify any section of its population as indigenous people. Being a signatory to the Universal Declaration of Human Rights, it respects human rights for all sections of its people. The Constitution of India also provides for fundamental rights for all its citizens including special provisions for STs to rectify historical errors done to them. Human rights perspectives have a broader analytical frame, for it provides opportunity to compare tribal situation with national scenario. Tribes like other citizens have equal access to human rights and any deviations that would arise with regard to tribal situation would reflect the incidence of violation of human rights.

1.4.1 Importance of the Study Human Rights in the Context of Tribes

We have discussed that human rights instrument provides for equality and denounces any type of exploitation by any individual or institution. But tribal societies are marginalised ones and there is a power difference between them and the advanced society. There is also power difference between them and the government. The subordinate section in power scale is always exploited, excluded and marginalised despite best efforts for its members' wellbeing. The structure which consists of both weaker and stronger sections contains forces of exploitation due to power differences. You can understand this with reference to Weber's notion of power relations.

You can appreciate the unequal power relations in Weberian sense (Gerth and Mills,1946). Weber defines power as the ability of an actor (or actors) to realize his or her will in a social action, even against the will of other actors. Power relates to the ability to command resources in a particular domain. Economic power, then, is the ability to control material resources: to direct production, to monopolize accumulation, to dictate consumption. Obviously, present power structure in which tribes and the state are situated reflects Weber's connotation of power.

The power relations, as it is argued, differ in two perspectives. Difference in power relations becomes exploitative even between two neighbouring tribes with different power equations.

We can cite an example from Gujarat. The land of the Dangi Bhils in Dang district of Gujarat has shifted to the smart and industrious Konkanas over the years. The Dangis, on the other hand have become poorer and poorer and migrate to different places and work as wage-labour for livelihoods. A community with better technology, economy, etc. have the potentiality of exerting power over the one with less of them. Empirical data suggest that agriculturist communities like the Nyishi and Miji have developed an unequal power relation with neighbouring hunting gathering Puroiks of Arunachal Pradesh. No doubt, this difference reflects in development policy placing one group in an advantageous position than the others.

The centrality of Social Darwinism as informed by Coser, 1996 (Ch-3); Richards, 2010 and Stewart.2011, explains the evolution of human society through competition between individuals, groups, or nations also has unequal power content. Herbert Spencer, one of the most important Social Darwinist, claimed that the rich and powerful were better adapted to the social and economic climate of the time, and the concept of natural selection, following Charles Darwin, allowed him to argue that it was natural, normal, and proper for the strong to thrive at the expenses of the weak. After all, he claimed, that is what goes in nature every day. At the present development discourse tribals are weak and the development policies, strategies and schemes do not benefit them as they do to their non-tribal counterparts who are powerful and rich in the existing bureaucratic, political and social power structure.

This explains the importance of studying tribal problems in human rights perspectives, for these rights are meant for abolition of all types of discrimination and exploitation. As you know the government of India is committed to tribal welfare. The Constitution provides special safeguards for their uplift. Nevertheless, there are events which indicate human rights violation. This violation has in its core power difference, the tribes being placed at the bottom of power structure.

1.4.2 Nature of Human Rights Violation and Human Rights Provisions

Human rights of tribals are violated in different ways. These reflect in the phenomena of inequality in the field of health and education, poverty, indebtedness, land alienation, bonded labour, human trafficking, language endangerment and many others. The Universal Declaration of Human Rights and its other instruments like covenants and conventions also provides for protection from the above violations. We will discuss the related Articles contained in the Declaration and then the nature of violation as is reflected in the above phenomena.

Let us discuss Article 1 of Human Rights Declaration. It is about right to equality and reads,

> All human beings are born free and equal in dignity and rights. They are endowed with and conscience and should act towards one another in a spirit of brotherhood.

But inequality in development process is a hall mark of tribal situation. Obviously, the right to equality is violated.

Article 4 ensures freedom from slavery. It reads,

> No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Similarly, Article 5 ensures freedom from torture and degrading treatment. It reads,

> No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 23 provides for right to desirable work and to join trade unions. It reads,

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

What's about bonded labour? Is it not a form of slavery? Does it state free choice of employment? Does it ensure equal pay with those who select jobs according to their own choice? Is it not a degrading treatment? Are the workers under bonded labour system free to form union? The system of bonded labour violates at least three provisions as provided for in Articles 4, 5 and 23.

As you know, human trafficking is a serious problem in tribal societies which grossly violates human rights as it metes out degraded treatment to females. It also indicates a state of unprotection against unemployment violating a provision in Article 23. Whether it is bonded labour or human trafficking, the provision of social security is absent, as a result of which such situations arise. Undoubtedly, the situations indication violation of social security provisions as provided for in Article 22. It reads,

> Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Do the practices of bonded labour and human trafficking indicate social or economic entitlement? Do they ensure dignity and free development of personality?

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

It is very difficult to understand how this right is ensured when tribals are displaced in the name of national development project.

The Rig Ved, written about 1500 years before the Christ speaks human rights in a sense of unity. Its *Mandal* 10, *hymn* 191, *mantra* 4 states, 'May the members of our society have similar goals. May our hearts be full of love for each other and may we be united in our thought. May the individual efforts be put together to achieve our common goal'.

Article 25 provides for right to adequate living standard. It reads,

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Do incidences of the inequality, poverty, marginalisation, poor health and hygienic condition, indebtedness, indicate that tribes enjoy adequate living standard?

Article 26 provides for right to education. It reads,

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

But when we see the level of education and literacy rate among the tribals the right to education points to a dismal picture. Not only there is literacy gap between tribes and others but between different sections of the tribes and also there are rural-urban and gender gaps.

1.4.3 Phenomena Showing Violation of Human Rights

We have mentioned some issues which violate human rights of the tribes. We will elaborate these issues to throw light on the nature of human rights violation of the tribes despite welfare commitment of the government in India.

1.4.3.1 Inequality

Inequality has become a reality in tribal communities. It exists in economic, social and political spheres of tribal life both   at inter- and intra- community levels. It is a serious social problem as it did not exist in the society to the magnitude it has emerged now. It is remarked in some quarters that reservation has widened the economic gap. A preliminary study conducted by M.C.Behera in 2007   in Arunachal Pradesh, as is informed by Behera and Basar, 2010, reveals that   98 per cent of the families of Political Interpreters of British period have retained their elite status in the present context also. Out of these families there are M.L.As, Ministers, Civil servants, doctors, engineers, business persons and contractors. Though tribal communities were not egalitarian these were undifferentiated in economic terms. But at present, as Malavika Das Gupta (2012) informs class formation has emerged in tribal communities.   There are tribal households enjoying all the benefits of globalisation while others in villages are still in subsistence mode of production. The urban-rural divide is an example of social division. There is literacy gap across the gender and rural urban divide. The gender gap among the ST category in Arunachal Pradesh as recorded in Human Development Report, 2005 is 18.2. Even in many interior villages more than 50 per   cent of people are illiterate in formal system of education. When we consider the level of education more than 90 per cent of the children in the eligible age group do not have access to higher and technical education. In Arunachal Pradesh an estimate in 2006 shows that a little over 4 per cent of children in the age group of 18-24 years has excess to higher and technical education.

Traditional role expectations of girls deter their education. Food habit and traditional life style in villages have not changed to any significant extent. Girls entertain the guests in the evening around fireplace, prepare food for them and help women folk of the house in house hold management. During festivals, they spend a lot of time in preparing food not only in their respective houses but in the house of their clan members. For daily consumption, collection of edibles from the jungle falls usually on their lot. They help in collecting firewood, growing vegetables   in kitchen garden and during agricultural season, in various stages of agriculture. Girls learn to earning and to earn for the family. Education for them becomes a secondary pursuit and they hardly get time at least enough to cover a course.

Consequently there is stagnation and dropout of girl students and the enrolment in secondary level and above is much below as compared to boys. In contrast, boys do not have such traditional liabilities as they used to have before the change in traditional economic foundation.

In Arunachal Pradesh members of some communities like the Apatani, the Galo have larger share in government jobs while those in the Bugun and Puroik communities the share is negligible. It is noteworthy that the only graduate from Puroik community, Mr. Bopai Puroik, was nominated to the post of Extra-Assistant Commissioner in 2005, though this post is a state level civil service cadre. The Meena tribe in Rajasthan has a greater representation in civil services. On the other hand there are the Onge, the Jarwa tribes who are still in hunting-gathering stage. The elite families have information and resources for the quality education of their children who compete out others in various examinations even for the reserved posts. Earlier the traditional occupations of tribal people were based on agriculture and forest activities. But we will find them not only in government jobs but also in other tertiary sector and secondary sector activities. The differences in occupation result in income differentials and thus inequality in the community. The politics has become a game of money.

The rich persons among the tribal communities are also the political elites. Field experience in tribal areas shows that a large per cent of the modern political elites are from the family of traditional political elites. From among the Khamptis two M.Ps (when the state has one representation), and one M.L.A who later became Minister are from one the chief's family; two M.L.As who also later became Ministers are from another chief's family. From another family, which belongs to economic elite, two brothers have been elected as M.L.As many a times. There is one case where one person who was a retired civil servant was elected to the State Legislative Assembly.

The inequality is also reflected in difference in the size of landholdings. Human Development Report of Arunachal Pradesh, 2005 (HDR,2005) records that top 4.5per cent households own above 50.0 hac, bottom 83.3 per cent 10 hac and below, bottom 43 per cent 4 hac. About 19.24 per cent, 19.33 per cent 5.7 per cent of the people are marginal, small and large landholders and operate 3.03 per cent , 7.64 per cent and 23.65per cent of the land respectively. Further, 10 per cent of the land is operated by 40 households. At district level more than 70 per cent households are marginal and operate 50per cent of total land. Small and marginal farmers operate 97.21 per cent in Tawang . In Upper Subansiri, small and marginal farmers, account below 10 per cent, operate 2 per cent of the area. In Lower Subansiri, Upper Siang, Dibang Valley, Lohit and Changlang, the small and medium farmers account ½ of operational holdings. It is to be mentioned that in Arunachal Pradesh only the tribal people have the right of ownership to land title.

Arunachal Pradesh had pre-development barter economy. But the state per capita income is estimated Rs.12, 930/ (HDR, 2005). The distribution of this income is not equal among the districts.

The average per capita income of the districts ranges between Rs.8290/ (Kurung Kumey, the backward district) and Rs.18190/ in Lower Dibang Valley district (the district with business, small population, widely cultivated horticultural crops like ginger, mustrad, etc.). The bottom 10 per cent households share less than 3 per cent and top 10 per cent more than 30 per cent per capita income of households. Among the districts, the highest inequality is in East Siang.

What is clear is from above presentation is that inequality exists between and within the tribes in terms of participation and sharing national resource. The nature of inequality is examined mainly in the context of Arunachal Pradesh. The trend also exists in other parts of the country. The existence of inequality in tribal communities in the magnitude as they appear in the process of development is an instance of violation of human rights.

1.4.3.2 Bonded labour

Bonded labourers are persons who pledge their labour services to a creditor against a loan. These persons are required to work for the creditor until the loan is declared fully repaid. In India, the practice is common in many areas like other social evils such as dowry system, polygyny, infanticide, etc. The system is a mechanism of labour-exploitation taking advantage of the poverty and helplessness of people and prevalent weak social condition. The poor and deprived people, mostly the tribal people, are victims of bonded labour system. Undoubtedly, the system represents an ugly form of human rights violation in our time. The Report of Commissioner for Scheduled Caste and Scheduled Tribe, 1975-76 defines a bonded labour in following words:

> …if persons belonging to any particular caste or community are forced or partly forced to work for the creditor under an agreement either without wages or for nominal wages, they would come under the definition of bonded labour system.

The Bonded Labour (Abolition) Act, 1976 defines "bonded labour" as any labour or service rendered under the *bonded labour system* and "bonded labourer" as a labourer who incurs, or has, is presumed to have, incurred, a bonded debt.

The "bonded labour system", on the other hand, is defined as the system of forced, or partly forced labour under which a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor due to one of the following conditions:

  i. in consideration of an advance obtained by him or by any of his lineal ascendants or descendants and in consideration of the interest, if any, on such advance;
 ii. in pursuance of any customary or social obligation; (iii) in pursuance of an obligation devolving on him by succession; or
iii. for any economic consideration received by him or by any of his lineal ascendants or descendants; or

iv.   by reason of his birth in any particular caste or community.

The existence of an agreement   between the debtor and creditor   under the social custom takes different forms of forced labour in different parts of the country.   The forms have one of the   following nomenclatures as mentioned in the above Act: *Adiyamar, Baramasia, Basahya, Bethu, Bhagela, Cherumar, Garru-galu, Hali, Hari, Harwai, Holya, Jana, Jeetha, Kamiya, Khundit-Mundit, Kuthia, Lakhari, Munjhi, Mat, Munish system, Nit-Majoor, Paleru, Padiyal, Pannayilal, Sagri, Sanji,Sanjawat, Sewak, Sewakia, Seri and Vetti.*

The mechanism of the bonded labour system is self-perpetuating. Once a debtor borrows money, he spends the first few years working for the creditor to pay back the interest. He earns no wage except that he is provided with meals. After that, he works towards repaying the actual amount borrowed.

Often it so happens that along with the debtor other members of his family   are engaged in domestic work at the creditor's house on low wage. But this is a normal practice if the loan amount in question is large.   In cases where the original debtor dies without paying back, another family member replaces him. This situation also emerges if the debtor being disgusted with his miserable life runs away to a distant place where he would not be identified. A wife or a son can replace a dead husband. No doubt,   the debt passes from one generation to another.   The debtor remains in debt-bondage   fixed for a time or a life time or hereditarily descending from father to son.

The tribal communities do not fully depend on their self-sustaining traditional mode of production in the process of their exposure to development forces. The clan solidarity is declining which provide security to each of its member at the trine of need. The sharing ethics in tribal communities is also declining. In other words they have become vulnerable to a secured livelihood. The vulnerability has become more pronounced on the face of uneconomic holdings, meagre income from forest products, high incidence of rent and insecurity of tenure in contemporary period. In addition to this there are social compulsions and obligations like the necessity of unavoidable expenditure at birth and death. Normally, economic backwardness is the root cause of indebtedness and resulting system of bonded labour.

Report of the National Commission on Labour (1969) informs us that the system of bonded labour grew out of helplessness of tribal and deprived communities in the grip of the precarious subsistence economy. Normally a landless labourer or an average agricultural family borrows at the time of   distress.   As the borrower does not have any security to offer he mortgages the services of his labour in turn and thus pledges himself to the creditor for the sum of money he receives.

B.Mohapatra (1990, quoted in Pati and Dash, 2002) finds   in the context of Phulbani district of Odisha that widespread poverty, high population densities and unemployment are factors contributing to the undignified system of bonded labour.   In Phulbani district   agriculture is

the dominant economic activity of the people including the tribals. The productivity in agriculture is uncertain. Moreover, some tribal persons are landless labourers. Under such a situation, at the time of emergency people borrow from money lenders by mortgaging their labour services. Mohapatra finds a high positive correlation between deplorable economic conditions and the incidence of bonded labour. Out of the households studied most were found entrapped in the bondage practice because of indebtedness.

The poor economic condition as the cause of bonded labour is quite clear in Jaunsar- Bawar region of Uttarakhand. Infertile land and adverse climatic conditions in the region lead to abject poverty of common people and entrap them in debt bondage. In 2005, presence of bonded labour was reported in the Jaunsar-Bawar region especially amongst the poorest of the tribal communities, like Kolta, Das and Bajgi communities. People from these communities were reported entrapped in the bonded labour for generations by their rich counterparts. Usually they are given food and clothing bot not any wage. The loan is free of interest as they are not paid any wage. Among the Khundit-Mundit belonging to this group the situation is almost like slavery. The bonded labourers are provided with facilities like clothing, food, expenses for marriage, etc. The loan continues in one form or other and for one purpose or the other, and the system of bonded labour becomes hereditary.

In Maharashtra, the system of bonded labour, known as *vet* or *beggar* exists among the Dhorkoli, Karkari, Worli and Bhil in Thana and Nasik regions. In Rajasthan the bonded labour system is known as *sagri* system. The labourer works for the creditor without any wage till the loan is repaid, though he is given food. However, he is entitled one tenth of the agricultural produce after deducting the cost of production. The bonded labour system is called beggar among the Paniyans of Wynad area of Kerala and Nilgiri hills in Tamil Nadu. It is reported that the creditors manipulate the accounts in such a way that the tribals never escape from the system once they are into it. The system of bonded labour perpetuates.

The situation improved after the implementation of the 'Bonded Labour Abolition Act, 1976', when over 20,000 bonded labours were reported and freed. But the system still exists. Archi Rastogi in 2007 quoting Anmol Jain, who recently conducted a study for the International Labour Organization, writes, "there are approximately a thousand families which depend on bonded labour" in Jaunsar Bawar. However, Kripa Ram Bhatt, Secretary of Prakriya, a small NGO working in the region, puts the number of such families at 1,500-2,000. Archi Rastogi further enlightens us about the incidence of bonded labour among the Kolta community Jaunsar-Bawar. Quoting a 2002 report by activists Kunwar Prasun and Sunil Kainthol, Archi informs us that the social system which barred the Koltas from owning land was legalised in the nineteenth century. Being landless and assetless, the community fell into a debt trap, for the system allowed the Kotlas to borrow money from the local moneylenders.

The prevalence and continuity of the system of bonded labour can be understood in terms of demand and supply conditions. There are factors giving rise to the supply of bonded labour and factors creating demand for such labour. The demand for bonded labour arises when

better off persons need additional labour to maintain or raise their socio-economic conditions and for which they have the ability to lend money to needy persons. The supply of such labour arises when the labourer willingly pledges his personal liberty and mortgages his labour services in return of loan money which he is compelled to borrow at the time of economic stress.

The system of bonded labour is not always the outcome of an exploiting relations existing between non-tribal money lenders and tribal borrowers. It has both inter- and intra-community characteristics. Only condition is that there must be a favourable demand side, the willing money lender and the supply pool, the willing borrowers ready to pledge their personal liberty for the loan. The condition also exists in tribal communities with economic inequality or sometimes the incapability to make any exigent payment. It is therefore not a surprise that the system of bonded labour exits in traditional Bonda community in Odisha who belong to be the primitive tribal groups. Among the Upper Bonda people, as Ramesh Prasad Mohanty (in Pati and Dash, 2002) in his paper entitled *Profile of Bonded labour System in India with Special reference to a Primitive tribal Community of Orissa* informs us, the system is known as *Gufam*; a male bonded labour is known as *Gufam-Rem* and female one as *Gufam-Boy*. A Bonda person takes *Badi* (loan) from *Sakar Remo* (the better off Bonda in the village/community), either in cash or in kind, due to social obligations and compulsions relating to marriage, death, health problem and other socio-religious practices. In return he pledges his labour service to the *Sakar Remo*.

Among the Nyishi of Arunachal Pradesh there was a traditional social category called *Nera*. These are persons who worked in the family of a Nyishi house to which they owe some obligations. A wrong doer, for example, when is not able to compensate the loss caused to a family has to work for the family. This happens when the clan members also do not have the capacity help the man. Dun(1897) write that the *Nera* people are Nyishi by birth.

There is an example of inter-community dimension of the bonded labour In Arunachal Pradesh which is often termed as 'slavery' in some writings on Nyishi Sulung relationship. Many Sulungs (now Puroiks) work for the Nyishi families due to the past obligation in terms of bride wealth paid by a Nyishi person or some food items borrowed from him. Since the Nyishi person pays the bride wealth both husband and wife and their children are customarily obliged to work for the Nyishi household. When the girl child of the bonded Sulung parents gets married, the 'master' gets the bride wealth from the girl's husband's 'master'. When a boy of the bonded Sulung parents grow up, his marriage expenses like payment of bride wealth are born by the 'master' and thus the newly married couple enter into the debt bondage. Added to this there are occasions of borrowings at the time of sicknesses or other emergencies. The cycle continues and the bondage perpetuates from generation to generation after one enters into the debt bondage.

Among the Bondas, however, the money lender prefers a girl child as bonded labour for small amount of loan. He additionally gets the bride price when the girl gets married.

Normally, the boys do not get married till they redeem the debt and the money lender does not get anything additional. Before the redemption of debt if new loans are taken the bondage perpetuates. The perpetuation has another aspect. There are instances when one man borrows from many creditors. Under such a situation, the debtor works for one creditor who repays loan of the former to the remaining creditors. Usually the loan amount becomes huge and often the creditor manipulates the amount to the extent that the creditor remains bonded forever. Any further loan if incurred in between, it is transferred to the next generation thereby degrading the family to the status of a perpetual bonded labour family. In other words, bonded labour system has the potentiality of becoming intergenerational.

Obligations, whether it is borrowing or loan in cash or kind, or non-payment of compensation, fine, etc. by a person for his guilt result in 'debt bondage' and subsequent system of bonded labour. Among the tribes of central India indebtedness arises due to social obligations and compulsions at the time of marriage, death, sickness, etc. But such obligations among the tribes of Arunachal Pradesh have not resulted in the system of bonded labour. Divorce practice also causes indebtedness as the groom has to pay double of the bride price when the divorce is initiated from his side. When the village council is in session to settle any dispute, the necessary expenditure is born by the concerned disputing parties.

It is to be mentioned that the Fifth Schedule of the Constitution of India empowers the Governor of a state to regulate the money lending business with Scheduled Tribes in Scheduled areas. In pursuance of this provision various state governments have promulgated and enacted various Laws and Acts. Following are some of the important Laws from different states to control money lending, debt redemption and abolition of debt bondage:

- The Andhra Pradesh Scheduled Areas Moneylenders Regulation, 1963.
- The Agency Debt Bondage Abolition, 1964.
- The Assam Money lenders Regulation, 1968.
- The Bihar Moneylenders (Regulation of Transaction) Act, 1939.
- The Bombay Agricultural Debtors Relief At, 1947.
- The Kerala Money lending Act, 1958.
- The M.P. Anusuchit Jan Jati Rini Sahayata Act, 1966.
- The Madras Indebted Agriculturists (Repayment of Debt) Act, 1955.
- The Mysore Pawn Brokers Act, 1961.
- The Orissa Money lenders (Application of Certain Provisions) Regulation, 1950.
- The Rajasthan Sagri System abolition Act, 1961.

In addition to state laws there is also the central law, as we have mentioned earlier, in the form of The Bonded Labour (Abolition) Act, 1976. The Act provides for the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people.

With the implementation of this Act, the bonded labour system although has been abolished officially, the practice continues in interior tribal pockets of central India. It is to be noted that the bonded labour system due to money lending or unfair trade practices does not exist in Northeast states like Arunachal Pradesh, Mizoram, etc. though it is not altogether absent. The system exists in a different form due to obligation of non-payment of compensation as we have discussed.

With reference to the Articles mentioned earlier you are in a position to examine the nature of human rights violation through the practice of bonded labour in different forms.

1.4.3.3 Human trafficking

We have mentioned that human trafficking is a practice that violates human rights. It has become a matter of serious national and international concern. Various sources confirm that nearly 800,000 victims are annually trafficked across international borders worldwide and around 150,000 of them within and around the borders of South Asia alone. In contemporary society it can be called as neo-slavery where human beings are exploited like commodities for profit. No doubt the practice contradicts our much acclaimed commitment to equality of human rights and fundamental belief in human dignity. Human trafficking happens because the traffickers believe that the human body is an expendable and reusable "commodity".

The UN defines human trafficking as

> the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or service, slavery or practices similar to slavery, servitude or the removal of organs.

Human trafficking should be distinguished from the voluntary prostitution. In human trafficking women are subjected to sexual slavery by force, fraud or coercion. In other words in human trafficking it is force, fraud, coercion or all the three elements in different combinations are used to control people. Therefore, many have defined it as 'compelled service' in any field. But this is not all about human trafficking. It has several ugly facets like child labour, forced labour, hiring a womb, etc. It extends also for the purposes like commercial gay and lesbian relationships, domestic slavery, organ transplantation and begging as well. Many a times the bonded labour, domestic helps become victims of exploitation as well as physical and sexual abuse. The depressed sections of the society,

particularly young children, teenagers, men and women from tribal communities, are   the worst victims of this practice.

> Trafficking of tribal girls has become very common. They were trafficked to northern parts of India especially in Delhi, Haryana and Punjab for sexual slavery. These girls are forced into sex and abortions till they deliver male babies and were even killed for resistance. On May 16, 2012 Ranchi Civil Court found some persons from Haryana and Ranchi guilty of trafficking a girl. She was sold in Haryana where she was raped and impregnated and resold.

We do not have government records to know the intensity of this crime except some in child labour issue. But the media and NGOs have exposed the nature and extent of human trafficking in which the tribes are the worst victims due to poverty and ignorance. Women and girls from tribal areas are trafficked within the country for commercial sexual exploitation, domestic labour and forced marriage.   In India sources confirm that there are millions of children from poor families who are subjected to forced labour by working in factories, as domestic servants, as beggars and agricultural workers. They have even been used as trained combatants and human bombs by some insurgent groups. As per the women and child development estimates, 3 million women in India fall prey to trafficking annually out of which 40%   are minors. The seriousness of the situation can be understood from Hillary Clinton's remarks. She informs, "India is a source, destination and transit country for men, women and children trafficked for the purpose of forced labour and commercial sexual exploitation". It is not a surprise when US has placed India on the second worst category of human trafficking watchlist in the bracket of 52 other countries. It implies that India has failed to meet the minimum anti trafficking standards in her efforts.

 We have already discussed that poverty is at the root of the origin and continuity of the system of bonded labour. This poverty is also responsible for human trafficking. It is not a surprise when   this incidence is reported from tribal areas. On 3rd October, 2011 a newspaper from Bhopal has reported on the   rescue of nine tribal girls being trafficked from Dindori to Mumbai. The rescue operation and subsequent enquiry on previous disappearance of girls from Mandla and Anoopur has revealed that 16 girls were sold in Tamil Nadu, Kerala and Mumbai. Undoubtedly this incidence points to widespread human trafficking network targeting the tribal dominated areas. It is also further reported that the traffickers had paid Rs 5,000 to the families of the girls in the name of getting them employed as domestic helps. It is revealed from the news item that groups   in Guna and Shivpuri run human trafficking racket to sell   tribal girls from Dindora and Mandla in Madhya Pradesh in the Mumbai flesh market.

 A similar report is available from Chhattisgarh on July,12, 2007 from   a query by   the opposition Congress members in the Assembly. They sought to know   about 2,000 girls who went "missing" from tribal areas of Raigarh and Jashpur districts during 2006 and 2007. Surprisingly, the news reveals the role of a few NGOs   involved in taking girls to cities. A

similar allegation is also reported in *Hindustan*, a Hindi daily from Ranchi on 4th October, 2012. The High Court of Jharkhand has instructed the S.P of Simdega for an impartial enquiry against an NGO which is alleged of being involved in trafficking. But interestingly, it is the proactive NGOs in Jharkhand whcih cracked the nut of human trafficking to Tripura.

That poverty is at the root of human trafficking is evident when several girls, who were brought back, in Chhattisgarh told police that they voluntarily left home for work. Most of the adult members of the rescued   500 persons including minors and girls on the night of 3rd October, 2012 from Ranchi Railway station, who were on their way to Tripura, also voiced the same. Though the adult members expressed that they are going to Tripura to earn, still a fraudulent practice is visible. As it is reported in *Hindustan* and *Dainik Jagaran* on 4th October, 2012 out of 500 persons rescued about 100 children were below 18 years of age and 130 girls without any guardians. All these people were from Lohardaga, Gumla and Latehar regions of the state. Collection of people from different regions to reach railway station on the same day points to a widespread network of human trafficking active in the state. The people were promised Rs 700 a day. Train tickets were purchased by the people who induced them and the people neither had money to purchase food on the way nor to return in case need arises. The *Dainik Jagaran* reports that more than 30 thousand children who have gone to other states from Jharkhand are "missing' and in Ranchi itself 450 of the children who came for work are also registered "missing". The *Hindustan* reports that 33 thousand girls from Jharkhand have been victim to human trafficking. Seventy per cent of 53 girls rescued from Delhi during the period   between April and August, 2012 belong to tribal communities.

Whether it is Madhya Pradesh or Chhattisgarh or Jharkhand   the tribal people are the worst victim of human trafficking. There is a demand factor   in the areas of   forced prostitution, marriage, domestic labour, bonded labour, agricultural labour, industrial labour, entertainment, begging,   drug smuggling and peddling and organ transplants. The pull and push factors determine the supply side. Poverty and indebtedness in tribal villages act as push factor. Despite 60 years of planning, the benefits of economic development have not trickled down   and millions of tribal people still live below the poverty line. The poverty and hunger makes tribal children and women   highly vulnerable to human trafficking. The pull factors include the promise of a better life and the persuasive role of the *dalal*s who exploit the helplessness of the people.

The Government of India has enacted laws, like the *Suppression of Immoral Traffic in Women and Girls Act, (SITA) 1956*, later amended as *The Immoral Traffic (Prevention) Act, (PITA) 1986* and many others. In September 2006, the   government created a central anti-trafficking law enforcement "nodal cell"   to address the trafficking issues.   In 2007, three state governments established anti-trafficking police units, the first of this kind in the India. Despite these measures and laws, the human trafficking remains as a serious concern in tribal areas.

 You have now understood the nature of violation of human rights through human trafficking. From the causes discussed you have learn that violation of human rights is interrelated. When

one right is violated, it causes violation in another area. It is poverty that causes human trafficking. Poverty is an incidence of violation of human rights as it states violation of provisions of Articles 17 and 25 of Declaration.

1.4.3.4 Backwardness in Education

The backwardness of education among the tribes violates their educational rights. The census figures of 1931 had recorded   only 0.7 per cent of   tribal literacy.   This rate has increased to 8.53 in 1961 Census and   to 47.10 in the 2001 Census and to 58.96 per cent in 2011 census. Yet it is still far below the overall national literacy rate of 71.99 per cent as per the 2011 Census. Report No 543 of NSS 66th Round, 2009-10, records that ST literacy is 63.1 per cent against the national average of 72.8 per cent.   Behera and Basar (2009) inform that vacancies in jobs for ST category as seen in advertisements are a clear indication of low level of higher education. This means a few have access to higher education and obviously many are excluded in the process.

 Census, 2011   records a gap of literacy average of 14.3 percentage point between ST and All social groups.   This gap is 12.36 % point and 15.29 % point for corresponding male and female groups. Between ST male and ST female the gap of literacy stands at 19.18 % point. Evidently, the incidence of ST exclusion is more than national figures in all categories.

Table No.3: Literacy Rate of All Social Groups and ST Population (2011)

Social groups	Literacy		
	Male	**Female**	**Total**
ST	68.53	49.35	58.96
All Social groups	80.89	64.64	72.99

 Source: *Registrar General of India, Census 2011*

Working Papers, NCW, 1988-89 provide a general idea on dropout rates of ST children. The drop-out rate for tribals at the secondary level is as high as 87 per cent and for the girls it is almost 90 per cent. Consequently, there is a negligible per cent (0.06 per cent) of tribal women in institutions of higher education. In fact, percentage of tribal population at different levels of education is also comparatively low as is reported in *Report no. 543 of NSS 66th round).*

1.4.3.5 Poor Health Care System

The health care system of the tribals is traditionally based on their faiths and beliefs. They believe in supernatural causes of diseases and so resort to supernatural cures. That is why ritualistic curative practices, use of charms, etc. are important in health care system. In addition to this the people also use plant and animal parts to cure ailments. Nevertheless, there are instances of severe epidemics for which the settlements move to new places. We

have found disappearance of some small groups during field study in Arunachal Pradesh which is attributed to epidemics.

There are wide variations among members of different tribes in health status and in their willingness to access and utilize modern health services. Even till today, many tribal people hesitate to avail modern medical facility. Those who want often constrained by poor economic condition and many are reported selling their property. In Northeast region the heal care stem combines both traditional and modern practices. A patient goes to the priest, performs rituals while at the same time undergoing modern treatment.

The tribal people suffer from many chronic diseases; the most of them are water-borne. They depend on natural sources for drinking water; but many of these many sources are deficient in one or the other mineral contents. In some areas we have found during field study that the iron content is more in water while the water is deficient in iodine content. Among the Padams in the Upper Siang district of Arunachal Pradesh goitre, a disease of the thyroid gland due to iodine deficiency is a common disease due to shortage of iodine in natural sources of water. In fact it is a common disease among most of the tribes living in Himalayan ranges. When water supply is available the source is again natural and the maintenance is poor and unhygienic. It is mostly dirty and contaminated and consequently the tribals are easily susceptible to intestinal and skin diseases. Diaarrhoea, dysentery, cholera, guinea worm, tapeworms, etc., are often the results of this situation. The incidence of venereal diseases is also high among the tribals of certain parts of Himachal Pradesh, Himalayan Uttar Pradesh, Madhya Pradesh, Chhattisgarh, Bihar, Jharkhand, Odisha and Andhra Pradesh. Tuberculosis which is intensified by nutritional deficiency is also common in many tribes. There are special medical provisions for tuberculosis patients in Arunachal Pradesh.

Hansen's disease, as leprosy is now called, is common in many tribal areas. In Arunachal Pradesh such incidences are high in interior villages of Mishmi, Adi and Nyishi tribes. There are places in the outskirts of village area where these people were confined in earlier times. It is extremely bad among many tribes in Andhra Pradesh and Odisha. The disease is severe among Mikirs in Assam, tribes living in Bankura and Purulia districts of West Bengal and Sanathal Parganas in Jharkhand. Scabies, ringworm, small pox and anaemia are also common in tribal communities.

Added to it are food insecurity, poor nutrition and high incidence of poverty which aggravate the poor health status of tribals. Till recently the tribal people depended on nature for food security. They used to eat abundance of fruits, tubers, roots, leaves in forests. Hunting and fishing supplemented their nutritional requirements. Their indigenous health-care systems, non-spicy food, taboos, local drinks and hard work contributed positively to tribal health. But their exposure to market and forces of development changed their food habit. The forests were exploited for commercial purpose. On emergency they could not depend upon forests for food requirements. The food intake could not fulfil their nutritional requirements. As a result incidences of malnutrition are widespread in remote tribal areas.

The problem is multi-dimensional and intergenerational in nature. Due to the change they contacted new diseases for which the indigenous health care system does have the immunity. So, the traditional systems are not able treat or prevent many of the diseases like modern medicine.

Unfortunately, health institutions are few and far between. The norms of establishing medical institutions do not favour the tribal demographic pattern. At present the norms for Primary Health Centers (PHCs) is 1:20,000 i.e. one PHC for every 20000 population and 1:3,000 for sub-centres in tribal areas are lower than the norms for other areas. But given the density of population many tribes would not have a PHC in a 100 km distance. In Arunachal Pradesh the density of population being 17 the norm also does not ensure adequacy because in rural areas this density is less. A study in Tamil Nadu finds remote tribal settlements in the districts of Idukky, Palakkad, Trissoor, Wayanad and Malappuram where medical facilities are still lacking. Associated with this problem is the problem to find doctors and other paramedical personnel to serve in these institutions in tribal areas.

The Bulletin on Rural Health Statistics in India, 2005 provides comparative health indicators of SCs, STs and all group categories. The health indicators in terms of infant mortality, under 5-mortality and under nutrition are the poorest for the STs as is presented below:

Infant Mortality Rate of SCs, STs and All Social Groups

Categories	Infant Mortality Rate	Under-5 Mortality Rate	Under- nutrition
SC	83.0	119.3	535
ST	84.2	126.6	*559*
ALL	70.0	94.9	470

Source: The Bulletin on Rural Health Statistics in India, 2005

The data presented *National Family Health Survey (NFHS)* 2005-06 is indicative of the trend of tribal vulnerability. The following table presents comparative health indicators which look discouraging for tribal health status.

Comparative Health Indicators of STs (2005-06)

Health Indicators	Scheduled Tribe	All India
Infant Mortality	62.1	57
Non-natal Mortality	39.9	39
Post-Natal Mortality	22.3	18
Child Mortality	35.8	18.4
Under Five Mortality	95.7	74.3
ANC Checkup	70.5	77.1
Percentage Institutional Deliveries	17.7	38.7
Childhood Vaccination(Full Immunization)	31.3	43.5
% Households covered by a health scheme/insurance	2.6	31.9

Prevalence of any anemia(<12.0g/dl) in woman	68.5	55.3

Source: National Family Health Survey (NFHS) 2005-06

It is clear from above discussion that tribal health care system presents a scenario of human right violation in the field.

1.4.3.6   Language Endangerment and Violation of Linguistic Rights

Linguistic right is human right. Every individual and community/culture has linguistic right, the right to use language and preserve it. Therefore the Constitution of India provides safeguards to all of its citizens and particularly to weaker sections like STs and SCs for protection, preservation and promotion of their languages. But the most important issue in contemporary tribal communities is language endangerment.

 You have already learnt that **the Universal Declaration of Human Rights** deals with language issues. The following articles are relevant for language rights.

Article 2 provides that everyone is entitled to the rights declared without discrimination based on language among other things.

Article 10 states,   'Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him'. It implies that   all individuals are entitled to a fair trial. It recognises   the right to involve an interpreter if an individual does not understand the language used in criminal court proceedings, or in a criminal accusation.

Article 19 states, 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. This implies that the individual has right to choose any language as the medium of expression.

Article 26, as mentioned above, provides   for everyone right to education. This article has relevance to choice of language as medium of instruction.

The UNESCO Atlas of World's Languages in Danger 2010 lists around 2,500 endangered languages around the world. India tops the list with 197 endangered languages, followed by the U.S. (191) and Brazil (190). According to UNESCO, 197 languages in India are reported to be endangered of which 81 are vulnerable followed by definitely endangered (63), severely endangered (6), critically endangered (42) and already extinct (5). The Atlas also identifies 26 endangered languages in Arunachal Pradesh, a tribal state in Northeast India.

Andaman and Nicobar, a union territory of India, tops the list with 11 critically endangered languages, mainly tribal dialects. Among the states, it is Manipur with seven languages, followed by Himachal Pradesh with 4 endangered languages.

Language endangerment by itself indicates that provisions to protect and preserve tribal languages are not adequate. It also indicates the existence of the incidence of violation of linguistic rights, for languages are endangered and dying.

1.4.3.7 Displacement, Land Alienation and Poverty

Poverty is wide spread in tribal areas. Data available are scanty and based on quantitative figures estimated on the basis of sample survey by NSSO, Government of India. Poverty in tribal area has both quantitative and qualitative dimensions. Quantification of tribal economic life is not so easy, as tribes have neither records nor the attitude for it. Obviously, sample data in quantitative terms would be often misleading. Nevertheless, a rough idea on tribal poverty is presented in following two tables:

Poverty among STs – Rural & Urban India in percentage
(1983-84, 1993-94, 1999-2000, 2004-05 & 2009-10)

Year	ST		All India	
	Rural	**Urban**	**Rural**	**Urban**
1983-84	63.8	54.2	45.6	42.2
1993-94	52.2	42.4	37.1	33.7
1999-2000	45.9	34.8	27.1	23.7
2004-05 (Revised Est.)	61.9	35.0	41.8	25.7
2009-10	47.1	28.8	33.8	20.9

Source: Statistical Profile of Scheduled Tribes in India 2013, Ministry of Tribal Affairs, Statistics Division, Government of India, www.tribal.nic.in

Statistics in the first table above shows a declining trend of tribal poverty both in rural and urban areas. However, the same trend holds for the nation as whole. The striking point is that the rural urban gap of tribal poverty is 18.3 percentage point as compared to this gap (12.9 % point) between all India rural and urban population. In other words, rural STs are excluded from urban STs in terms of 'non-poor' category by 18.3 percentage point where it is 12.9 at all India level. The gap is evident between rural ST and national rural category (13.3 % point) and between urban ST and national urban category (7.9 % point). At any point of comparison the ST category shows greater figures of exclusion than national average. The second table shows large percentage of ST population below poverty line and thus the greater extent of ST exclusion as compared to national average in some states. Tribes in different states suffer from different degrees of exclusion as is evident from the second table. In Odisha it is highest for rural STs, while in Uttarakhand ST urban poor records the highest. At all India level the rural urban gap is 14.0% point. This indicates the extent of urban tribal poverty. Interestingly, the combined average of rural and urban poverty is not available for ST category and all social groups for a better comparison.

Percentage of Poor STs in state more than National Average (2004-05)

State/ India	Rural	Urban
Uttarakhand	Less than national average	64.4

Orissa	75.6	61.8
Karnataka	Less than national average	58.3
Uttar Pradesh	Less than national average	37.4
Andhra Pradesh	Less than national average	50.0
Madhya Pradesh	58.6	44.7
Maharashtra	56.6	40.4
Chhattisgarh	54.7	41.0
Jharkhand	54.2	45.1
Bihar	53.3	57.2
All India	47.3	33.3

*Source: **Same as table 1.***

It needs mention that equality between tribal and national averages does not mean that tribes are as better off as other groups in the country. This is a statistical paradox. The gap between ST and all social groups does not compare between ST and non-ST categories. In All social Groups STs are included. So in case of no difference between the two there is a gap. Low average of *STs* included in higher average of *other social groups* reduces the average of *all social groups*, making it less than the average of *other social groups* (All Social Groups present national average which is the average of the averages of STs and other social groups.). In other words, the level of exclusion in terms of gap in percentage point when compared with 'other groups' is actually larger than it appears when compared with All Social Groups.

The situation of poverty also results from the incidence of land alienation. The problem of land alienation is the most burning problem in tribal India. Whether they practise agriculture or depend on forests it is the land that stands as the only source of livelihood. Banerjee (2011:50) informs us that in Assam 90 per cent of tribal people depend on agriculture and about 70 per cent of tribal families have been practically rendered landless. The Annual Report of Ministry of Rural Development of the Government of India, 2004-2005 has registered 86, 291 cases of land alienation involving 10,48,93 acres of land in undivided Bihar (including Jharkhand), which topped the list of tribal land alienation in India (Behera,2013;also see Behera &Nath, 2004).

Tribes have been alienated from their land due to urbanisation, mining activities, industries, mega dam projects and special economic zones. According to the record of the Revenue Department, Government of Orissa a total 7,889 ha (19,722,69 acres) of land was acquired from 33 villages for Rourkela Steel Plant out of which 68.05% belong to STs.

Hussain (2008) gives an estimate of acquisition of huge tracts of tribal land that is approximately 7015.60 acres by the Government of Assam for commissioning Kopili Hydroelectric Project. The construction of capital complex in Guwahati of Assam due to shift of capital from Shillong in 1973 displaced and alienated 1,00,000 people of their land, nearly all of them tribal – majority of them being the Bodos. The land acquired for the purpose is estimated about 48,000 acres out of which more than 43,000 acres of land were part of Kamrup tribal belt.

1.4.3.8 Housing

Housing is a critical problem for Scheduled Tribes. The settlement pattern on hill tops or slopes had the provision of sunshine and water source. Rain water drained away the accumulated dirt. In the Northeast due to dampness people used to construct their houses on raised platforms. This is obviously associated with a sense of hygiene. Nevertheless, there were cow dungs or pig faeces spread everywhere in the village. They lived in culture specific traditional houses.

Housing problem resulted from their migration to plains, new settlement consequent upon displacements and shortage of house building materials due to deforestation. The houses provided from government schemes do not meet the standard of cultural life style. The small houses under Indira Awas Yojana do not provide a cultural space like their traditional houses. For them the structure is only a house but not a home; the community sense in new settlements does not arise. The network of social relations, political articulation and economic pursuits lack community orientation making the house culturally isolated. As many tribes do not have land titles they are deprived of loans for housing purpose. They are also deprived of individual benefits like dug well schemes, IAY, and so on.

In addition to this, the norms of social provision are not favourable to tribal villages. Many villages in the tribal areas with less than 500 persons are deprived of community benefits. Programmes and schemes like the Rajeev Gandhi Rural Electrification Scheme, Swajaldhara, and schemes relating to agriculture, animal husbandry, forestry, education, health, housing, etc. also work to exclude ST villages and people due to population size and scattered settlement pattern.

Statistical Profile of Scheduled Tribes of India, 2013 drawing on Census data (2011) provided housing sit6uation of the STs across India. Data shows that 40.62% of STs live in Good condition Houses and 6.2% live in dilapidated houses compared to 53.1% and 5.35% respectively of that of the All Social groups (which includes the STs also). At best 19.72% of STs have drinking water source inside their premises whereas 33.59% have it away from their premises. The data shows that at the All India level only 46.9% of all households out of which 22.6% of ST households have latrine facility within the premises.0.3% of total household and 0.1% of ST households continue to use the method of night soil removal by human. While 49.8% of total households go for open defecation, 74.7% of ST households are still going for open defecation. At the all India level 42%of All Households and 17.3% ST Households have bathing facility within the premises. Only 6.1% of ST households have waste water outlet connected to closed drainage compared to 18.1% of that of the households of all social groups.

In this front also entitlement of the tribes to dwelling houses is behind all social groups. In other words, the picture of violation of housing rights is apparent.

1.5 Let us sum up

After reading this Unit you have learnt that

- tribal rights on land, forest and water were traditionally community based;
- individual rights were recognised within community framework;
- before colonial contact community rights were not compromised even though tribes were in contact with non-tribals and   had taken part in state formation in different capacities;
- colonial land and forest policies did not recognise tribal rights on their land and forests and provided for utilisation of these resources in the name of 'public interest' and state revenue;

- resources were taken away from the tribes not only by the government but also by their non-tribal supporters like moneylenders, traders, officers, Zamindars, etc.;
- however, during colonial period, laws such as The Chotanagpur Tenancy (CNT) Act (1908), Santal Pargana Tenancy (SPT) Act (1949), The Agency Tracts Interest and Land Transfer Act, 1917 and Jhum Land Regulations of 1947 were enacted to regulate tribal land transfer to non-tribals, but not such transfer for public purpose;
- after Independence colonial Land Acquisition Act,1894 continued and forest policies followed the provisions of colonial forest policies till late 1980s;
- continuity of colonial policies ensured transfer of tribal land and forests to government in the name of 'public purpose' and conservation;
- two recent policies namely PESA,1996 and FRA,2006 however, have comprehensive provisions for tribal participation in protecting their resources and safeguarding their rights;
- an instrument, called Intellectual Property Right, was created to protect the right of knowledge creator, but this instrument has not considered protection of tribal knowledge in various fields;
- Geographical Indication in a way recognises tribal rights over their products, but on a territorial basis, giving rise to ambiguity on tribal rights;
- tribal rights are problematic not only in government policies and protectionist instruments, but also in enjoying human rights; and
- human rights of tribes are violated due to incidences of inequality, bonded labour, indebtedness, human trafficking, poor education health care system, displacement, land alienation and poverty to which these people are easily victimised.

1.6   Keywords

Acephalous society: The society without a political head or hierarchy, democratic type of societies.

Biological diversity: variability among living organisms including inter and intra species diversity and diverse ecosystems

Bio-piracy: unethical or unlawful practice of commercial exploitation of native natural resources

Cephalous society: The society with a central political head like the chief.

Ethno-medicine: medicine practised by ethnic/native , sometimes synonym with traditional medicine

Human trafficking: illegal practice of transporting people from one area to other for the purpose of commercial sex exploitation or forced labour

Geographical indication: a sign used on goods that have a specific geographical origin and possess qualities or a reputation due to that place of origin. It consists of the name of the place of origin of the goods.

Machong: A kin group of descendants from a common ancestress along mother line

Nokna:	The privileged daughter in a Garo family who inherits family property and status

Patent:	an authorisation or license conferring a right on an invention
Stakeholder:	a person or group having interest in an activity
Traditional knowledge:	primarily orally transmitted knowledge such as faiths and beliefs, innovations and practices of traditional communities; gained from experiences over centuries; adapted to the culture and local environment; and owned collectively
Usufructuary Rights:	Use rights; rights to use a piece of land and its product without any right to transfer the land in any form

1.7   Probable Questions

Short Answer Questions

1. Does the notion of tribal rights present a general picture? Why or why not?
2. Community rights evolved from individual/family rights. Do you agree? Justify your answer with suitable examples.
3. Distinguish between *Kuntkattidar* land and *bhuinhari* land.
4. Discuss the nature of Human Rights violation due to displacement and land alienation.
5. Were all Acts enacted during colonial period violated tribal rights? Justify your answerer with examples.
6. Do you think tribal rights were usurped due to their outside contact? Give reasons to your answer.
7. Write a note on human trafficking?   Why do you think it violates Human Rights?
8. Tribal rights were also violated during post colonial period. Why?
9. Why is language endangerment   a violation of Human Rights?
10. Discuss the provisions for the protection of educational and language rights.
11. What are Human Rights? Why they are important for the tribals?
12. Write a short note on the nature of Human Rights violation suffered by the tribes.
13. Write a short note on IPR (Intellectual Property Right).
14. Is traditional tribal technology community specific? Justify your answer with examples.
15.   Can folklore be protected under the provisions of IPR? Why or why not?
16. Write a short note on biodiversity knowledge and IPR.
17. Define GI. What is its purpose?
18. Mention important features of GI.

Long Answer Questions

1. Tribal rights are community specific. Do you agree? Justify your answer with suitable examples.

2. How does inheritance system differ between patrilineal and matrilineal tribes?
3. What is bonded labour system? Why are tribals more vulnerable to the system? Mention different practices leading to the prevalence of the system among the tribes.
4. Critically discuss the situations showing violation of Human Rights in tribal community.
5. Write a note on the status of tribal rights on land, forest and water during colonial rule.
6. Discuss the provisions in PESA, 1996 and FRA, 2006 for the protection of tribal rights on land, forest and water.
7. Inequality is a form of Human Rights violation. Discuss its nature and extent with reference to ST community in India.
8. Examine GI (Geographical Indication) and IPR interface with reference to tribal products.
9. What do you mean by Human Rights? Discuss briefly the situations which violate Human Rights in tribal communities with corresponding safeguards provided in Human Rights instrument.
10. What do you mean by GI? Does it directly cover tribal products? Discuss with examples how GI has helped the tribes.

1.8 Answers to Check Your Progress

Answers to Check Your Progress-I

(a) true
(b) false
(c) false
(d) true
(e) false

Answers to Check Your Progress –II

1. are not binding
2. revenue maximisation
3. does not provide
4. area/region
5. primogeniture

Answers to Check Your Progress –III

Answer to A.

1. true
2. false
3. true

4. true
5. false
6. false
7. true
8. false

Anawer to B.
      1.   either contiguous or separated
      2.   money lenders, traders, contactors
      3.   cultivation

Answer to C.
1. It continues to following generation if the debt cannot be repaid during borrower's life time.
2. Because there are practices in traditional tribal communities which are similar to the system of bonded labour.
3. No, prostitution can be voluntary.
4. Traditional healing system does not have immunity to new diseases.
5. High rate of school drop outs among the tribal children.

1.9   Further Reading

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INTELLECTUAL PROPERTY RIGHTS

Structure

2.1   Learning Objectives

After reading this Unit you will be able to
- understand the nature of tribal rights on land, forest and water over the years;
- identify contact with outsiders and State interventions as encroaching forces on tribal rights;
- compare contemporary status of tribal rights with traditional rights;
- learn the concept of intellectual property rights (IPR) and its significance;
- identify drawbacks in IPR in the context of tribal knowledge system;
- define geographical Indication (GI) and its role in protecting IPR;
- acquaint with GI and tribal interface with examples;
- learn the provisions of Human Rights and nature of violation of such rights;
- explain tribal rights within human rights framework; and
- enumerate situations in tribal society which lead to human rights violation.

2.2   Introduction

 We are living in a post-colonial democratic world. In democracy, respect to and appreciation of differences and equality among all are two crucial pillars. Whether it is an individual or a community it has its own significance and thus is equal with others of the category. That is why issues of Human Rights, Indigenous Peoples' Rights, etc. are primary focus during our time.

But this was not case during colonial period or in a monarchy or dictatorial regime. During such periods many communities including the tribes were not treated equally. You know that during colonial rule tribes were looked down. They were not allowed to enjoy the rights which other communities enjoyed. Even their rights over land, forest and water, which they enjoyed before their contact with colonial period, were encroached upon.

So, in our contemporary time the issue tribal rights assume greater significance. It is because the tribes are restoring their lost rights and are guaranteed the rights at par with other communities. The lost rights of tribes are apparently their rights over resources- land, forest and water. Of course, this loss has compounding impact on other rights, but we shall restrict ourselves to tribal rights over land, forest and water.

The phrase 'tribal rights' apparently seems to mean rights of tribes as a category. Obviously it is so; it is generic understanding, though tribes display diversities. The most crucial point is the understanding of rights in a time scale. Accordingly, tribal rights can be viewed with regard to their traditions, customs and practices, and in the present context. In former sense, tribal rights are informal, recognised within customary frame and enforced by traditional system of governance. Such rights are community specific- the community being a village or a tribe.

However, the village is not independent of general perspective of the tribe when the village is not coterminous with the tribe and the tribe spreads over a number of villages. In such cases the governance system manifests not only in villages but also at inter-village and tribe levels. We can cite the example of *dolung kebang* of the Adis, an acephalous tribe, at village level, *bango* at inter- village level and *bogum bokang* at tribe level. But for a cephalous tribe, like the Khampti, there may not be inter-village system of governance. Inter-village disputes are brought to *Mukchum*, the council of the Chief.

Rights enjoyed by the tribes over land, forest and water as per customary rules indicate tribal autonomy at village and tribe level depending on the context. When tribes interacted with the State, particularly from colonial time, their rights over land, forest and water were encroached upon and restricted. Rule and regulations were made and their informal rights were brought under formal system, though sometimes granting a few privileges/concessions. Tribal customs and traditional institutions were replaced by formal legal system in order to enforce rules with regard to their rights.

You will find a contradiction with regard to 'rights' in the process of tribal interaction and integration with the State. At one hand traditional rights have been encroached upon through state legislations and the other there are legislations and other provisions at national and international level to safeguard tribal rights. Whereas, for example, forest policies since colonial period have restricted tribal rights over land and forests, there are also Chhotanagpur Tenancy Act (CNT Act), 1908, Jhum Land Regulations,1947 and recently Panchayats (Extension to Scheduled Areas) Act, 1996 and Scheduled Tribes and other Traditional Forest

Dwellers (Recognition of Forest Rights) Act (FRA), 2006 which provide for protection of such rights.

In this unit you will learn traditional informal rights of tribes on land forest and water; state instruments curbing these rights and along with international instruments like human rights, providing for their safeguard. You will learn provisions of regulations in India providing for protecting tribal rights.

Check Your Progress-I

State whether the following answers are 'true' or 'false' with regard to 'tribal rights'

Tribal rights are

(f) human rights

(g) formal rights

(h) only traditional rights

(i) community specific

(j) enforced by legal system

2.3   Intellectual Property Rights

As tribes integrate more and more with development process they become more and more vulnerable to the complicacies of the system. Development process tries to take care of those whose problems are visible and easily comprehended. In this era of globalisation, development discourse recognises intellectual property of individuals and legal instruments are available to protect rights of intellectual property holders. It is imperative to know how intellectual property right fits into tribal world. How a tribe is benefitted when its member is more a community person than an individual. Before addressing intellectual property right issue in the context of the tribes let us understand what   is intellectual property?

In common sense understanding it refers to intellectual creation such as inventions, literary and artistic works; brands, symbols used in commerce and so on. An idea of an individual that revolutionises production of goods or marketing is his/her intellectual property. We can categorise intellectual property into two groups. The first one includes patents for inventions, trademarks, industrial designs and geographical indications. The second one includes copy rights with regard to literary works (such as novels, poems and plays), films, music, artistic works (e.g., drawings, paintings, photographs and sculptures) and architectural design. He/she holds ownership rights over his/her creation/invention. No one can claim right over such creations. For his/her creation the monetary benefit should accrue to him/her. This is possible if the property rights are protected.

By now you must have got the idea that intellectual property relates to individual or an institution or a group of individuals. So it is not difficult to identify the   owner of the intellectual creations. But what's about creations in a tribal culture which belongs to the

community without any claim for individual ownership? What's about the use of tribal traditional knowledge in modern development process? Do they contribute to modern development process? If they do, how the property right is identified? How does the knowledge exist and in what form?

It is well known that tribal knowledge that falls into the first category exists to a great extent in the sphere of biodiversity. Their ethno-medical knowledge immensely benefits the pharmaceutical industries. Such knowledge, however, belongs to the community and expresses through folklore or cultural practices. Similarly, the creative imagination expressed in songs, ballads, etc. exists in folklores as oral tradition, belonging to the community. In view of this, it is impossible to identify the individual inventor or knowledge holder as the knowledge belongs to the community. Can the community/tribe as a whole be considered as right holder? It is a possibility but not universal.

A particular knowledge cannot be attributed to a particular tribe or geographical location. A preliminary study of hunting-gathering communities shows that the technology of making and using traps, snares and other hunting implements like spears, bow and arrow has cross community characteristics across regions of the world. Similarly, in northeast India the fishing technology of 'veta' (embankment across a river/channel/stream and outlets fixed with nets or bamboo made equipments to catch fish while water flows down) is popular in Assamese, Khampti, Adi, Mishing and many other communities as was observed during field study. Therefore, traditional knowledge as knowledge of a specific locality or community is a misconception, for it can be found in many regions like bow and arrow across the globe.

How the tribal knowledge is situated in the frame of intellectual property rights regime and what are the problems associated with protection are dealt with in this section. We will discuss it in relation to folklores, biodiversity and Geographical Indication. We will also throw some light on the use of such knowledge by community members themselves.

2.3.1 Intellectual Property Rights and Folklore

Anjali Padhi (2008) has drawn our attention to intellectual property rights in the context of authorship right. The presentation made here is taken from her paper. She argued that during conservation and documentation the originality of mother tongue and the identity related to environment should be kept as they are. This is the intellectual right of all members of a tribal community.

Secondly translated folk literature is not able to bring the same expression as the original rendering. It cannot touch the emotion of the story teller or the folk singer like the Ponung Miri of the Adis. The English translation of the spirit of male ancestor (Duma) and that of the female (Chirangul) is spirit. But the term spirit does not invoke the same meaning and feeling. Hence, an appropriate environment is inevitable at the time of translation. Then only the reader can visualise the referred time and place through his/her imagination. Question is which one will come under intellectual property right regime: the folklore or its translation?

In folklore no one has authorship rights. This is a collective property and the authorship lies with the community. The method of transmission of folklore orally from generation to generation is not owned by any member. Foreign writers while collecting the folklore add the imagination of their cultural background for the understanding of a general public outside the culture in which the folklore developed. The publishers also try to make it amenable to needs of the readers for whom they publish. Obviously, the originality of folklore is compromised. The tribe then is deprived of its cultural heritage which is subsequently available to the posterity in a commercial world and in a diluted form as well. The folklore which belongs to the community is retold through writing and becomes a source of income to the publisher and writer (complier?).

Therefore, it is imperative that the culture, traditions, community philosophy of the tribal communities should be officially conserved and documented. For this scientific method (video graph, audio graph, etc.) should be utilised. Digitisation will be an efficient method of rendering originality. Such base materials should be considered within intellectual property rights regime and any adaptation, translation, etc. of base materials should benefit the community.

Traditional knowledge in some tribes is attributed to an ancestor or a cultural hero; the knowledge generally reflects in their folklores. Blackburn (2018) informs us that a group of tribes in central Arunachal Pradesh attribute the knowledge of agriculture, reasons of sacrifice, origin of festivals, social institutions, etc. to Tani, the first ancestor of these tribes. Needless to say, authorship, real or fictional, may go with the traditional community knowledge, though it is not claimed within the culture.

Some groups have started doing business in folklore in our recent time. In this context the issue of authorship is a big challenge. The government and non-governmental agencies along with traditional knowledge holder communities have to endeavour to conserve the richness of folklore as an alternative system of knowledge. In view of this Padhi quotes Jawaharlal Handoo which reads,

> 'I suggest that the folklore and oral traditions be treated as oral discourse and as alternative knowledge for a fresh interpretation of Indian society and its social behaviour'.

2.3.2 Biodiversity Knowledge and IPR

Conservation and sustainable use of biological resources based on indigenous knowledge (IK) and practices is ingrained in tribal faiths and beliefs and their way of life. But in this era of globalisation tribal communities have been exposed to a serious threat pertaining to protection, preservation and benefit sharing from the commercial use of biological resources. The commercial use has been causing serious concern especially when the Intellectual Property Rights (IPR) is applied to protect the interest of tribal people. We follow the

Convention of Biological Diversity (CBD), 1992 in this regard to which India is a signatory. Accordingly, India has enacted Biological Diversity Act, 2002. Implementation of provisions of IPRs, however, has its shortcomings in tribal areas. The provisions are not binding instruments to protect intellectual as well as customary rights of IK (Indigenous Knowledge) holders. The Biodiversity Act 2002 does not provide the tribals with the power to approach the courts if they detect a violation or bio-piracy. Moreover, the provisions are not clear with regard to value addition and technology transfers involving the use of genetic resources preserved by tribal communities. Bio-piracy and piracy of Technical Knowledge (TK) are rampant. The Naga shawl, the identity marker of Naga weaving tradition, for example, is manufactured in Jalandhar factories for commercial purpose without any benefit accruing to the Naga communities.

Pharmaceutical Companies have been making use of the TK of tribal people to identify plants and their ingredients to develop medicines. Michael A. Bengwayan in a report entitled *Intellectual and Cultural Property Rights of Indigenous and Tribal Peoples in Asia*, copy right by Minority Rights Group International, provides an example of patenting of a tree extract by a foreign corporation. He informs that for more than 2,000 years the tribal communities in India have been using the sap of the Commiphora mukul tree to reduce blood cholesterol level and treat a few other forms of illness. But the New Jersey-based Sabinsa Corporation owns patent on the use of tree's extract.

It is to be mentioned that there is no system of private ownership of traditional knowledge with regard to weaving, basketry, healing, farming, fishing, hunting, use of medicinal plants for curing illness, and so on. These are part of traditional cultural expression of the community (TCE). International Law as per Berne Conventions (1971) does not allow Copyright on Traditional Cultural Expression (TCE) and folklore to any individual. Under community ownership the issue of sharing benefit also becomes problematic. Beside the tribal people there are other stakeholders like the forest department, the pharmaceutical company, the scientist, etc. The forest department becomes a stakeholder as medicinal plants are forest products. Benefit sharing among the stakeholders, including the forest department, from patenting *Arogyapaacha*, traditionally used by the *Kani* tribe of Kerala as anti-fatigue and health rejuvenating agent, was an example of long drawn issue. There are other problems also. It also becomes a problem as to who would share the benefit- the informer of the community or the community. When it is the community the question is which community. This is because a medicinal plant can be used for treatment of illness across a number of tribes sharing the same environmental setting. Under such a situation it becomes difficult to decide the community to which the TK belongs.

Despite problems the NGOs and the community members are working together to protect the TK of people in general and tribal communities in particular. In this regard Michael A. Bengwayan provides some examples. He mentions of the role of the Centre for Ecological Sciences (ECOS) at the Indian Institute of Science in building the museum of Tharu culture and traditions. In the museum agricultural tools and implements, traditional varieties of paddy, maize, wheat and certain herbs used by the Tharu people have been documented.

They   stand as proof of the Tharu's indigenous heritage. But what is the guarantee that the heritage cannot be copied in one way or the other?

There are scientific communities engaged in documentation and digitisation of traditional knowledge, especially ethno-botany. Many of them do it in a small scale. But how this knowledge is protected against misuse is a million dollars question. When small teams of researchers visit tribal area what is the guarantee that the members do not collect information more than what is planned in the research proposal? What is the guarantee that the prior informed consent is genuinely administered and preserved?

2.3.3 Geographical Indication and Intellectual Property Rights

Geographical Indication (GI) is a tool for the protection and promotion of traditional knowledge. It is a mark, name or sign used to indicate geographical origin of goods. By doing so it protects the intellectual property rights on goods or products. To obtain this sign the proprietor or the authorised user applies for GI registration. GI registration provides the registered proprietor and the authorized user the exclusive right to protect the registered GI on the specified goods. It ensures that none other than those registered as authorised users (or at least those residing inside the geographic territory) are allowed to use the popular product name. In India the Geographical Indications Registry is located at Chennai.

 Geographical Indication (GI) was offered by the World Trade Organisation's Agreement on Trade Related Aspects of Intellectual Property, 1994 (effective from 1995). Before TRIPs there were three treaties at the international level which also deal with the definition of GIs. These treaties are:

i.   Lisbon Agreement for the Protection of Applications of Origin and Their International Registration, 1958 or in short   Lisbon Agreement ;
ii. Paris Convention for the Protection of Industrial Property, 1883 or in short Paris Convention; and
iii. Agreement for the Repression of False Indication of Origin, 1891 or in short Madrid Agreement.

As you know, India is a member of the WTO. So, India is required to enact national GI legislation. India enacted he Geographical Indication of Goods (Registration and Protection) Act, 1999, which came into force from 2003.

Article 22 (1) of the TTRIPs Agreement defines GIs. Section 2(1) (e) of GI Act 1999 following TRIP Agreement also has provided a definition of GIs. These definitions present GI as an indication which identifies goods as agricultural, natural and manufactured, originating or manufactured in the territory of a country or region or locality, where a given quality, reputation or other characteristic of such goods is essentially attributable to its Geographical origin.

Section 2(1) (e) of GI Act 1999 reads,

> "geographical indication", in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production or of processing or preparation of the goods concerned takes place in such territory, region or locality, as the case may be.

In short, a geographical indication indicates the country, region or locality from which particular goods originate. It does not take into consideration all goods from all places. It considers those unique goods which have some special characteristics, qualities or reputation and these attributes relate to the place of origin. Obviously, GIs are part and parcel of the cultures and traditions of a country, for unique goods are culture or tradition specific. As culture is community specific it is natural to think that GIs apply to community specific goods. But by definition it does not consider the social category but the 'geography,' may be a village. So, GIs do not consider the goods of a tribe except when the tribe and the region are coterminous.

In simpler terms, **GI** is a status accorded to a good which is unique to a particular region or area, and is originated from there. These goods have a reputation for their quality.

Therefore, geographical indications consider the goods being produced by human efforts, Resources, and environment of particular geographical region. We learn from Latha R. Nair and Rejendra Kumar (2005) a few features of GIs. Geographical indications

- consider collective traditions and collective decision-making process;
- reward traditions while allowing for continued evolution;
- put emphasis on the relationship between human efforts, culture, land resources and environment; and
- are not freely transferable from one owner to another.

Section 2(1) (f) of GI Act 1999 provides for the goods which can be registered. It reads,

> "goods" means any agricultural, natural or manufactured goods or any goods of handicraft or of industry and includes food stuff.

> The Act 1999 provides for the procedures of application. However we will discuss who can apply for registration. The Act provides that any association of persons or producers or any organization or authority established by or under law can be a registered proprietor.

Section 11 (1) of G.I. Act, 1999 reads,

> 'Any association of persons or producers or any organisation or authority established by or under any law for the time being in force representing the interest of the producers of the concerned goods, who are desirous of registering a geographical indication in relation to such goods shall apply in writing to the Registrar in such form and in such manner and accompanied by such fees as may be prescribed for the registration of the geographical indication'.

2.3.4 GI and Tribes

Legal implication of the applicant becomes a handicap for tribal products as tribals are not normally organised into formal legal bodies. Ruchi Pant (2015) sounds sceptical about the benefit of GI registration to tribal communities. She states that by obtaining a GI does not necessarily guarantee that any benefits accrued are delivered to small producers or the holders of traditional knowledge. The legal tools may help to protect traditional knowledge in some cases. But, when their reliance on benefit-sharing by others is taken into consideration, it could take time to ensure benefits reach the knowledge holders, especially in tribal and traditional communities in India. Furthermore, their limited scope leaves much TK unprotected.

There is another dimension to the problem when GI is monitored by a committee constituted with members or organisations with different interests. It is worth mentioning of the committee formed to monitor GI of Arunachal orange. A committee comprising representatives from (i) orange grower organisations, (ii) Arunachal Pradesh Horticulture Produce marketing and Processing Board and (iii) North-eastern Regional Agricultural Produce Market Corporation would monitor the quality and frame terms and conditions for use of the brand name. The three groups obviously do not have a common interest.

However, in recent years NGOs and government agency come forward to help in the registration. Tribal products have a wide range and thus greater possibility for GI registration.

There are many tribal goods which have GI registration not because of its association with the tribe but the region which the tribes inhabit. In other words the region and tribal habitation are coterminous. The Hindu (17th Apri,2018) reports that Adilabad Dokra, an ancient bell metal craft popular in the tribal regions of Adilabad in Telangana, have been issued Geographical Indication (GI) Registration Certificate by the GI Registry, Chennai. The Dhokra craftsmen belong to the Woj community, called Wojaris, and also called Otaris, in Telangana State. They live in five villages of the Adilabad district. Adilabad metal casting products mainly include idols of local deities, bells, dancing figures, jewellery, statues and other decorative items. Apart from all this, the craftsmen also make figures of animals and birds, santhl jewels such as twinkly saltation bells, and measuring *chitties*.

The famous Warli Painting also has GI registration. The tribal non-profit organization, named Adivasi Yuva Seva Sangh , helped to register Warli Painting with a GI under the intellectual property rights act. Geographical Indication Registry at Chenai has granted the status proprietor of the GI for Warli painting to the NGO Ayush which is working for welfare of Warli tribe.

Region specific registration of the goods has some disadvantages. It is for your information that Dhokra arts are also popular among some tribes of Chhatishgarh, Odisha and West Bengal. But it is not registered with GI. There may arise legal complication until and unless the spread of such goods are not properly assessed to determine essential characteristics attributable to one region but not to the other. Ruchi Pant (2015) has shown her concern to a similar issue in Goa. Feni is an alcoholic drink introduced into Goa by the Portuguese in the 16th century. A GI has been obtained by the Feni Distillers and Bottlers Association in Goa. However, questions remain over whether Feni producers in neighbouring states can be included in the GI, and while a certain level of standardisation is required for a GI to maintain its quality, this could adversely affect the diverse cultural practices associated with production. Such types of problems will not be uncommon   for similar tribal products across the tribes and regions.

From tribal point of view it has another limitation. For example, Kadaknath chicken meat from Jhabua district of Madhya Pradesh, a tribal district, has received Geographical Indication (GI).   In that region there may be non-tribals rearing Kadaknath chicken. The question is whose property is it? Whether the tribals learnt it from non-tribals or the other way round is not clear. So, territorial registration ignores the original people who domesticated. Similarly, GI tag to Bastar Art does not recognise the tribe or community from which the art originated due to GI's focus on territory when multi-ethnic communities live in it.

In Hazaribagh district administration has initiated a process to apply for a geographical indication (GI) tag for *sohrai* and *kohvar*, two dying tribal art forms of the state. Sohrai and kohvar paintings are indigenous art forms also known as the wall paintings of Hazaribagh. The paintings are cultural heritage among the tribes and thus the tribe of original inventor is not recognised.

In Northeast also some goods belonging to tribes/tribal areas have got GI tag. Mention may be made of Wakro Orange as Arunachal Orange, Khasi Mandarin, Naga tree tomato and Mizo bird eye chilli. As you know, Naga shawl is famous in the country. But Naga shawl is not homogenous across Naga tribes in colour, pattern, design etc. like the tree tomato which are also produced irrespective of tribal groups.

It is now clear that all the goods produced in tribal areas are not fit to get GI register. We have mentioned about production of Naga Shawl in factories of Jalandhar. There is no protection for such goods even through GI register which in fact helps in protection, but does not directly protect. The geographical consideration ignores the individual contribution which

does not have claimant in a community mode. In recent years the community skill and expertise is used by individual entrepreneurs for which the community does not get any benefit. For example, the community design, the name, (say Naga shawl or Adi coat) is produced for market by individual entrepreneurs of the community. These are some issues which are not considered in the provisions of Intellectual Property Rights.

Check Your Progress –II

Correct the <u>underlined</u> portion

1. Provisions of IPR <u>are binding</u> instruments to protect intellectual as well as customary rights of   IK (Indigenous Knowledge) holders.
2. Colonial interest in resources was for <u>preservation</u> purpose.
3. The Biodiversity Act 2002   <u>provides</u> the tribals with the power to approach the courts if they detect a violation or bio-piracy.
4. The provisions under GI recognise <u>a community</u> for the GI mark.
5. In tribes practising <u>ultimogeniture</u> tradition of land inheritance, the youngest son inherits house and homestead land.

3.6   Let us sum up

After reading this Unit you have learnt that

- tribal rights on land, forest and water were traditionally community based;
- individual rights were recognised within community framework;
- before colonial contact community rights were not compromised even though tribes were in contact with non-tribals and   had taken part in state formation in different capacities;
- colonial land and forest policies did not recognise tribal rights on their land and forests and provided for utilisation of these resources in the name of 'public interest' and state revenue;
- resources were taken away from the tribes not only by the government but also by their non-tribal supporters like moneylenders, traders, officers, Zamindars, etc.;
- however, during colonial period, laws such as The Chotanagpur Tenancy (CNT) Act (1908),   Santal Pargana Tenancy (SPT) Act (1949), The Agency Tracts Interest and Land Transfer Act, 1917   and Jhum Land Regulations of 1947 were enacted to regulate tribal land transfer to non-tribals, but not such transfer for public purpose;
- after Independence colonial Land Acquisition Act,1894 continued and forest policies followed the provisions of colonial forest policies till late 1980s;
- continuity of colonial policies ensured   transfer   of tribal land and forests to government in the name of 'public purpose' and conservation;

- two recent policies namely PESA,1996 and FRA,2006 however, have comprehensive provisions for tribal participation in protecting their resources and safeguarding their rights;
- an instrument, called Intellectual Property Right, was created to protect the right of knowledge creator, but this instrument has not considered protection of tribal knowledge in various fields;
- Geographical Indication in a way recognises tribal rights over their products, but on a territorial basis, giving rise to ambiguity on tribal rights;
- tribal rights are problematic not only in government policies and protectionist instruments, but also in enjoying human rights; and
- human rights of tribes are violated due to incidences of inequality, bonded labour, indebtedness, human trafficking, poor education health care system, displacement, land alienation and poverty to which these people are easily victimised.

2.5   Keywords

Acephalous society: The society without a political head or hierarchy, democratic type of societies.

Biological diversity: variability among living organisms including inter and intra species diversity and diverse ecosystems

Bio-piracy: unethical or unlawful practice of commercial exploitation of native natural resources

Cephalous society: The society with a central political head like the chief.

Ethno-medicine: medicine practised by ethnic/native , sometimes synonym with traditional medicine

Human trafficking: illegal practice of transporting people from one area to other for the purpose of commercial sex exploitation or forced labour

Geographical indication: a sign used on goods that have a specific geographical origin and possess qualities or a reputation due to that place of origin. It consists of the name of the place of origin of the goods.

Machong: A kin group of descendants from a common ancestress along mother line

Nokna: The privileged daughter in a Garo family who inherits family property and status

Patent: an authorisation or license conferring a right on an invention

Stakeholder: a person or group having interest in an activity

Traditional knowledge: primarily orally transmitted knowledge such as faiths and beliefs, innovations and practices of traditional communities; gained from experiences over centuries; adapted to the culture and local environment; and owned collectively

Usufructuary Rights: Use rights; rights to use a piece of land and its product without any right to transfer the land in any form

2.6 Probable Questions

Short Answer Questions

19. Does the notion of tribal rights present a general picture? Why or why not?
20. Community rights evolved from individual/family rights. Do you agree? Justify your answer with suitable examples.
21. Distinguish between *Kuntkattidar* land and *bhuinhari* land.
22. Discuss the nature of Human Rights violation due to displacement and land alienation.
23. Were all Acts enacted during colonial period violated tribal rights? Justify your answerer with examples.
24. Do you think tribal rights were usurped due to their outside contact? Give reasons to your answer.
25. Write a note on human trafficking? Why do you think it violates Human Rights?
26. Tribal rights were also violated during post colonial period. Why?
27. Why is language endangerment a violation of Human Rights?
28. Discuss the provisions for the protection of educational and language rights.
29. What are Human Rights? Why they are important for the tribals?
30. Write a short note on the nature of Human Rights violation suffered by the tribes.
31. Write a short note on IPR (Intellectual Property Right).
32. Is traditional tribal technology community specific? Justify your answer with examples.
33. Can folklore be protected under the provisions of IPR? Why or why not?
34. Write a short note on biodiversity knowledge and IPR.
35. Define GI. What is its purpose?
36. Mention important features of GI.

Long Answer Questions

11. Tribal rights are community specific. Do you agree? Justify your answer with suitable examples.
12. How does inheritance system differ between patrilineal and matrilineal tribes?
13. What is bonded labour system? Why are tribals more vulnerable to the system? Mention different practices leading to the prevalence of the system among the tribes.
14. Critically discuss the situations showing violation of Human Rights in tribal community.
15. Write a note on the status of tribal rights on land, forest and water during colonial rule.
16. Discuss the provisions in PESA, 1996 and FRA, 2006 for the protection of tribal rights on land, forest and water.

17. Inequality is a form of Human Rights violation. Discuss its nature and extent with reference to ST community in India.

18. Examine GI (Geographical Indication) and IPR interface with reference to tribal products.

19. What do you mean by Human Rights? Discuss briefly the situations which violate Human Rights in tribal communities with corresponding safeguards provided in Human Rights instrument.

20. What do you mean by GI? Does it directly cover tribal products? Discuss with examples how GI has helped the tribes.

2.7   Answers to Check Your Progress

Answers to Check Your Progress-I

(f)   true
(g) false
(h) false
(i) true
(j) false

Answers to Check Your Progress –II

6. are not binding
7.   revenue maximisation
8. does not provide
9. area/region
10. primogeniture

Answers to Check Your Progress –III

Answer to A.

9. true
10. false
11. true
12. true
13. false
14. false
15. true
16. false

Anawer to B.

4.   either contiguous or separated
5.   money lenders, traders, contactors

6. cultivation

Answer to C.

6. It continues to following generation if the debt cannot be repaid during borrower's life time.
7. Because there are practices in traditional tribal communities which are similar to the system of bonded labour.
8. No, prostitution can be voluntary.
9. Traditional healing system does not have immunity to new diseases.
10. High rate of school drop outs among the tribal children.

2.8   Further Reading

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UNIT-III

LANGUAGE ISSUES

Unit Structure

3.1   Learning Objectives

After going through this Unit you will be able to

- learn the meaning and significance of language preservation;
- understand how language is an identity marker of a culture;
- identify areas of development to which language contributes;
- know that linguistic right is human right;
- learn the provisions of International instruments and Constitution of India for language preservation;
- critically examine impact of contact on the status of tribal and minor languages;
- understand the concept of language endangerment and enumerate causes contributing to such endangerment;
- list endangered languages of India;
- enumerates steps to preserve language;
- explain development of scripts and efforts to develop scripts by tribal communities of India; and

- analyse the importance of mother tongue as medium of instruction in schools for the beginners.

3.2   Introduction

Language is an important identity marker of any community. But as you know our contemporary communities are not independent and isolates. These are interconnected through inter-community institutions- political, social, economic, etc.- at regional, State, national and even International levels. For example, a nation state like India is formal political organisation of governance consisting of all communities inhabiting in the territory. Each community has its own identity and at the same time it is a component of the nation state and all members irrespective of community identity are citizens of India.

As you know each community has its linguistic identity, but as a component of the Nation it is inter-connected with other communities and   also with the National realities beyond individual communities. As far as language is concerned, some languages lose functional necessity as the sphere of communication spreads beyond community boundary. A common lingua franca is used, and languages of most of the communities lose functionality. For example in Assam, Assamese becomes the lingua franca of   the communities and languages of minor communities like Hajong, Deori, Khampti, Dimasa in Assam lose functionality beyond their respective communities and in official correspondence. Other states also have their dominant and minor languages. In other words, in the process of interaction with progressively larger spheres a few languages become powerful and dominant, while and a large number of languages lose functionality.

As one goes beyond a state Hindi and/or English normally becomes the lingua franca within India. In contemporary world we are not confined to our own community or region. We travel a lot, we interact with different forces, social, political, economic, etc., we encounter a lot of linguistic diversities and we communicate a lot under diverse situations. Obviously we are to learn the language with which we can communicate in course of our diverse interactions. The language which emerges as a common lingua franca or which has already accepted as a common medium of communication becomes dominant and powerful. Other languages gradually lose their significance depending on the spheres of use. These are minor languages and their speakers gradually shift to powerful languages.

Minor languages, mostly belonging to tribal communities in our country, do not have their own scripts. Documentation of these languages is really challenging. The problem of preserving such languages, which continued till date through oral communication and whose speakers shift to dominant language, is really serious. Moreover, in schools most of these minor tribal languages are not used as medium of instruction. No doubt, UNESCO has enlisted such languages as endangered languages.

The issues of language preservation, script and medium of instructions form the subject of discussion in this unit. You will study these issues to understand the problem and learn preservation efforts with regard to such languages.

3.3   Preservation of Language

Have you seen writings of Indus valley Civilisation?   You must have seen it in History book elementary level of education. The writings convey that Indus people used a language of communication even in written forms. You will be astonished to know that the language is not found   spoken anywhere in the world at present. The script is yet to be deciphered and the language known. Indus Valley language is available through archaeological evidences and preserved in Achieves. Do you mean that Indus Valley language is preserved? Apparently, the answer is an affirmative. But if you think deeper the question arises: what is the use of a language? A language is used for communication which is not possible with Indus Valley language. As the language is not in communication, it is dead or non-functional. Preservation has no meaning for such dead languages though they are preserved in museums and achieves. Then what is preservation of language?

The notion of preservation of language means that   the language which is functional but its speakers are gradually declining shall be preserved. Language preservation is the conscious effort to prevent languages from dying and being obsolete to future generations. So, language preservation relates to living language, but not to dead language. When any dead language becomes functional (like Hebrew) the process is known as language revival, not language preservation.

The need to preserve tribal language   emanates from four interrelated issues. These issues have both general context   and specific significance with regard to tribal languages. First, language is a marker of identity. Undoubtedly, tribal language and tribal identity is interconnected. Second, language rights are human rights concerning the individual and collective rights. In collective sense language rights are also cultural rights. Preservation of language therefore amounts to upholding individual, cultural and human rights in the context. Third, tribal language, as it interacts with dominant languages, it declines in the process of interaction. This decline expresses through different stages in different degrees; the ultimate stage of decline is language loss/death. Fourth, in the concept of development language development is an essential component.

Language is the learned system of arbitrary vocal symbols, by means of which human beings, as members of a society, interact and communicate in terms of their culture" - G. L. Trager (1972) in   *People talk **In Language and Languages.***

The contemporary notion of development is conceptualised beyond economic domain and includes socio-cultural dimensions. Therein lies the importance of language- a component of society and culture, in development discourse. Obviously, preservation of tribal language is a human rights issue in the process of identity assertion and tribal development. In other words, it is an attempt to safeguard rights, recognise identity, ensure all-round development and protect tribal language against forces that cause its decline in course of interaction with other languages.

To sum up, the preservation of language is crucial because
  i. it preserves identity, particularly linguistic and thus cultural identity;

ii.language is a component of various rights;

iii.language is recognised as an important factor of development; and

iv.language is endangered in the process of contact with major and powerful languages.

Check Your Progress –I

Write 'True' or 'False'

1. India is a multilingual country.
2. Language preservation means to preserve a language in written form.
3. When a dead language becomes functional it is known as language revival.
4. Language right is human right.
5. Language endangerment is a result of language isolation.

3.3.1 Language and Identity

Preservation of language is preservation of identity of the community which uses the language. Language reflects identity of the speech community either directly or through its influence on culture. The term identity is derived from the Latin word *identitatem /idem* which means 'sameness'/ 'the same' or alike. The 'sameness' in language, spoken by members of a community/tribe, attaches them the linguistic identity. For example, the group of people who speaks Nyishi language as mother tongue obviously displays linguistic identity of the Nyishis. In other words, the Nyishi identity is constructed in terms of Nyishi language as mother tongue.

But the concept of identity is multi-dimensional and carries different meanings in different disciplines and context. It reflects through religion, culture, lineage, ethnicity, social organisation, common ancestor and so on. Tribal people perceive their identity not in terms of religion or language but in a totality of cultural understanding. Erikson (1968) suggested that the identity   of indigenous people is formed with a basic understanding of the physical and spiritual world surrounding each tribal member. A tribal person's understanding of identity is therefore a totality of cultural personality. In our present discussion, the stress is given on identity through language, a reductionist understanding of the totality.

As you know language is not a static element; it is dynamic and is influenced by, as R.S.Rangila (1993) mentions, by two determinants of change. These are (i) natural propensity of the language to change and (ii) external pressure. As language reflects identity and is dynamic, it is but natural to think that identity also changes. In this regard Erikson's (1968) position will be helpful to understand the nature of identity. Erikson (1968) suggests that at no single moment in time is identity whole, but rather an ongoing perspective that constantly changes throughout the life of a human. According to Erickson's view point identity changes over time and as language changes, language linked identity also follows suit. Let us understand this position with empirical data.

Language is central to culture, identity and heritage. The right to use your own language is an internationally recognised human right. - *Human Rights Commission*

In Arunachal Pradesh, Tani group of tribes like Nyishi, Adi, Apatani, Galo have a type of shamanism. The shaman/priest uses an archaic language beyond the comprehension of common people. Some native intellectuals are of the opinion that the classical language used by the priests was lingua franca in some bygone days. In other words, both the priests and the common people used the language, priests during ritual and common people in day-to-day communication. At present, the priest uses the language while performing rituals as a medium of communication with spiritual world. This language has changed over the years and evolved into what prevails in day-to-day communication, the classical language being unintelligible to common people.

Needless to say, members of the Tani group of tribes believe that classical language has changed over time in day-to-day communication. The question is: has this change in language changed the identity of the Tani groups? Every Tani group identifies the classical language and the present one as their own.

Let us understand language linked identity with another example. The Puroiks of Arunachal Pradesh were subordinated to the Nyishis and the Mijis for a long time. Over the years of their interaction, say with the Nyishis, they have adopted Nyishi language to the extent that they do not remember most of the vocabularies of their own language. Even younger Puroiks do not know their own language. Have Puroiks lost their Puroik identity as a linguistic consequent upon it? Field study, however, does not subscribe to a loss of identity with regard to the language. Though their language has lost originality, the Puroiks are consciously aware of the existence of a language which they know of their own. It may be possible that   the Puroiks totally forget their own language with the death of members who know some vocabularies, adopt Nyishi language and lose the consciousness of their language, it is but natural to think loss of Puroik linguistic identity. Linguistically, they belong to Nyishi language system. That is why language preservation has become crucial in maintaining identity.

The seriousness of the problem- older generation using Puroik language selectively and younger generation's speech highly influenced by Nyishi language- is articulated by Anvita Abbi (1997) in case of Oranons and Kharia. She writes,

> The older generation retains archaic, conservative speech forms, while the younger generation's speech form is highly Aryanized. Sometimes the variety of Kurux or Kharia spoken by youth is indistinguishable from Sadari. For them, their mother tongues are, at best, their non-fluent first languages.

Another example from Anvita Abbi (1997)   will be useful to understand direct linkage between identity and language. She finds Mundari-speaking Oraons (whose language is Kurukh) in Ranchi city and its vicinity. She writes,

An apparent change in identity is observed when one considers the Oraons living in and around the villages of Mesra, Garihotwar and Angara. Oraons in these areas not only have changed their clan but also speak a Munda dialect called Kera Munda. Culturally and linguistically it is difficult to distinguish these Oraons with local Mundas. This is a clear case

of culture and language of one minority community being superimposed on that of another minority.

In Arunachal Pradesh, the Padu clan of Galo tribe is believed to be originally Padung clan of Minyong group of the Adis. Due to their settlement among the Galos for a long time they have dropped 'ng' sound which characteristic of Adi language, and become Padu. They speak Galo and in no way resemble Minyongs linguistically.

You already know that change in language has two aspects; one relates to change and continuity like that of the Puroiks at present, and the second to decline and death like Minyong language of the Padu clan or Oranns around the villages of Mesra, Garihotwar and Angara. R.S.Rangila (1993) describes such changes as promotive and detrimental.

In the first sense, awareness of Puroiks of the existence of their own language is present, though the extent is not determined. Obviously, the change in language in the sense of change and continuity does not affect linguistic identity of the present Puroiks. But whether the situation can be considered promotive or not is a doubtful proposition, for the change and continuity is not a natural process of interaction. The necessity of learning Nyishi language is not a matter of choice, rather a compulsion given the subordinate position of the Puroiks. The change and continuity has a detrimental side when it arises out of compulsion. In the sense of the change having detrimental impact and the portent of death even change and continuity affects the identity. Extension of the scope of language for diverse use in a changing context, a situation of change and continuity, is promotive in nature. When language dies, the identity associated with it is lost in case of earlier Padungs and Oraons as we have mentioned above.

The promotive side of *language change and continuity* has problematic areas. As you know, languages have been classified belonging to one family or the other. The situation of change and continuity presents language in between two classifications. For example, the language of Oraons i.e. Kurukh belongs to Dravidian family. In course of interaction with Indo-Aryan groups of language like Hindi, Sadani and Sadri, Kurukh has evolved as a synchronic system incorporating vocabularies and features of both Kuruks and Indo-Aryan languages. How is this situation of change and continuity placed in a language family? This is a problem with the linguistic academics. But, for the Oraon people the language in the form of change and continuity is Kurukh and they identify themselves with Kurukh only.

The situation of change and continuity has another problematic area. The diversity is diluted and diverse languages display features of homogeneity. The change and continuity in Kurukh, Gondi, Munda or Kokborok in course of interaction with Indo-Aryan group of languages display similar vocabularies and features. The diversity displayed through these original languages compromises with a sort of homogeneity. Anvita Abbi (1997) writes,

> The contact-induced changes in languages such as Kurux and Kharia have led to linguistic typological homogeneity, on the one hand, and tendency to language attrition, on the other.

Let us understand language's influence on culture and identity. As you know, language is a crucial element of culture. Undoubtedly, language expresses culture in part or as a whole, and thus reflects cultural identity. A cultural practice, *Zang-Zang* which is prevalent among the Lahuli of Himachal Pradesh is narrated by Tobdan in his paper 'Zang-Zang-A Social

Custom Rooted in the Economy' . The paper is published in 2000 in M.C.Behera's edited volume entitled *Tribal Religion: Change and Continuity*.   It is customary to offer food to a guest who visits a relative's house. The custom holds that the guest will deny to have food and the host will insist on having it till the guest eats his full. Tobdan writes,

No, no, thank you. I have had just now. I had at home. I am not feeling hungry at all.

But the host will insist the guest at least to taste a little, a small quantity, a few crumbs, a few morsels. Offering, refusal, insistence and acceptance go on till the guest completes his eating. But in our culture the guest does not refuse, and if he refuses to have food, he is not forced in the way it prevails in Lahuli society. The language of refusal has different meanings in two different cultures. Now you understand how language is linked with culture. In other words, language is culture specific and it gives meaning to a culture. By giving meaning it defines cultural identity of the members of a culture.

When a language dies a culture and a form of understanding of the world dies together with it. Language is culture. It's a fundamental tool to understand the world and how social organizations work at all levels. Through language and culture human beings are able to interact." ***Javier Lopez Sanchez, Director General of the National Institute for Indigenous Languages*** .

As you know, language is a very vital part of culture. Loss of language means loss of the medium of transmission of customs, traditions, rituals moral values, history, teachings of skills, religious principles, and so on.   Practically, loss of language amounts to loss of the medium to transmit culture to future generations and thus amounts to loss of culture. As you know culture defines the identity of the people living in it. Naturally, as language is lost, culture is lost; and with the loss of culture cultural identity is lost.

 By now you have understood the relation between language and identity directly and directly through culture. Language is also used as an instrument of asserting political identity. Virginius Xaxa (2005) informs us that tribal identity has been constructed along ethnic or religious lines by outsiders. Even social typology as tribe or tribe as 'backward Hindus' is an outsider construct. In recent years, as Xaxa maintains, 'tribal identity articulation has been a process directed from within the tribal community' in the form of 'demands for some degree of political autonomy' with initiatives to 'ensure the protection and development of tribal language, customs and culture'.

 You know that in 1956 States of Indian Union were created on the basis of the language of majority community. The state of Odisha, for example was created on the basis of Odia speaking areas, Assam of Assamese speaking areas, Andhra Pradesh on the basis of Telgu speaking areas and so on. In course of time the major language in the State flourished and minor/tribal languages declined. Tribal people rallied over language issue to assert political autonomy and/or to promote their own languages.

Through initiatives of the respective tribes Santali, Saura, Bodo and other tribal languages developed. This means they have developed written language. As you know, many tribes like Snathal, Oraon, Birhor, Rabha live in a number of States. For example, the Santhals live in West Bengal, Jharkhand, Odisha, Bihar, Chhatishgarh and Assam. The Santhal language has developed not in a particular state; but among the Santals living in all States of India and even in Bangladesh. Respective states also recognise Santali and other tribal languages. State Sahitya Academy encourages and promotes tribal languages in the respective states. The 92nd Amendment of the Constitution has entered Santhli and Bodo languages in the Eighth Schedule of the Constitution. Obviously, these languages are promoted by National Sahitya Academy. It is to inform you that Santali has become the first Indian tribal language to get a Wikipedia edition in its own script.

In Odisha, four languages, namely Santali, Saura, Koya and Ho have developed languages by introducing written forms. It means languages of these tribes have been developed and members of these tribes who live in Odisha also use these languages. Sahitya Academy has started giving awards to the Santali writers. The government has introduced their languages to impart primary education to the tribal students.

The above discussion states development of language without any demand for political autonomy. As discussed above, the State in Indian Union was created by organising areas in which a major language was spoken. The speakers of the major language used it to subjugate the minor, particularly tribal languages. On the other hand, tribals mobilise to protect their distinct linguistic identity, often demanding new territorial units by asserting their linguistic rights. This assertion is manifested in the Northeast India. Language has been used by minor speech communities as an instrument to ensure political autonomy along with the objective of developing and promoting their respective languages. One of the provisions of the Sixth Schedule includes language issues of tribal communities covered under it.

You should know that the Assam Official Language Bill of 1960 was interpreted by the hill tribal leaders as a hegemonic effort on the part of the Assam Government mainly represented by members of majority communities to impose Assamese language upon them. So they formed the all party hill leaders' conference (APHLC) and held a meeting at Shillong in 1960. The Conference unanimously resolved to oppose the Official Language Bill, mainly on the ground that adoption of Assamese as the official language of the State will adversely affect the opportunities and prospects of the hill people in the Government services.

Under the leadership of the APHLC, rallying around the language issue, the movement for a separate hill state gained momentum. The demand for hill state was not materialised, but the language issue was used by the hill leaders as a propaganda weapon to garner political support for the formation of Meghalaya to be carved out of the Khasi-Jaintia and Garo Hills of Assam. The dissatisfaction over language issue let to autonomy movement and in 1970s Mizoram and Meghlaya were created as separate political units which later attained statehood. The Bodos began their language movement with the establishment of Bodo Sahitya Sabha in Novemebr,1952 as a parallel institution to Assam Sahitya Sabha. They also adopted Roman script in place of Assamese script at a later stage. But due to Central Governemnt's initiative they use Devanagari script and create literature in Bodo language. At

present Bodo language is incorporated in Eighth Schedule of the Constitution of India. The language has been introduced at post graduate level in Guwahati University and in Bodoland University. It is also used as medium of instructions at different levels starting from schools. The discontent that erupted from language issue graduated into   Bodo movement demanding political autonomy. It is not a surprise that the movement has been successful by gaining Sixth Schedule status for Bodo areas. You will study about it in paper-IV, unit-V in details.

From the above discussion you have understood how tribes are emotionally attached to their language. A slight suppression, real or imagined, leads to organised movement for the purpose of promoting the language and, with high aspirations, in establishing political identity.

Check Your Progress –II

Select the correct answer from among the alternative choices

1. A tribe person understands his/her identity in
   i.   cultural perspective
   ii.   the sense of his ST status
   iii.   multi-dimensional perspective
   iv.   none of the above
2. The determinants of change are
   i.   declining population and imposition of powerful language
   ii.   natural propensity of the language to change and external pressure
   iii.   education and occupation
   iv.   all of the above
3. Kurkh is the language of
   i.   Oraon
   ii.   Munda
   iii.   Kharia
   iv.   Santal
4. Language shift presupposes
   i.   existence of bilingualism
   ii.   presence of an interpreter
   iii.   an urban setting
   iv.   all of the above
5. Tribal identity is
   i.   an external construct
   ii.   an internal construct
   iii.   both internal and external construct
   iv.   all of the above

3.3.2 Language and Development

It is mentioned that development is no more economic development only. Development is comprehensive and also includes socio-cultural factors along with economic factors. Human Development Report 2004 recognises Cultural Liberty in Today's Diverse World as a bedrock principle of human development. **Culture 21** is an addition to **Agenda 21** in order to achieve sustainable development in a more holistic sense.

> Language is the key to inclusion. Language is at the centre of human activity, self-expression and identity. Recognizing the primary importance that people place on their own language fosters the kind of true participation in development that achieves lasting results. - *UNESCO Bangkok 2012*

Agenda 21 is an **agenda** for sustainable development in the 21st century, approved by United Nations members at the Rio Earth Summit in 1992. In the same year, the world organization of United Cities and Local Governments (UCLG) was formed to coordinate this **Agenda 21 for culture** (also known as **Culture 21**). This agenda is the first document with worldwide mission that advocates establishing the groundwork of an undertaking by cities and local governments for cultural development. As per provisions of the Agenda programme for cultural governance was developed in 2002-2004. In this programme culture is added as a fourth conceptual pillar of sustainable development in governance. Other three pillars, as you know, are environment, social inclusion, and economics. In other words, language being a component of the culture is crucial for cultural governance.

Recognition of language in human development is implicit in the broader framework of development through culture, for culture cannot be perceived without its language component through which it manifests. However, the role of language in development is clearly articulated in Eight Goals of Millennium Development Goals.

UNESCO document on *Why Language Matters for the Millennium Development Goals* suggests the importance of language to achieve eight goals envisaged therein. These are presented below for your understanding.

Goal 1: Eradicate Poverty and Hunger

The document explains how speech community's language will help it in eradicating poverty and hunger. It states,

> People's languages are vitally important to them. Through language, people communicate, share meaning and experience their sense of individual and community identity. Loss of language and culture is frequently accompanied by large human and social costs, including poverty, poor health, drug and alcohol abuse, family violence and suicide.

> Recognizing the profound importance that people place on their languages is a core insight for tackling poverty and hunger. It is an important part of the move

away from "top down" models of development that have been shown not to work, and towards participatory development models, which often do.

Goal-2: Achieve Universal Primary Education

Language is crucial as a medium of instruction at primary level, for children tough in mother tongue are good achievers. The UNESCO document states,

> Many children struggle at school when they are forced to learn in languages that are not their mother tongue. School systems that do not use learners' own languages or respect their cultures make it extremely difficult for children to stay in school and learn. For individuals, communities and even whole ethnic minority groups, this contributes to perpetuating cycles of marginalization and discrimination. For countries, excluding large portions of the population from their right to good quality education can delay economic growth and perpetuate conflict and political instability.

You will learn the benefit of mother tongue as medium of instruction in section 5.5 of this unit.

Goal 3: Promote Gender Equality and Empower Women

The ability to access education and information in their own languages is vital for the empowerment of women. Women feel confident, they understand better in own tongue rather than in other's tongue. Empowerment of women is a strategy to ensure gender equality.

> Education for girls: Research into bilingual education in Africa and Latin America has found that girls who learn first in familiar languages stay in school longer and are more likely to be identified as good students. They do better on achievement tests and repeat grades less often than girls who do not get instruction in their mother tongue.

> Education for women: Improving adult women's immediate situations is vital to achieving development goals. There are many examples of how boosting women's literacy in their own language, in combination with livelihood initiatives, improves their economic position, enhances their decision-making role at home and in the community, and impacts favourably on the way families bring up their children. Providing women with information and support in their own language on how to protect themselves and girls from violence, domestic abuse and other forms of maltreatment can also have a great impact on helping women improve their lives.

Goals 4 & 5: Reduce Child Mortality and Improve Maternal Health

Awareness about disease is the first step towards health education. Mother tongue helps to explain health care system better than other languages. The concept, preventive measure, etc. if taught in other language are not clearly understood. It may create confusion; it becomes difficult for patients to develop a sense of trust on treatment practices. This has negative effects on the health-seeking behaviour of the patients who are not well conversant in languages other than the mother tongue.

In this regard the UNESCO document as mentioned above states,

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Many lives can be saved through women receiving better information on, for example, nutrition, the important role of breastfeeding for child health, and how to prevent and treat infections, diarrhoea and malaria.

Women need to receive health information in a language that is familiar to them and in ways that engage with their cultural context. Research in South-East Asia found that many ethnic minority people identified language as a major constraint to accessing health services. For many highland minorities, the national language was in effect a "foreign language". The research concluded that, "In the health sector, patients and providers need to be able to communicate … A health provider who does not speak the same language as the patient may have difficulties in diagnosing and curing a health problem, or in sharing health information.

Goal 6: Combat HIV and AIDS, Malaria and Other Diseases

Studies find that people in ethno-linguistic minority communities are especially vulnerable to HIV and AIDS, malaria and other health challenges. One of the reasons is attributed to due lack of essential information. They do not take interest if communicated in languages which they do not know properly. There are also taboos associated with such diseases which they do not want to discuss with persons in their languages. Awareness on HIV and AIDS requires understandings of health, relationships, individual and social choices, and behaviours which are strongly influenced by culture. So the communication should be in a culturally sensitive manner and by people they trust. This can help dispel fear and stigma and encourage people to access services and treatment.

Goal 7: Ensure Sustainable

Sustainable development is a participatory development. It needs the participation of all groups, especially ethno- linguistic minorities who always maintain distance from advanced sections of society as they do not understand them. So they are vulnerable to exclusion and marginalization. Participation ensures development along the line of their own genius by linking their needs, resources with larger development issues.

The above document states,

Language has an important part to play in minorities' participation in the development process. Researchers who focused on the importance of language for sustainable development in communities in Ivory Coast, Namibia and Indonesia have pointed out that failure to engage with the minority languages only increases minority peoples' exclusion. They highlight the positive aspects of "communicative sustainability" over the negative results of "communicative dependency" and conclude that local languages are a key resource.

Local languages, as Millennium Development Goals maintain, are a resource for:

- understanding and analyzing local actors, their analyses and viewpoints, and the "human factor" in determining action and inaction,
- providing opportunities for development in their own right, including their creative potential in oral and written mode, and

- for influencing social cohesion and social inclusion or exclusion.

Goal 8: Foster Global Partnerships for Development

In this era of globalisation, information and communication technology (ICT) is a crucial driving force to achieve equitable and sustainable development. ICT normally uses major and powerful languages which deprive speakers of minor languages to benefit from it in their own languages. The above UNESCO document suggests that developing and providing materials and software in local languages will help fostering participation and inclusion of minorities.

3.3.3 Language and Rights

Language is related to rights at different contexts-individual, collective/community, cultural/indigenous and human rights. Every individual and community/culture has linguistic right, the right to use language and preserve it. Therefore the Constitution of India provides safeguards to all of its citizens and particularly to weaker sections like STs and SCs for protection, preservation and promotion of their languages.

Even international instruments like the Universal Declaration of Human Rights, The United Nations Declaration on the Rights of Indigenous Peoples, Universal Declaration of Linguistic Rights, The European Charter for Regional or Minority Languages, the Convention of the Rights of the Child, the Convention against Discrimination against Education, Universal Declaration of the Collective Rights of Peoples, International Covenant on Civil and Political Rights as well as the Framework Convention for the Protection of National Minorities are important documents for linguistic rights, among other rights. The United Nations Declaration on the Rights of Indigenous Peoples and the Convention on the Rights of the Child particularly emphasise on language rights of indigenous/tribal people and the need to preserve them.

Language Rights in International Instruments

As you have read above, international instruments have emphasised on language rights in general and of tribal and other minority communities in particular. Provisions of some important international documents are present below for your understanding.

The Convention on the Rights of the Child is the first international human rights instrument that clearly addresses the rights of indigenous children. It states that indigenous children have the right to learn, use and practise their own language, customs and religions together with other members of their community.

The Universal Declaration on Rights of Indigenous Peoples in Part 3, entitled Culture, Religion and Language includes three Articles on rights to culture, religion and customs and language of indigenous peoples (tribes). Article 13 clearly specifies right to know and use language, histories and oral traditions. It reads,

Indigenous peoples have the right to recover, use and pass on to future generations their histories and languages, oral traditions, writing systems and literature and to use their own names for communities, places and people.

Indigenous peoples also have the right to be heard and understood in their own languages in different settings as for example in court, through an interpreter.

Article 16 on the theme of media in Part 4 also states indigenous peoples' language rights relating to media. It reads,

Indigenous peoples have the right to create their own media (i.e., radio, TV and newspapers) in their own language and to access non-indigenous media. Government-owned media has a duty to reflect indigenous cultural diversity. Governments will also encourage privately owned media to reflect indigenous cultural diversity.

The **Universal Declaration of Linguistic Rights** (known also as the **Barcelona Declaration as** the Conference was held in Barcelona) provides for linguistic rights of all speech communities-major and minor.   The objective of the Declaration was mainly to support linguistic rights of   minor languages c which are endangered.   The document was signed by the International PEN Club   and several Non-Governmental Organisations   in 1996. The declaration is yet to be approved by the UNO. Nevertheless it is an important instrument of advocacy to safeguard the linguistic rights on minor speech communities whose languages are endangered. Articles 8, 9 and 10 deal with linguistic rights. The provisions under the articles are as follows:

Article 8: 1. All language communities have the right to organize and manage their own resources so as to ensure the use of their language in all functions within society.

2. All language communities are entitled to have at their disposal whatever means are necessary to ensure the transmission and continuity of their language.

International PEN is a worldwide association of 'Poets, Essayists and Novelists' (PEN) founded in London in 1921. At present PEN stands for 'Poets, Playwrights, Editors, Essayists, Novelists' and includes writers of any form of literature, such as journalists and historians, etc.

Article 9: All language communities have the right to codify, standardize, preserve, and promote their linguistic system, without induced or forced interference.

Article 10: All language communities have equal rights.

In its fifteenth anniversary the International PEN developed a manifesto known as the Girona Manifesto to update the provisions of the original Declaration. The text of recommendations and suggestions of the Manifesto on linguistic rights is as follows:

1. Linguistic diversity is a world heritage that must be valued and protected.
2. Respect for all languages and cultures is fundamental to the process of constructing and maintaining dialogue and peace in the world.

3. All individuals learn to speak in the heart of a community that gives them life, language, culture and identity.
4. Different languages and different ways of speaking are not only means of communication; they are also the milieu in which humans grow and cultures are built.
5. Every linguistic community has the right for its language to be used as an official language in its territory.
6. School instruction must contribute to the prestige of the language spoken by the linguistic community of the territory.
7. It is desirable for citizens to have a general knowledge of various languages, because it favours empathy and intellectual openness, and contributes to a deeper knowledge of one's own tongue.
8. The translation of texts, especially the great works of various cultures, represents a very important element in the necessary process of greater understanding and respect among human beings.
9. The media is a privileged loudspeaker for making linguistic diversity work and for competently and rigorously increasing its prestige.
10. The right to use and protect one's own language must be recognized by the United Nations as one of the fundamental human rights.

The Universal Declaration of Human Rights also deals with language issues. The following articles are relevant for language rights.

Article 2 provides, as you have learnt in section 3.5.4 that everyone is entitled to the rights declared without discrimination based on language among other things.

Article 10 states, 'Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him'. It implies that all individuals are entitled to a fair trial. It recognises the right to involve an interpreter if an individual does not understand the language used in criminal court proceedings, or in a criminal accusation.

Article 19 states, 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. This implies that the individual has right to choose any language as the medium of expression.

Article 26 provides for everyone right to education. This article has relevance to choice of language as medium of instruction.

 Tribal/Minority languages and Constitution of India: You will study in paper-IV, unit –I the provisions of the Constitution for safeguarding tribal interests. In this section we will discuss provisions relating to language right of minority community in general and STs in particular for preservation and promotion. As you know the Eighth Schedule of the Constitution includes 22 languages out of which two are tribal languages namely Santali and Bodo. There are also a number of minority languages including other tribal the Indian Constitution includes certain safeguards to protect linguistic minorities from any sort of discrimination. The provisions of safeguards are meant to achieve what is stated in Article 46 in Part IV of the Constitution. It reads,

'The State shall promote with special care the educational and economic interest of the weaker sections of the people, and, in particular, of the Schedules Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of 'exploitation'.

As mentioned in Laxmikantha (2011), the safeguards are grouped under three heads namely,

1. Those provided in the Constitution of India,
2. Those arrived at by consensus by the Central and the State Governments through series of meetings of Chief Ministers of all the states.
3. The combined scheme

1.   ***Constitutional Rights:*** The concern for protection of rights of linguistic minorities reflects in   Cultural and Educational Rights of Minorities. Article 29 and Article 30 in Fundamental Rights provides for protection of these rights.

Art 29 provides for Protection of interests of minorities. It reads,

(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.
(2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.

The   Constitutional safeguard as provided in Art.29 explicitly stresses on the protection of the rights of minorities to provide their own education in their own language. It is definitely an important provision for language preservation.

Art 30 states Right of minorities to establish and administer educational institutions. it reads,

(1) All minorities, whether based on religion or language, shall have the right   to   establish and   administer educational institutions of their choice.

(1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause.
(2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

Article 30 stresses on the right of minorities to (i) establish and (ii) administer educational institutions. Through this article the Constitution aims at instilling confidence among minorities against any legislative or executive encroachment on their right to establish and manage educational institutions.

Besides safeguards incorporated in Fundamental Rights, the Indian Constitution also incorporates a section entitled Special Directives where language and education issues are explicitly addressed.

Art.347 is deals with Special provision relating to language spoken by a section of the population of a State. It states,

On a demand being made in that behalf the President may, if he is satisfied that a substantial proportion of the population of a State desire the use of any language spoken by them to be recognized by that State, direct that such language shall also be officially recognized throughout that State or any part thereof for such purpose as he may specify.

Art 350 deals with language to be used in representations for redress of grievances. It states,

Every person shall be entitled to submit a representation for the redressal of any grievance to any officer or authority of the Union or a State in any of the languages used in the Union or in the State, as the case may be.

Special provisions have also been made under Articles 350A and 350B to provide smaller communities educational opportunities in their mother tongue and to appoint a special officer for linguistic minorities.

Art. 350A provides facilities for instruction in mother-tongue at primary stage. It reads,

It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities.

Article 350 B provides for Special Officer for Linguistic Minorities. It reads,

1) There shall be a special officer for the linguistic minorities to be appointed by the President.

2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such report to be laid before each House of the Parliament, and sent to the Governments of the State concerned.

In addition to these provisions there is an organisational set up to look into various issues of implementation and monitoring. In view of this the Government of India constituted National Commission for Religious and Linguistic Minorities in October, 2004 to look into various issues related to Linguistic and Religions Minorities. In 1957 National Commissioner for Linguistic Minorities was established to monitor and implement Constitutional and Consensual safeguards for linguistic minorities.

2. *Consensual Safeguards for Protection of Rights of Linguistic Minorities***:** In addition to Constitutional safeguards following the reorganization of the states on the linguistic basis, there emerged some safeguards on consensual basis for linguistic minorities. As mentioned these safeguards have been agreed to by the Central and the State Governments. The consensual safeguards are:

i. Instruction through minority languages at the Secondary stage of education;
ii. Translation and publication of important rules, regulations, notices, etc., into all languages, which are spoken by at least 15% of the total population at district or sub-district level; and
iii. No insistence upon knowledge of States Official Language at the time of recruitment. Test of proficiency in the States Official Language to be held before completion of probation.

1. *Combined Scheme of safeguards***:** The constitutional and the consensual safeguards together with practical way to implement them have led to a combined scheme of safeguards. Important features of the scheme are:

i. Translation and publication of important rules, regulations, notices, etc., into all languages, which are spoken by at least 15% of the total population at district or sub-district level;
ii. Declaration of minority languages as second official language in districts where persons speaking such languages constitute 60% or more of the population;
iii. Receipt of, and reply to, representations in minority languages; scheme of safeguards
iv. Instruction through mother tongues/ minority languages at the Primary stage of education;
v. Instruction through minority languages at the Secondary stage of education;
vi. Advance registration of linguistic preference of linguistic minority pupils, and inter-school adjustments;
vii. Provision for text books and teachers in minority languages; scheme of safeguards
viii. Implementation of Three-language Formula;
ix. No insistence upon knowledge of States Official Language at the time of recruitment. Test of proficiency in the States Official Language to be held before completion of probation
x. Issue of Pamphlets in minority languages detailing safeguards available to linguistic minorities; and
xi. Setting up of proper machinery at the State and district levels.

Now you have learnt that every individual and community has linguistic rights. But if the language declines and dies out what is the use of the right guaranteed at different quarters? Therefore, it is crucial that the people who have language have to preserve it so that they enjoy the right conferred on them. You will learn in next section that many languages are minor languages and are too weak to sustain themselves while encountering powerful major languages. The right therefore entails responsibility on the part of the authority to preserve such languages from the danger of being lost. Once language is preserved, the right has a meaning. So, preservation, i.e. maintaining the functional use of language by the speech community is of primary importance. Once it is decided that the language shall be preserved then script issue and medium of instructions as means of preservation are considered.

3.3.4 Language and interaction/Contact

Language and interaction: Tribal interaction with outside, i.e. tribal contact with non-tribals and other tribes has two important but opposite influences on their language. The first one is growth of the language in terms of change and continuity or evolution of an intelligible common language through communication of members of different speech communities. In this context, Adi language spoken at Pasighat of Arunachal Pradesh is a good example. The language has evolved in the process of interaction among various speech communities like Minyong, Pasi, Padam, etc. living in the area. Such a possibility of a common language through interaction among members of Tani group of tribes was envisioned by Elwin at least before 1960s. The Tani group of tribes, such as Adi, Galo, Nyishi, Apatani speak languages belonging to an earlier common stock as they are descendants of the common ancestor Tani. Elwin (1959) writes,

> Communication will probably even assist in solving the language problem, for as the people are able to move about more freely they may evolve a sort of NEFA Esperanto, and the multiplicity of dialects, which grew up largely as a result of difficulty of communications, will merge into the great fundamental languages…

However, it is difficult to find in present Arunachal Pradesh such a trend when identity is asserted at individual community level. Even, it often becomes difficult to bring speakers of different dialects within the same tribe to evolve a standardised language for written purpose. In late 1990s the present Arunachal Institute of Tribal Studies while conducting language package course with a view to standardise a common language for the whole Nyishi tribe faced such a problem. The Nyishis who occupy spatially a large tract of the territory of Arunachal Pradesh have Seppa, Mengio, Kurung-Kumey versions of dialects. It could not be decided upon then which version should be the representative version. However, over the years the gap is bridging down, but not in the field of inter-tribe languages.

Alternatively, some speech communities, as reported by Anvita Abbi (1993) and Thirumalai (193) enrich their languages in the process of interaction by adopting loan words. What she emphasises is a change and continuity in the language of the speech community.

But such a possibility is exceptional as minor languages are reported dying with the death of the lone speaker of the speech community. You will be surprised to know that at least two ancient languages spoken in Andaman Islands disappeared with the death of last speakers after the publication of the Atlas.

Aka-Bo language/dialect spoken in east central coast of North Andaman Island and in North Relief Island was dead with the death of its last speaker, a woman known by the name of Boa Senior. She died on 26 January, 2010 at the age of 85 years. She was the last speaker for more than 30 years after the death of her parents. Aka-Kora was another ancient language spoken on north east and north central coast of North Andaman Islands and on Smith Island. With the death of its last speaker, Boro in November, 2009 the language disappeared.

We have discussed positive impact of language contact. There is an extension of the domain and context of uses of a language. Such extension takes place through language convergence, language conflation and typological homogeneity. These phrases have been explained in Key words section. The second impact of language contact relates to various stages of decline in the form of language shrink, language shift, language contraction, language attrition, etc. leading ultimately to the death and extinction of the language if not preserved or fails to generate internal dynamics of change and continuity. In this regard Abbi's (1997) observation is noteworthy. According to her, language attrition is a stage showing loss of basic vocabulary, presence of borrowing words, morphological process and change in other words. With reference to Kurkh and Kharia languages she has noticed deviation in these languages from their respective genetic stock and presence of linguistic features in tribal languages where none existed during pre-contact period.

In India, the apprehension of such contact-induced decline was clear in the minds of national leaders. Elwin informs us Nehru's stand point on the matter. Nehru has understood long back the beauty in language diversity for which he emphasised the importance of encouraging the tribal languages so that they will not only prevail but flourish. He was the aware of the danger that would result from tribal contact with outside or vice versa. He maintained, as Elwin puts, 'such contact has been disastrous to primitive culture and gradually the primitive people thus affected die out'.

You will find from the studies of linguists, some of which referred in this unit, how Nehru's prediction has come true. UNESCO realised later which is presented in The UNESCO Atlas of World's Languages in Danger 2010.

Before going to discuss language endangerment which demands immediate attention for preservation it is necessary to distinguish between language change and continuity and endangerment. Change and continuity also displays a contact-induced change in the phonology, syntax, morphology, etc. of mother tongue. These changes may be considered language extension but theoretically as Abbi (1997) informs are symptoms considered diagnostic of potential language death. In other words, whether the change is promotive or detrimental has the potentiality of endangerment. The potentiality is reduced through preservation efforts including as Abbi states, 'language loyalty' by the community members. In fact she has mentioned of a 'tug of war between language maintenance (retention of mother tongue) and language proficiency in dominant/contact language/s…'. the efforts of maintenance by itself is indicative of the consciousness of language decline and endangerment. The retention efforts act as a stimulus to postpone the situation leading to language death and language extinction.

3.3.5 Language Endangerment

Language preservation is very crucial because language is the heart and soul of a culture and many minor languages are in the process of extinction through language endangerment. Language endangerment manifests in different degrees and leads to language death or

extinction. According to United Nations Educational, Scientific and Cultural Organization (UNESCO), any language spoken by less than 10,000 persons is considered "potentially endangered". However, not every potentially endangered language necessarily faces the threat of immediate extinction.

At least 43 per cent of the 6000 languages spoken in the world are endangered, according to estimates by the United Nations Educational, Scientific and Cultural Organization (UNESCO). Of these, many belong to indigenous peoples.

According to UNESCO (2000), a language is endangered when its speakers are:

(i)   using it in fewer and fewer communicative domains, and/or
(ii)   ceasing to pass it on from one generation to the next.

The same document states that language endangerment may be the result of external developments and policies (whether military, economic, religious, cultural, or educational), or it may be caused by internal factors, such as a community is negative attitude towards its own language.

Michael Cahill, on the other hand, in a paper entitled '*From endangered to less endangered: Case histories from Brazil and Papua New Guinea'* has defined language endangerment in 1999 in terms of   a language's   imminent danger of dying out. He gives two ways to quickly recognize when a language is on its way to death. These are

(i)   when the children in the community are not speaking the language of their parents, and
(ii)   when there are only a small number of people left in the ethno linguistic community.

David Crystal (2000) has written on language death and gives the following common reasons why we should care for language:

1. Linguicide - when a ruling group forbids the subjugated group to use their own language
2. Genocide - when a dominant ethnic group deliberately tries to annihilate another ethnic group
3. Natural disaster - tidal wave, severe earthquake, disastrous famine, or a measles epidemic could wipe out a group of people
4. Displacement - breaking up of the language community
5. Socioeconomic - simply being overwhelmed by the encroaching industrialized world.

In India linguicide, genocide and natural disaster are not the factors of   endangerment of tribal and minor languages. Displacement due to migration, however, contributes to language endangerment as in case of tribes who migrated to Assam. Contact is the main factor of language endangerment in India.

Endangered Languages in India

The UNESCO Atlas of World's Languages in Danger 2010 lists around 2,500 endangered

languages around the world. India tops the list with 197 endangered languages, followed by the U.S. (191) and Brazil (190). According to UNESCO, 197 languages in India are reported to be endangered of which 81 are vulnerable followed by definitely endangered (63), severely endangered (6), critically endangered (42) and already extinct (5).

Andaman and Nicobar, a union territory of India, tops the list with 11 critically endangered languages, mainly tribal dialects. Among the states, it is Manipur with seven languages, followed by Himachal Pradesh with 4 endangered languages.

Stages of Endangerment

 The UNESCO has categorized languages on basis of endangerment as follows:-

   (i)   Vulnerable
   (ii)   Definitely Endangered
   (iii)   Severely Endangered
   (iv)   Critically Endangered

These categories are two located between two extremes: safe language and dead or extricated language. the categories are defined as under:

Safe: Language is spoken by all generation; Inter-generational transmission is uninterrupted, not included in the Atlas

Vulnerable: Most children speak the language, but it may be restricted to certain domains (e.g. home)

Definitely endangered: Children no longer learn the language as mother tongue in the home

Severely endangered: Language is spoken by grandparents and older generations; while the parent generation may understand it, they do not speak it to children or among themselves

Critically endangered: The youngest speakers are grandparents and older, and they speak the language partially and infrequently

Extinct: a language becomes extinct when nobody speaks or remembers the language.

As you have read, in India 42 languages are critically endangered. These are:

LANGUAGE/DIALECT	SPOKEN MAINLY IN
1. Aimol	Manipur
2. Aka	Manipur
3. Baghati	Himachal Pradesh
4. Bangani	Uttarakhand
5. Bellari	Karnataka
6. Birhor	Jharkhand
7. Gadaba	Andhra Pradesh
8. Great Andamanese	Andaman & Nicobar
9. Handuri	Himachal Pradesh
10. Jarawa	Andaman & Nicobar
11. Koireng	Manipur
12. Koraga	Karnataka
13. Kota	Tamil Nadu

14.	Kuruba	Karnataka
15.	Lamgang	Manipur
16.	Lamongse	Andaman & Nicobar
17.	Langrong	Manipur
18.	Luro	Andaman & Nicobar
19.	Manda	Odisha
20.	Mra	Arunachal Pradesh
21.	Muot	Andaman & Nicobar
22.	Na	Arunachal Pradesh
23.	Naiki	Maharashtra, Andhra Pradesh
24.	Nihali	Maharashtra
25.	Onge	Andaman & Nicobar
26.	Pangvali	Himachal Pradesh
27.	Parji	Odisha
28.	Pengo	Odisha
29.	Pu	Andaman & Nicobar
30.	Purum	Manipur
31.	Ruga	Meghalaya
32.	Sanenyo	Andaman & Nicobar
33.	Sentilese	Andaman & Nicobar
34.	Shompen	Andaman & Nicobar
35.	Sirmaudi	Himachal Pradesh
36.	Tai Nora	Assam
37.	Tai Rong	Assam
38.	Takahanyilang	Andaman & Nicobar
39.	Tangam	Arunachal Pradesh
40.	Tarao	Manipur
41.	Toda	Tamil Nadu
42.	Toto	West Bengal

Out of 42 critically endangered languages in India the following languages are in dying process.

Assam: Tai Nora and Tai Rong
Tamil Nadu: Kota and Toda
Karnataka: Koraga and Kuruba
Andhra Pradesh: Gadaba and Naiki

Why are Indian Languages endangered?

* In India, English is thriving and is used widely by the emerging generation. It is also recognised as second official language. English is linked with job market and is widely used in digital sphere. This makes other languages marginalised and endangered.

   According to the People's Linguistic Survey of India (PLSI), "Over the last 50 years, the world's Hindi-speaking population has increased from 260 million to 420 million. Over the same period, the English speaking population has gone from 320 million to 480 million. However, the growth of Hindi, English and other major

languages within India has come at a price: Around 250 languages in India have disappeared in the last 50 years".

- Official language/state language is generally dominant language. Tribals have to speak these languages as a functional necessity. In urban and industrial centres one of the dominant languages of the state/region becomes lingua franca. Without any choice tribals have to be bi-lingual. Anita Abbi (1997) informs that the incidence of bilingualism or multilingualism among the tribals indicates language shift which indicates a degree of endangerment of the original tribal language.

- Most of the tribal and other minority languages do not have script. Scriptless languages can be transmitted to future generations. Moreover, the mode of transmission disappears with migration and changing lifestyle. For example, tribal children listen to their elders around central fire place in the dwelling house. But school going children give importance to school assignments than to sit around fire place. Children studying in residential schools do not have the opportunity to sit around fire place regularly as they used to do traditionally. The elders also pursue different occupations, participate in politics and thus get less scope to interact with children on traditions and customs. Gradually, younger children forget their language.

- Anvita Abbi (1997) informs with reference to Kurukh and Kharia languages that tribal languages as mother tongues decline due to industrialisation and urbanisation. She finds that urban tribals seldom consider it their privilege to speak their mother tongues. They attach superiority to speaking in major languages like Hindi. A status symbol is linked with speaking in dominant language.

- The author also finds that there is a gradual displacement of traditional folklore and songs by Christianised and Hinduised tribals. As a result, adoption of loan words from Biblical text and Hindi tradition brings in language contraction among these groups.

- A language dies when its speakers die. For example, a language of Andaman and Nicobar islands, namely, Aka-Bo has died recently when its last speaker died in 2010.

- Under the pressure of globalization, the domains of use of some languages are shrinking with the result that many Indian languages have become threatened and even endangered. Although, the globalisation is not directly killing local languages, but it is affecting languages in the sense that many languages under pressure are losing oral literature and words related to culture, especially, food items, dress and ornaments, rituals, flora and fauna.

- In India tribals are in the process of integration with modern forces represented by national development agenda. Their language system falls short of meeting the needs of inter-tribal communication, tribal and non-tribal communication in industrial and urban centres, and in development participation in general. The language system lack contexts in wider use and so borrow from dominant languages prevailing in the context for enlargement of communicative network in development process. So they fall into the domain of bilingualism/multilingualism thus encountering language shift and subsequently language attrition.

Lisa Lomdak (2012) has observed the nature and extent of language endangerment in the context of Arunachal Pradesh. It will help you to understand how due to language contact, particularly with 'powerful' languages, Arunachalee languages are declining. One important thing is to note is that Arunachalee languages came in contact with 'powerful' languages because of development intervention of the central government. In Arunachal Pradesh English is functional as the official language and Hindi as the second language. In view of this, she opines, 'the scope for functionality and growth of Indigenous Tribal Minority languages outside the home domain has been reduced to a large extent'.

With regard to the exposure of tribal children to 'other tongues' she observes,

> When both the working parents well versed in their native tongue are absent from home for long hours, the child is left in the care of their domestic help who speaks either in Hindi or Nepali or Assamese to the child. And the child naturally picks up this language of convenience.

> The children born out of inter – tribe wed locks tend to speak the language of convenience mostly spoken by their peer groups preferably the *lingua franca*. In another instance the children of the inter tribe marriages tend to speak the language of the parent who belongs to the dominant tribe. The Children residing in boarding schools tend to use English more than their mother tongue.

> The other major source of the Hindi language is through the cable network television. Television programmes like cartoon channels, popular channels and music, movies, etc. contributed significantly in creating a multi-lingual space for the growing child.

The language shift is observed not only adapting loan words, but replacing native words in many cases. Because of such loan words language structuration has been adjusted. She writes,

> It is specially seen at homes where there is Cable TV connections. For instance, the terms for brother-in-law or sister-in law have been replaced to the Hindi *jijaji, bhabi,* etc. Also the use of *chacha* (paternal uncle), *mama* (maternal uncle), *bhaiya* (elder brother), *didi* (sister), etc. is quite common. It has also replaced and resulted in less use of grammatical features and unique elements of one's mother tongue. For instance, knowledge of proverbs, language games, lullaby, numerals, classifiers, names of months, names of flora and fauna, etc. are reducing to a large extent amongst the younger generation.

Now you must have gained knowledge on language change and endangerment and causes thereof. The case of Arunachal Pradesh is not isolated ones. This is the situation in tribal areas under similar situations. While language change and continuity is accepted by many linguists, its eventual death and extinction is not allowed. So there lies the importance of preservation of language.

3.3.6 Steps towards Preservation of Language

You have understood why there is a concern for language preservation. An important question is how the language will be preserved? It requires that the community must have the inner drive to preserve the language. Members must not feel inferior while speaking own language. They must have pride in their language and culture. In other words, language preservation is possible only when it is functional and remains in use. Moreover, creation of literature, communication and reading habit of members of   literature created in own language, etc. are crucial steps in preserving the language.

Who will preserve the language? Language belongs to the community. Obviously, the community will involve in preservation drive. Though language belongs to the community, it is a component of the cultural heritage of humanity. It is in this context that the government and NGOs also have responsibility to preserve the language. Had it been within the capability of the community to preserve the language, then the challenge of language endangerment would not have surfaced. Therefore, external support from the government, linguists, NGOs, international organisations is significantly crucial.

Language preservation is a challenge. It is disappointing to note   that India has lost nearly 250 languages in the last half century, and 197 more have been declared endangered by UNESCO. As many as 120 of these 197 languages are spoken among the tribes of the Northeast India.   These languages except two or three tribes like the Khamptis and Monpas others do not have script. So, coordinated efforts from Government, NGOs, community, linguists, etc. are required for preservation.

Government support: Government support is essential to preserve the language as there are Constitutional provisions to preserve the language of the STs, SCs and minor communities. In view of this in 1969, the Indian government had established the Central Institute of Indian Languages (CIIL) in Mysore to further research and documentation of Indian languages, the institute runs various schemes. The Government has initiated a scheme known as "Protection and Preservation of Endangered Languages of India (SPPEL)" being implemented by CIIL. The scheme is   effective since February, 2014. Under this Scheme, the Central Institute of Indian Languages (CIIL), Mysore works on protection, preservation and documentation of all the mother tongues/languages of India spoken by less than 10,000 people in the country. The scheme is implemented by the CIIL in coordination with universities across the country. It will identify, document and take measures to protect the endangered languages.

CIIL has identified 520 languages. In the first year, that is 2014, over 20 universities in seven zones of the country have studied 70 languages.   CIIL, as part of its Scheme for Protection and Preservation of Endangered Languages (SPPEL), has launched an initiative to document 77 languages. The languages identified have less than 10,000 native speakers left in the country. CIIL prepares books on basic grammar of identified languages, tri-lingual dictionary on words used and aspects of folklore of the same.

The University Grants Commission (UGC) has a Scheme for "Establishment of Centres for Endangered Languages" under which centres were approved in respect of Central

Universities. Further the UGC has been implementing a scheme namely 'Funding support to the State Universities for study and research in indigenous and endangered language in India'' under which seven Universities were approved for grants. In addition, a collaborative project between Maharaja Sayajirao University, Baroda and BHASA, a Non Governmental Organisation is working for Promotion and Preservation of Indigenous and Endangered languages was approved by UGC. Under the leadership of Ganesh Devy of BHASA, People's Language Survey of India (PLSI) conducted language survey and state-wise volumes are being published.

In addition, All India Radio, Government run TV channels have programmes on local languages. Even in early 1980s All India Radio, Dibrugarh broadcast news in tribal languages like Khampti. Department of Education of various States prepare primers in local languages. In many schools in tribal areas education is imparted in local language at least in lower primary level.

Ministry of Tribal Affairs, Government of India has initiated development of primers in Tribal languages along with regional languages. Significantly, it has synchronised academic sessions with tribal festivals so that children get opportunity to participate in their culture activities. Indirectly, it gives opportunity to learn at least some vocabularies related to culture.

Community, NGO and Linguists: You have just learnt how BHASA plays an important role in the preservation of endangered languages. There are also community level NGOs like Adi Cultural and Literary Society in Pasighat, Cultural and Literary Society of Mishmi (CALSOM) in Tezu of Arunachal Pradesh which are working towards preservation and promotion of their own languages. Some of these tribe-based societies also document customary laws in English but use local terms. For example, Apatani Cultural and Literary Society, Ziro has published *Nikung Dapo,* customary laws, of Apatanis cultural terms in English language. There are tribes like the Bodo and Rabha in Assam which have established Sahitya Sabhas for the promotion of language and literature. Bodo Sahitya Sabha and Rabha Sahitya Sabha are examples. *Mishing Agom Kebang* of the Mising of Assam established in 1972 is a literary society of the tribe.

You will find many tribal communities publishing Souvenirs of various festivals in their respective languages. The Apatani, Adi, Galo in Arunachal Pradesh have already initiated the process. Publicity booklets, posters, hoardings, etc. are published in local languages. It has been a practice among many local persons to print invitation letters in local languages along with English/Hindi. An important trend is noticed on language preservation through revivalism movement. In Arunachal Pradesh Donyi Polo Movement of Tani group of tribes, indigenous religious movement among other tribes have been a major cause of producing religious texts like prayer books, ritual procedures in local languages. Tribal intellectuals have taken interest in publishing many aspects of folklores in local languages. Mention may be made of Tumpak Ete, Talom Rukbo of Arunachal Prtadesh. However, in the absence of script they use Roman scripts.

You will understand how community effort is very effective in language preservation and promotion with Santal tribe as case study. The discussion is based on the observations of Marine Carrin, a French scholar working among the Santals.

Preservation and flourishing of Santal language has its strength in the development of Santali script, institutionalisation of the language, propagation and in creation of a wide range

of literature. It was in 1930s Ragunath Murmu, a Santal reformer and writer invented Santali script called *ol chiki*. The development of the script has helped the promotion of Santali language, which has now been recognized under the 8th Schedule of the Constitution, as well as the emergence of a literature written in *ol chiki.*

Santali language is institutionalised through its introduction in school and University curriculum. Santali is taught at P.G. level in Ranchi University. Needless to say, in many colleges Santali is taught as an alternative language of Hindi. M.Phil and Ph. D programmes are also conducted on Santali language. When efforts were made to revive traditional Sarana religion, the gurus/preachers mobilised the public on the matter of language also. They used to stage village theatre and equally work to promote the diffusion of the new script, the protection of the Santali language and the development of literature. Many writers stage village dramas about the role of the youth in promoting Santal values.

There are a number of associations which not only encourage creation of literature but also to propagate it. A few of them are Santal Society for Dramaturgy and Santal Writer's Association *(Santali olonyic'ko samaj).* Films are also produced in Santali language depicting traditions and recent challenges in the changing Santal community. A few works of world literary figures such as Tagore, Tolstoy and Gorki are translated in Santali. Even you will find the Constitution of India translated in Santali language. You will find a number of literary magazines in Santali language. Santal associations and the Santali press have succeeded in popularizing different forms of literature ranging from short stories to novels, poetry and village theatre.

Ranchi University started the Department of Tribal and Regional Languages in 1981 and initially introduced seven languages such as Mundari, Santali, Kurukh, Ho, Kharia, Kurmali and Nagpuri and later two more languages namely Khortha and Panch Pa for Post Graduate programme and research.

Role of linguists is not less important in the process of preservation through documentation of tribal languages Linguists like Stephen Morey, Mark W.Post, Scott DeLancey , Robbins Burling and many other are devoted to document languages of many Northeast tribes of India. They have recorded a wider range of language use: everyday language like greetings, simple commands (like 'come and eat rice!') and everyday conversations, as well as jokes, expressions of anger and surprise, and even swearing and impolite language. All of these recordings are being uploaded to online archives at The Language Archive (TLA), The Endangered Language Archive (ELAR) and the Pacific and Regional Archive for Digital Sources in Endangered Languages (PARADISEC).

These foreign scholars, particularly Stephen Morey has been able to do is to encourage other people to undertake excellent work on the languages of the Northeast. One important move was the formation of the North East Indian Linguistics Society (NEILS) in 2005 with

Professor Jyotiprakash Tamuli at Gauhati University, and Dr. Mark Post of the University of New England.

From the above discussion the following important steps can be identified towards preservation of endangered languages in addition to policy and linguists' support.

1. Adaptation and/or invention of scripts: As you know most of the endangered languages do not have script. This stands as detriment to document the language in the process of preservation. Moreover, speech community shifts to the use of 'other tongue' as a functional necessity in development process limiting the scope of oral communication in their mother tongue.

2. Digitisation: Script issue is a long drawing problem, but language documentation is immediate need. Digitisation of oral language is an effective and alternative source of language preservation. Simply recording audio or video of folk songs/folk tales, traditional medical knowledge, economic pursuits, other skills, in tribal languages can help preserve not just the language/dialect but also the folk culture. Sahariya tribe in Rajasthan has established a Digital Empowerment Foundation with the support of an NGO through which they create a localized database and archive its oral and traditional knowledge, customs and practices.

3. Creation of Literature: Simple preservation through documentation cannot prevent the process of endangerment. As you know Sanskrit language is well documented but it is known as a dead language without speakers. So is the case with Ahom language. However, in recent years efforts are undertaken to revive its communication. Creation of literature will be an encouraging motivation to use it in communication and instil a sense of pride in the rich cultural heritage and help understand contemporary challenges faced by the community. Development of children literature will be an effective step to engage children in language learning.

4. Communication: Unless language is used in communication its preservation has no meaning. So each and every member of the community is required to communicate in the mother tongue with other members of the community on daily basis. On festival occasions and at home own language should be the means of communication.

   Story telling in local languages shall be promoted at home, in festivals and even in schools.

5. Community ownership: Until and unless ownership of the community in preserving language is worked out language preservation from outside will not be effective. Two instances from Odisha point to community involvement in language preservation. In Rayagada district every time a woman of the Saura community cooks rice she puts aside a handful of rice before cooking for the community fund. This fund is used to

pay the teacher to teach Sora (Saura) language (The Hindu, June 03, 2017, Bhubaneswar edition).

A similar instance of community involvement is reported in Kuanrmunda and Lathikata blocks of Sundargarh district, Odisha. Elders of the Oraon tribe make it a point to converse with younger members in Kurux, their mother tongue (The Hindu, June 03, 2017, Bhubaneswar edition).

6. Education in Mother Tongue: At primary level the medium of instructions shall be made compulsory in schools of tribal areas. Even in residential schools outside tribal areas, tribal children should be taught in their respective mother tongue.

In this regard the initiative of Government of Odisha is noteworthy. The Government of Odisha has taken initiative to expose tribal students to multilingual system of education at elementary level. In this regard, the Special Development Council of the Government has prepared 21 bilingual tribal language dictionaries and trilingual tribal language proficiency modules which have been published by State Government's Academy of Tribal Language and Culture. It is to be mentioned that In Odisha there are 21 languages and 74 dialects spoken by the tribes. Trilingual tribal language proficiency models have been formulated to bring government functionaries close to tribal culture. (The Hindu, 24th November, 2018 Bhubaneswar edition). The effort focuses on mother tongue through bilingual dictionaries and trilingual tribal language proficiency modules.

7. Creating respect for minor languages: Tribal children hesitate to speak in their mother tongue as they attach superior status to other' language. If children belonging to major language learn minor languages then the complex–status will disappear. In this regard Government of India has taken a significant step. Though the initiative is limited to languages of VIIIth Schedule of the Constitution it could be a basis for incorporating all languages at least of a region.

In a significant move Bhasha Sangam of the Centre recently has moved the CBSE (Central Board of Secondary Education) and the Kendriya Vidyalaya Sangathan to introduce teaching of five sentences of a scheduled Indian language to students everyday. Bhasha Sangam is a programme for schools and educational institutions to provide multilingual exposure to students in Indian languages listed in Schedule VIII of the Constitution of India.

3.4 Script Issue

Except the Khampti and Monpa tribes of Arunachal Pradesh, other tribes (STs) did not have scripts of their own. These two tribes are Buddhist tribes. The former belongs to Theraveda cult of Myanmar version of Hinayana Buddhism. On the other hand, the latter belongs to Mahayana sect of Lamaism of Tibet. Their scripts belong to their respective place from where they migrated to India. But other tribes (the ST communities) did not have their scripts till recently when some of them adopted/invented their own scripts.

As you know script-fewer languages, mostly spoken by minor tribal communities, below a population of 10,000 are dying. A language even with a script may be also a dead language,

but it cannot be extinct as it has the potentiality of being revived. Revival of Ahom language, which has written documents, is a case to the point.

By now you must have been understood the importance of script in preservation and continuity of language. Knowing its importance, a number of tribes have been successful either in adopting or inventing scripts. Not only they invented the scripts but have been using it as a medium of written communication and creating literature. They also use these scripts to prepare premiers and text books to facilitate teaching through mother tongue.

Among the tribes who have adapted/invented scripts and are using them, mention may be made of the Santal, Bodo, Saura, Kota and Gond tribes. Some other tribes like Galo, Bhumija also have invented scripts. But these scripts are yet to be used unquestionably like the Santal script. There are also communities like Mishmi, Tangsa, Kui and many others who are trying to develop their own scripts. Below are presented name of invented scripts of some tribes:

Ho: *Warang Chiti*
Kota: *Kovmozhi script*
Galo: *Tani Lipi*
Oraon: *Tolong Siki*
Garo: *A Chick*
Bhumija: *Ol Onol*
Santal: *Ol Chiki*
Saura: *Sorang Sompeng*

Choice for script

Those tribes who have not possessed functional script yet oscillate between two possibilities- adaptation and invention. The preference for adaptation is not free from alternative choices. A group of members of the community favours Devanagari or any other Indian script while another group prefers of Roman script. Still there is a third group in some tribes which shows its preference for International Phonetic Alphabet (IPA).

Scripts adopted/Invented: Examples and Issues

Script issue is a very complex issue in many tribes due to ideological pull and push. The solidarity of a tribe is broken due to exposure of community members to various forces in such areas as political ideology, religion, modern occupation etc. Beyond the community, there is State, civil societies and Constitution of India. Obviously, the community solidarity in deciding upon a script for its language gets divided. But if size of community is small and traditional knowledge holders have their voice heard, then even a single individual's contribution is accepted by the whole community. You will understand this with reference to Kota and Saura scripts. In large size communities, either there are different systems of writing as in case of Gonds or the script issue remains unsettled. You will learn the implication with reference to a few cases presented in following paragraphs.

Let us take the case of more than one scripts used in writing system. Kokborok, the language of Tripuri people consisting of hill tribes like Tipra, Reang, Jamatia, Kaipeng, Halam, etc. is written in both Bengali and Roman scripts. Kokborok, however, has its own script, known as Koloma but is not popular. Since 19th century Bengali is used to write Kokborok but after Independence and annexation of Tripura Roman script is encouraged by NGOs. At present The State Government have been teaching Kokborok in schools at secondary, higher secondary and at college level in Bengali script. The Tripura Tribal Areas Autonomous District Councils, however, has adopted Roman script in the schools run by it since 1992.

Similarly, more than one script is used to write Bodo language. The official script to write Bodo is Devanagari but Roman script is frequently used to write the language. The Tiwa tribe of Assam also use Roman script and occasionally Assamese script to write their language. Garo language, known as *A chick,* is written using Easter Nagari (Bengali/Assamese) and Roman scripts.

Brahmi, the modern name of the writing system of ancient India, is the ancestor of all Indian scripts. The earliest know full Brahmi inscriptions are found in the edicts of Ashoka, c. 250 BCE. Prakrit, the generic name of the languages like Pali was written in Brahmi during the period from 3rd century BC to 8th century AD. Devanagari script is a derivative of the Brahmi.

The interest of non-community agency is visible when the Pastoral Centre of Ranchi archdiocese hosted a meeting on 2nd May,2007 to discuss the language and script issue of Oraon tribe of Jharkhand who speak in Kurukh language. *Kurukh Unnati Samaj* , established with Church initiatives prepared a script called *Tolong Sinki* for the language, and it was officially accepted during the said meeting. It was also decided in the meeting to urge upon the government to accept this script to teach Kurukh language in the schools.

Among the STs in India, as you know there are communities like the Khamptis and Monpas who have their scripts. Other communities either have adopted the state script, Devanagari or Roman script, or invented their own scripts. But there are also tribes like who do not have any written system. For example, Jarwa tribe does not have a system of writing yet; they use drawings and gestures to communicate.

In Northeast India most of the tribes use Roman script. Riam Chong, the language of Ranglong tribe is written in Roman script. The Misnmi, Nyishi, Kuki-Chin, etc. use Roman script or modified Roman script to write their languages. As Lisa Lomdak (2012) states, Modified Romans script 'has been successfully used by *Adi Agom Kebang* i.e. Adi Literary Society to document the proceedings and various literary activities'.
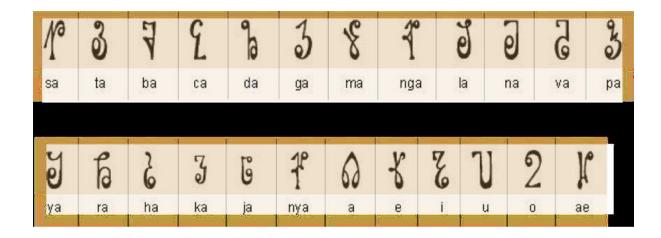
The script issue of the Gond people is a unique one. As you know these people have spread in many states such as, Andhra Pradesh, Telangana, Gujarat, Chhattisgarh and in adjoining areas of neighbouring states. Gondi language is influenced by native languages. For example, the Gondi spoken in Andhra Pradesh is known colloquially as *Telugu Gondi* and that spoken in

Maharashtra is known as Marathi Gondi. Their dialects are thus varied and it difficult for Gondi speakers from different regions to communicate with one another. Generally, they use Devanagari and Telgu scripts to write their language. In Karnataka, Gonds living there have switched over to Kannada script. However, Gonds had script which was used, as record shows, in 1750s. In 1918 Munshi Mangal Singh Masaram of Balaghat district, Madhya Pradesh created Gondi script, now known as *Masaram Gondi*. Recently, another alphabet system, known as *Gunjala Gondi Lipi*, has come into prominence in Andhra Pradesh. Obviously, there are different versions of Gondi script and are localised.
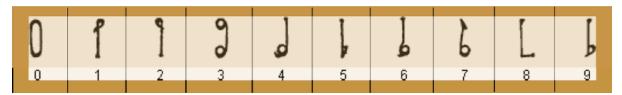
As you know the Khamptis have their own script comprising 17 letters. These 17 letters could not represent new sounds present in non-Khampti languages like Hindi, Assamese, English, etc. So in later part of 1970s the Khampti Cultural and Literary Society under the leadership of Chow Khook Manpang prepared a new system of alphabet by adding 09 more letters. Primers were prepared and in 1982 ten teachers were trained in new alphabet system and appointed to teach Khampti students these new letters and Khampti language. Within a short period it was noticed that the learners of new system of alphabet could not read texts written in old system and old people could not read literature created using new system of alphabet. Translation of old texts using new alphabet was not at all a viable proposition. The project was almost dropped.

Saura Script: In tribal community dream/vision often happens to be a source of divine knowledge, warning, advice or learning a skill. In script invention it is the dream that guided **Mangei Gamango** to create Saura script. Gamango was a poet, Arurvedic scholar and a reformer as well. On 18 June 1936 the vision of the Sorang Sompeng alphabet came to him when he was in the temple of Matarabnam in Marichaguda in the then Koraput district of Odisha.

Before invention of their own script the Sauras used native scripts to write. For example in Odihsa, the Odia script was used while communicating with others. He broke down the language into 24 letters and 10 digits. He gave the name *Sora Sompeng* to this system of alphabet and dedicated to Akshara-Bramha the deity of Alphabet in Saura belief system. He named the letters in Sora Sompeng after their deities. At present Sora Sompeng is composed of 25 letters with 18 consonants and 7 vowels. Below is the sample of Saura (Sora) alphabet and numerals.
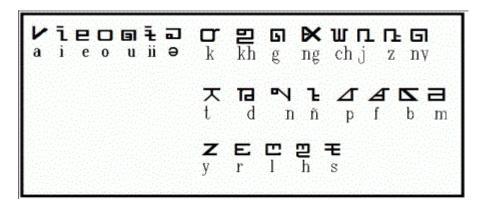
sa	ta	ba	ca	da	ga	ma	nga	la	na	va	pa

ya	ra	ha	ka	ja	nya	a	e	i	u	o	ae

Saura Numerals

0	1	2	3	4	5	6	7	8	9

Tani Lipi: Among the Galos there are efforts from three fronts to create script. One of the individual efforts tried to create script using *kotir*, stick used as a traditional medium of counting, comparing, etc. The other effort, under the guidance of linguists like Mark W.Post, was initiated by Galo Welfare Society. The Society adopted Modified Roman Script (combining IPA symbols and Roman script) in 2008 and Galo Language Development Committee; Itangar published *Galo-English Dictionary* using this *Galoo Ennam* (Galo-Script) in 2009.

The individual effort was by Tony Koyu who created Tani Lipi or Tani Script in 2001 heavily drawing on IPA, Devanagri and Latin alphabets for the larger Tani group of tribes. Tani Lipi consists of 26 letters: eight vowels and eighteen consonants. Though the script is used to write in some contexts, it is not used by the community as a whole. While one section applauds his effort, the other questions the need to learn a whole system of new alphabet while there are Roman and Devanagari scripts taught in schools. Echo of Arunachal Pradesh Among some Tani group of tribes, it has supporters, but it is yet to be recognised except its inclusion in Script Source for research purposes. Below is produced a sample of Tani Lipi:

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Sometimes a question arises why there is confusion in adopting any Indian script system which has more letters than Roman scripts and thus the scope to represent a wide range of sounds. The reasons can be diverse, but for academic we can preset in following terms:

1. Preference for Roman script comes from the status associated with English language which is written using Roman scripts. In digitisation Roman script occupies a major position. In many tribal areas, especially in Northeast, English is used as a medium of instruction in schools and as official language. So people have familiarity with Roman script and know its functionality.

In the context of Arunachal Pradesh people's preference for Roman script is nicely presented by Lisa Lomdak (2012). She writes,

> As most of the official dealings and education was conducted in English, naturally the tribals opted for a script that had prestige, power and easy accessibility in terms of technical advancement. An elderly person states, "English (Roman) alphabet is easier to write than Hindi."

2. For Indian script system there is a disliking arising from the perception of dominance, real or imagination. Using any Indian script would imply a subordinate status of the community, for speakers of the powerful language community are looked as dominating. Imposition of Assamese was the reason of bifurcation of Meghalaya and Mizoram for example. Hindi chauvinism is a mental perception of many tribal communities. The scope of Indian system of alphabet does not have an international standing. Moreover, there are complexities involved. As Lisa Lomdak (2012) puts, 'Devanagari script of Hindi language was rejected due to its grammatical complexities and orthography'.

Despite challenges, tribal communities have risen to the occasion of adopting/ inventing scripts. It is because every community is concerned about the preservation of culture and language. The script issue of very small size of population and of declining communities as in Andaman and Nicobar Islands however is still a serious challenge.

3.5   Medium of Instruction

India is a multi-lingual country. A uniform medium of instruction throughout the country is neither desirable nor practicable. Even in a particular State or district you will find speakers of multiple-languages. In such a situation mother tongue based education is considered useful. Medium of instruction usually points to choice of language in teaching in school. But for our purpose the issue of medium of instruction is the issue of mother tongue as medium of instruction of tribal children. As far back as 1953 UNESCO recognised the importance of mother tongue based education and encouraged mother tongue instruction in primary education. It is through, as UNESCO remarks, his mother tongue that every human

being first learns to formulate and express his ideas about himself and about the world in which he lives. In recognition to this reality, as mentioned in section 5.3.3 above Article 350A of the Constitution of India also provides for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups. Section 29(2) (f) of The Right of Children to Free and Compulsory Education (RTE) Act, 2009 states that "medium of instructions shall, as far as practicable, be in child's mother tongue". The National Curriculum Framework (NCF), 2005 emphasizes the importance of imparting primary education in the mother tongue of the child.

At least three education commissions namely Secondary Education Commission (1952-53), Education Commission (1964-66) and the NPE (1986) have recommended mother tongue as medium of instruction at primary level. The main objective of recommending mother tongue as a medium of instruction is to enable the student to acquire knowledge with facility to express and think with clarity.

Two recommendations of the Secondary Education Commission of 1952-53 on language and medium Issue are crucial as far as mother tongue education is concerned. First it recognised distinct groups of languages existing in India, and second it suggested for three-language and four-language scheme. The distinct groups of language it recognised were as follows:

1. The Mother tongue,
2. The Regional language when it is not mother tongue,
3. The official language of the centre more commonly called the Federal language,
4. The classical language, Sanskrit, Arabic, Persian, Latin etc., and
5. English, as it has come to be recognised as an International language.

With regard to number of languages to be studied Commissions states,

> "In those areas where mother-Longue and the regional language are the same, the number of languages to be taken into consideration will be limited to four and in those areas where the regional language, the mother tongue and the language of the union are the same, the number of languages to be taken into consideration will be limited to three".

The Education Commission of 1964-66 accepted the language diversity as recognised by the Education Commission of 1952-1953. But it modified the three-language formula only for language study, not for subject language. The formula is presented in the following table:

Languages in Modified Three Language-Formulas

Stage	Class	Hindi speaking states	Non-Hindi speaking states
Lower primary stage	I	Mother tongue or Regional language	Mother tongue or Regional language
	II		
	III		
Higher Primary Stage	IV	Mother tongue/ regional language +	Mother tongue/ regional language +
	V		
	VI		

	VII	English	English/Hindi
Lower Secondary stage	VII	Mother tongue/ Regional language + 2. English + 3. Modern Foreign language or Modern Indian language	1. Mother tongue/ Regional language + 2. English/Hindi + 3. Modern Foreign language or Modern Indian language
	IX		
	X		
Higher Secondary stage	XI	1. Modern Indian language or Modern Foreign language or Classical language + 2. English	1. Modern Indian language or Modern Foreign language or Classical language 2. English
	XII		

NB:
Modern Indian Languages: Assamese, Bengali, Hindi, Tamil, Telegu, Bodo, Manipuri, Khasi, Gujarati, Punjabi, etc.
Modern Foreign Languages: Russian, German, French, Spanish, Chinese, Japanese, etc.
Classical Languages: Sanskrit, Arabic, Persian, Greek, Latin etc.

 Different states during that time interpreted it differently.   For example, Andhra Pradesh adopted Telugu, Hindi, Urdu, Kannada, Tamil, Oriya, Marathi, Guajarati or composite courses of theses languages from Class I-X as First Language; Hindi (for non-Hindi speakers), Telugu (for non-Telugu speakers), any other modern Indian language from Class V-X as Second Language and English from Class VI-X as Third Language.

 In Arunachal Pradesh English was adopted from Class I-X as First Language; Hindi from Class I-X as Second Language and Assamese/Sanskrit (one /two cases) from Class VI-VIII as Third Language. The same trend was noticed in Sikkim for First and Second Languages but as Third Language Nepali, Tibetan, Lepcha, Limboo were choices from Class IV-X.

As a result regional language flourished in the name of mother tongue in many states. Benedikter (2009) informs that by in 2004 only 42 languages were taught as medium or subject languages. These were:

1. Angami, 2. Ao, 3. Arabic, 4. Assamese, 5. Bengali, 6. Bhutia, 7. Bodo, 8. Dogri, 9. English, 10. French, 11. Garo, 12. Gujarati, 13. Hindi, 14. Kokborok, 15. Kannada, 16. Kashmiri, 17. Khasi , 18. Konkani, 19. Konyak, 20. Ladakhi, 21. Lepcha, 22. Limbu, 23. Lotha, 24. Malayalam, 25. Manipuri, 26. Marathi, 27. Maithili, 28. Mizo, 29. Nepali, 30. Nicobari, 31. Oriya, 32. Persian, 33. Portuguese, 34. Punjabi, 35. Sanskrit, 36. Sema, 37. Tamil, 38. Telugu, 39. Tibetan, 40. Urdu, 41. Zeliang and 42. Santali.

 Out of these only 17 languages as mentioned below belong to tribes.

1. Angami, 2. Ao,   3. Bhutia, 4. Bodo, 5. Dogri,   6. Garo,   7. Kokborok, 8. Khasi, 19. Konyak, 10. Lepcha, 11. Limbu, 12. Lotha, 13. Mizo, 14. Nicobari, 15. Sema, 16. Zeliang, and 17. Santali.

Obviously, many tribal languages are outside the domain of teaching. Since education is in the Concurrent List, States have the liberty to decide the medium of instruction in schools. Several States have taken steps to impart education to children in their mother tongue. You will find some states like Andhra Pradesh, Odisha and some North-eastern states have introduced for mother tongue instruction. For example, in Andhra Pradesh the tribal languages selected for instruction are: Gondi, Koya, Kalami, Kuvi, Savara, Konda, Adivasi Odia, and Banjara. However, except one or two languages others are yet to be implemented. In July 2007, started a project wherein 200 schools, tribal children from 10 language groups were being taught through their respective mother tongues in the first grades. However, there are still much pedagogical problems like teacher training, methods, materials, and many other issues need attention in addition to changing the medium of education and adding some local context.

The National Education Policy of 1986, known as New Education Policy (NEP) which was revised in 1990 and 1991 also supported mother tongue as medium of instruction in schools. Particularly two of its recommendations bear crucial significance for tribal people. These include:

1.   Opening of primary schools in tribal area for promotion of education in ST people.
2.   Development of curriculum and study material in the language of tribal people.

What is Mother Tongue?

From above discussion you are acquainted with the phrase 'mother tongue as medium of instruction'. What is mother tongue? Is it the tongue of mother, i.e. the language used by mother? However, the definition of mother tongue has changed over time. In 1881 census, the terms 'mother tongue' was included and it was defined as language spoken by parents in their household. But in 1901 census the process of recording mother tongue changed to include language generally spoken. This change brought different results. As a result, the languages of outsiders were also recorded with the ordinarily spoken languages. In 1911 census, the process of recording the mother tongue changed again, and ordinarily spoken language at household by the individuals was recorded. But for the child language of mother was recorded. Again, in 1961 census, languages ordinarily spoken at the household were recorded. In 1981 census the mother tongue was separated from the household language. The present definition as the 'language first learned by a child' is used to mean the concept of 'mother tongue'.

Mother Tongue Based Education and Multilingual Situation

As you know, India is a multilingual country. Language is used not only for communication in daily life among members of own groups but also for communication in business, research, acquiring knowledge in different fields and knowing the interconnectedness of our existence. Therefore, it is important to introduce multilingual education in schools in multilingual situations. The objective of multilingual education programmes is to strengthen learners' mother tongue. When mother tongue is strengthened then gradually the child develops competence in the dominant state language. Multilingual education is important for

a) national integration,
b) Integrating the minority groups in the main stream life,
c) knowing the cultural tradition/heritage of the country,
d) respecting language diversity,
e) getting higher education, and
f) enriching own language to adjust with expanding sphere of communication.

Mother languages in a multilingual approach are essential components of quality education, which is itself the foundation for empowering women and men and their societies. - Irina Bokova, UNESCO Director General

Advantage of Mother Tongue as Medium of Instruction

Multilingual education is a practical strategy to preserve language diversity and benefit from regional, national and international interconnectedness. Studies find that mother tongue based education is suitable for acquiring competency in other languages used in teaching. It helps children in numerous ways. Nambissan (1994) drawing on various sources emphasises the importance of mother tongue education on two counts. The first one stems from the fact that 'mother tongues are not merely speech varieties, but are languages that provide social and emotional identity to individuals, express the essence of their cultures, and give them a sense of rootedness.' The exclusion of mother tongues from school hence is seen as 'harmful to the child's self-esteem'. As Pattanayak (1981) observes, 'where multiple languages and cultures co-exist, the notion of one dominant language as the medium of instruction leaves thousands illiterate in their mother tongue and fosters low achievement level in the dominant language itself'. As a result children are thereby reduced to 'minorities in their own homes'. The second perspective relates to pedagogy. The argument links 'the acknowledgement and acceptance by the school of the language and culture of the child to a positive identity of self and thereby to effective educational achievement'. Further, quoting Moodley (1986) Nambissan informs that 'the right to education in a language that the child understands is a basic human right and an essential ingredient of equality in education'.

In addition to the above the following benefits of mother tongue education to children at the beginning can be enumerated as simplified version of the above.

i. Develop a strong base: Mother tongue education at the beginning builds up a sound base as it is linked with cognitive development of the learner. The child gains confidence and feels comfortable to change to other language(s). A strong mother tongue foundation equips children with the skills they need to learn additional languages. Such children are placed in a better position to transfer their understanding of the structure of language to several new languages. UNESCO (2003) also reports that those having their own language as the main medium of teaching, the better they also become in the dominant language, provided, of course, that they have good teaching in it. In this regard Jhingrna (2009:205) rightly says,

When learners are forced to study through a language they cannot fully understand in the early primary grades, they face a serious learning disadvantage that can stunt their cognitive development and adversely affect

their economic situations where there is little exposure to the school language, outside the school.

ii. Foundation for Progressive movement: While learning through mother tongue at the beginning or while using mother tongue at home environment, children develop critical thinking and even literacy skills. These skills conduct them into formal education Studies show that skills and concepts acquired at one stage are carried over. In other words, it becomes easy for the children to learn through other language.

> I am convinced that children who receive education in a tongue other than their own commit suicide. *Mahatma Gandhi*

iii. Low dropout rate: Studies have found that the incidence of dropouts is more when children are taught in languages other than mother tongue. As mentioned above children progress faster in both their language and the majority language when they first receive education in their home language. Obviously, children who are taught first in mother tongue get a good grasp to understand other language(s). They perform better in other language(s) with their strong foundation in mother tongue. As a result there is less likelihood of their repeating the same class and thus reducing dropout rates of these children. Statistics shows that   about   50 % of dropout children were found using a language at home that was not the language used in school.

iv. Family Guidance: When children learn in their mother tongue, parents and other members of the family can support them in their home assignments and even in teaching at home. Children may not need extra tuition. In case of school education in other language then parents or family members may not involve in home teaching. Needless to say, mother tongue education in school combines community and experts. In this regard   UNICEF (2007) advocates the right to learn mother-tongue language and have instruction in mother-tongue education. Keeping in view the heterogeneity in the complexity of the socio-cultural and linguistic context in India and accompanying patterns of social exclusion there is a need to involve the communities and experts to promote mother tongue education.

v.   Cultural Link: Mother tongue education uses example from the culture. This helps children in better understanding and in comparing with other cultures. In subsequent use of other language they develop a cross-cultural perspective.

Challenges

Despite advantage of mother tongue as medium of instruction it encounters formidable challenges. Some of them are:

1. Introduction of mother tongue in schools of tribal areas does not ensure mother tongue education to all tribal children. The tribal children studying in Ashram Schools or in Kalinga Institute of Social Sciences (KISS) in Bhubaneswar, which offers free education for huge numbers of tribal children, do not get education in their respective mother tongues.
2. Some parents, especially having outside exposure, are in favour of English language. They find prestige and status linked with English language and consider mother

tongue inferior. Even some educated parents speak in Hindi or In English at home with their children. This is a paradox as far as preservation of language is concerned.

3. Three language formula places liberty on the hands of the State authority to prefer of regional language as mother tongue. That is why in many States regional language or a dominant tribal language replaces minor tribal languages. Studies find that minority languages are often considered to be dialects of one of the official languages. As you have studied

4. As you have studies only 17 tribal languages were introduced as medium of instruction till 2004. A few more has been included. Given the number of tribal communities, the total will be very negligible. Therefore, the choice for mother tongue is very limited. This compels tribal communities and other minorities to opt for regional tongue for betterment. As a result of the unfavourable social ecology, the majority of tribal languages are engulfed by the dominant regional languages.

5. Availability of teaching materials and teachers in minor languages are not adequate.

However, Government of India is committed for the development of tribal languages, local languages, mother tongue and minor languages.

Check Your Progress –III

Replace the underlined word/phrase with correct one

1. Four pillars of sustainable development are environment, social inclusion, economics and <u>language</u>.
2. Various stages of endangerment of language are Vulnerable, Definitely Endangered, Severely Endangered and <u>Dead.</u>
3. Art. 350A deals with provisions for instruction in <u>Second Language</u> to children at primary stage.
4. Tribal languages like Bodo, Khasi, Garo, Santal are taught as <u>subject languages</u>.
5. Consensual Safeguards deal with language issues of minor and tribal communities pertaining to reorganisation of states on <u>P</u>olitical basis.
6. Santali scripts are known as <u>Ol Onol</u>.
7. <u>Devanagari</u> is the ancestor of all Indian scripts.
8. Sanskrit is a <u>Modern Indian</u> Language.

3.6 Let us sum up

After going through this Unit you have learnt that

- language preservation is a crucial issue and is linked with identity, rights and development perspectives;
- language right is a human right;
- the efforts made by the Government, NGOs and community for language preservation;
- steps that would be useful in language preservation process;

- contact with other languages is the major cause of language endangerment;
- change and continuity of a language has the potentiality of endangerment;
- mostly minor and tribal languages are endangered languages;
- most of the tribes did not have their own script till some of them invented and some adopted;
- language preservation is a challenge without script;
- medium of instruction is a complicated issue in India as a few dominant languages are functional and believed to carry prestige and pride;
- mother tongue education is a strategy to preserve tribal and minor languages;
- mother tongue based education enhances understanding in other language teaching subsequently;
- absence of script is a challenge to introduce mother tongue education; and
- the Constitution of India provides for education in mother tongue.

3.7   Keywords

Endangered languages: languages which are currently still being learned by children, but that will no longer be taught to children within the century

Instruction/language of instruction: the main language used to conduct most or all teaching and learning activities in education

Language attrition: the process of losing the language of a community i.e. the first language because of acquisition and use of a second language

Language convergence: adaptation of a feature of one language by the other; The Kharia language due to contact with Hindi language has adapted to some structures of Hindi language and resembles to it; if convergence takes place in an area it is called areal convergence

Language Contraction: reduction in number of speakers of a language and in the domains and contexts of language use

Language Conflation: change of a language from simplistic to complex structuration; refers to complexity of the structure of a minor language due to influence/borrowings from dominant language (s) of the area

Language death: refers to a language that exists, but is not learnt and used; no longer has a natural, native group of speakers, Latin is a case of a dead language

Language extinction	refers to a language that is not at all spoken; it is a historical language, Sanskrit is a deal language but not an extinct language
Language loss:	refers to a language that exists but is not functional- for example Ahom language exists in old documents, but is not used; language known , but there are no current speakers; there is effort to revive Ahom language
Language preservation:	to maintain the use and functionality of a language
Language shift:	the process by which members of a community, in which more than one language is spoken, abandon their original language in favour of another
Language shrink:	Change in morphological structuration of original language
Loan word:	a word that is borrowed from another language known as donor language
Medium of instruction:	refers to a language in teaching
Moribund:	refers to languages that are not being taught to children as their first language and cease to be spoken within a generation
Morphology:	the study of the internal structure of words in a sentence; arrangement of words and phrases to create a meaningful sentence in a language
Mother tongue:	the language which a person speaks form early childhood
Mother tongue based education:	Education which is based on, and begins teaching in, the language used by the child at home since birth
Multilingualism:	use of more than one language by an individual speaker or by a community of speakers
Pedagogy:	relates to the method and practice of teaching
Phonology:	the study of speech the study of system and patterns of speech sounds in languages; study of how sounds function in languages
Safe language:	safe languages are those that are neither moribund nor endangered; they are currently being learned by children and are safe from extinction at least for the time being.

Semantics:	the study of the nature of the meaning of individual word
Syntax:	the study of the internal structure of sentences an
Typological homogeneity:	refers to homogeneity of a language typology due to contact with other language, particularly a dominant language; each language is classified on the basis of its structure (including phonology, morphology, syntax and semantics) and functional features and thus is distinct from other languages. In other words, each language is a typology by itself. But if the language structure follows the structure and functional features of a language, say a dominant language, it displays homogeneity with the other language and the change is called typological homogeneity.

3.8 Probable Questions

Short Answer Questions

1. What does the phrase 'preservation of language' mean?
2. Why a language should be preserved? Give your opinion?
3. Preservation of language is preservation of identity of the community which uses the language. Do you agree? Why or Why not?
4. How does a tribe person understand his/her identity? Can it be explained in terms of 'identity is multidimensional? Why or why not?
5. What is language shift? Does it invariably mean language endangerment?
6. Discuss what do you mean by language change and continuity? Does it mean language endangerment?
7. Explain how identity reflects culture through language with a suitable example.
8. Issue of language identity can be a cause of demanding political autonomy? Do you agree? Give your answer with suitable examples.
9. What is **Culture 21?** What does it convey?
10. Write a note on language rights as provided for in international documents.
11. Are *Consensual Safeguards* Constitutional safeguards*?* Explain.
12. List and define various stages of language endangerment.
13. Describe briefly the situation of language endangerment in India.
14. What is the importance of script in language preservation?
15. Briefly discuss the choice of scripts.
16. Write short note on: i. Tani Lipi, ii. Saura script.
17. Briefly discuss three-language formula.

18. Discuss the challenges before mother tongue as a medium of instruction.
19. What is mother tongue?

Long Answer Questions

1. What do you mean by the concept 'language preservation'? Does it mean that language should remain static without any change?
2. Why is it important to preserve a language? Discuss the provisions of Indian Constitution and International instruments for language preservation.
3. Critically examine language and identity interface.
4. Discuss the issue of language preservation with suitable examples.
5. What do you mean by the concept development? How is language related to development? Discuss.
6. Are all safeguards provided for protection of language rights Constitutional? Enumerate and explain Constitutional and other provisions of safeguard for language rights.
7. Critically examine impact of contact on minor/tribal languages.
8. What do you mean by language endangerment? What are the reasons of language endangerment in India? Make a critical assessment.
9. What do you mean by language preservation? Suggest some measures/steps of language preservation in India.
10. Make a critical assessment of the involvement of GO, NGOs and community in language preservation in India with suitable examples.
11. Write a note on the problems related to tribal script. Why some scripts have been accepted and why some are in the process of acceptance? Discuss with examples.
12. What is the advantage of mother tongue as medium of instruction? Examine.

3.9   Answers to Check Your Progress

Check Your Progress –I

1. True
2. False
3. True
4. True
5. False

Check Your Progress –II

1. i.
2. ii.
3. i.
4. i.
5. iv.

Check Your Progress –III

1. Culture, 2. Critically Endangered, 3. Mother Tongue, 4.Both as medium of Instruction and Subject languages, 5. Linguistic, 6. Ol Chik, 7. Brhami, 8 Classical

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SOCIAL MOVEMENTS

Structure

4.1   Learning Objectives

After reading this unit you will be able to

- explain the meaning of social movement;
- develop idea of elements of social movements;
- understand identity assertion and efforts of environmental protection as social movements;
- learn tribal involvement in identity assertion and environmental protection;
- explain the conditions which drive the tribes for identity assertion;
- enumerate the areas through which the tribes try to assert identity;
- reason out tribal resistance for the protection of environment;
- explain features of tribal movements for identity assertion and environmental protection;
- learn some important tribal social movements in our time on the issues of identity and environmental protection ;
- discuss ways adopted to launch the movements; and

- learn the outcome of tribal movements launched to assert identity and protect environment.

4.2   Introduction

Social movement is a broad concept and it is defined in many ways. The essence of all definitions places social movement as an effort for the betterment of the society. As you know, society is a group of individuals involved in constant social interaction. It follows that social movement is a group movement for the group and by the group or its representatives, even though an individual initiates it. You will be introduced to social movement as a group movement aimed at making the life condition of members of the group better.

 Social movement for betterment of life of members of the society was conceptualised by A.W.Small as early as in 1897. He holds that people try to make better themselves by accepting the situation in which they find themselves. They try to make themselves as comfortable as possible within it. He also presents another way by which people seek betterment of life condition. The second way involves efforts to change the situation or the condition in which they live. It follows that people try to be comfortable either in the given condition or by trying to make the condition better. The efforts to make condition better entails change and this is the essence of social movement which you will learn in this unit.

You will learn that groups try to improve their condition for better in a closed environment or in an open environment. In other words, they try to improve the condition within the close circuit of the ethnic identity or in an open environment of assimilation. In the former case assertion of group identity provides the base for the betterment which they seek. You will learn that such efforts are commonly designated as social movements of identity assertion. For example, effort by a tribe to preserve and promote its language is a movement towards betterment of language status. In this movement there is a claim for language rights and manifestation of an identity in terms of improved language status as a matter of right. Obviously, a movement to protect language rights linked with the group identity is a form of identity movement.

 As you know tribes are eco-system people as they primarily depend on the ecosystem of the surroundings for their survival needs. Natural environment plays a crucial role in their livelihood security. The fact is that natural resources are free gift of nature and tribes solely depend on these resources for their survival and therefore they perceive ownership over these resources in their own rights. But as you know, tribes in India had different levels of interaction and integration with the state power during colonial, pre-colonial and post-colonial periods. Practically, they found that their resources are encroached upon by the state *in the interests of public* and in modernity project right from the colonial period. Tribes were and are deprived of their resources to the state and non-state players in the name of public interest and modernity project of the government.

Under such a situation tribes perceive their betterment with the preservation of these resources. They also envision their betterment by restoring the condition which they are deprived of due to depletion of resources. So they make efforts to preserve and restore the environmental conditions and oppose such acts which aim at depriving them of their resources. These efforts are popularly known as environment movements. These movements differ in terms of magnitude, coverage, participation of group members and the means adopted to achieve the goal. The means may be peaceful and democratic or violent insurgency.

In this unit you will learn social movements of identity assertion and resistances aimed at environmental protection with a view to make life condition better. However, before a discussion of these movements it will be useful to you to know basics of the concept of social movement.

4.3 Social Movement

By now you have learnt that a social movement is a movement by a group for the betterment of life condition of the group. Obviously, it is a mass movement and a collective attempt of people of the group- may be a tribe, any other community or a society, to make the life better. This better condition is envisioned by bringing about a change or resisting any change. For example, you will see that the Adi people brought about a change in their traditional faiths and beliefs by institutionalising it through Donyi-Polo movement.   In contrast, the tribes of Jajpur district of Odisha resisted the change in their resource base introduced by Tata Steel in Kalinga Nagar. In a social movement the people involve actively to bring about a change or to resist any change which they consider detrimental to their life-ways.

When people actively involve in bringing about the change, the movement usually takes the form of reformative or revolutionary shade.   Blumer (1951/1995:74) is of the opinion that reformative movement seeks to change some specific phase or limited areas of the existing social order. The Donyi-Polo movement as is mentioned above is a reformative movement. The Naxalist movement or separatist movements are revolutionary movements as such movements seek to reconstruct the entire social order.

You will learn a few definitions to gain a deeper understanding of the meaning and nature of social movements.

Herbert Blumer (1952/1995:60) defines social movements 'as collective enterprises to establish a new order of life. They have their inception in the condition of unrest, and derive their motive power on one hand from dissatisfaction with the current form of life, and on the other hand, from wishes and hopes for a new scheme or system of living'.

Sidney G. Tarrow (1992/2011:9) defines social movements as   collective challenges, based on common purposes and special solidarities, in sustained interaction with elites, opponents,

and authorities'. This definition, according to him, has four empirical properties. These are collective challenge, common purpose, social solidarity, and sustained interaction.

According to Gary Marx and Doug McAdam (1994:73) social movements are those 'organized efforts, on the part of excluded groups, to promote or resist changes in the structure of society that involve recourse to non-institutional forms of political participation'.

Mario Diani (1992:13) defines it as a 'network of informal interactions between a plurality of individuals, groups and/or organizations, engaged in a political or cultural conflict, on the basis of a shared collective identity'.

Features: Form the above definitions the following features of social movements may be outlined:
1. Social movement involves a group or collective enterprise.
2. The members of the group display commitment to the cause of the movement.
3. The people in the group have dissatisfaction in the existing condition which they want to change or resist if the existing condition is changed to their disadvantage.

In the dissatisfaction a real or perceived sense of opposition from outside the group is also recognised. In fact, it is this feeling of opposition that unifies masses within the group who involve in the movement. Blumer (1952/1995:68) puts it in terms of in-group and out-group relations which are of rivalry in different degrees. In environmental movements like resistance to mega dam projects the people who are affected or to be affected see the project planners, managers and implementing agency as rival to their interest.

In Donyi-Polo movement you will find the Adis, for example as in-group and alien faiths which try to make inroads into traditional faith as out-group. Institutionalisation of traditional faith with a view to preserve it against the onslaught of alien faiths is the force behind the Donyi-Polo movement. Similarly, language preservation movement among the Bodos, the in-group of the movement, saw rival in Assamese language, and its speech community as out-group, as the promotion of Assamese at the cost of Bodo language in Bodo inhabited schools endangered the latter.

4. There is a desire for betterment of the condition.
5. The movement is based on a common purpose, specific solidarities, shared collective identity and a sphere of constant interaction.
6. The group that organises the movement is usually an excluded group in relation to the dominant society or power structure.

The opinion of William Kornhauser (1959/2008:212) is useful to understand the nature of mass social movements; he states,

> Mass movements mobilize people who are alienated from the ongoing system, who do not believe in the legitimacy of the established order, and who therefore are ready

to engage in efforts to destroy it. The greatest number of people available to mass movement will be found in those sections of society that have the fewest ties to the social order.

6. Every movement has an ideological base. The ideology motivates, defines opposition and provides justification for unification of masses in the group. In this context Blumer (1952/1995:72) writes,

> The ideology of a movement consists of a body of doctrine, beliefs and myths. More specifically, it seems to consist of the following: first, a statement of the objective, purpose and premise of the movement, second, a body of criticism and condemnation of the existing structure that the movement is attacking and seeking to change, third a body of defence doctrine which serves as a justification of the movement and its objectives, fourth a body of beliefs dealing with policies, tactics, and practical operation of the movement, and fifth the myths of the movement.

7. Organisation of a social movement displays two interrelated phases. Blumer (1952/1995:72-73) is of the view that in the first phase much of the movement is erudite and scholarly. This is the form in which it is developed by the intellectuals of the movement. In the second phase, it seeks to appeal to the uneducated and to masses in the form of emotional symbols, stereotypes, folk arguments, etc.

When you read Bodo movement you will find the contribution of intellectuals to the movement. Folklores also played a crucial role. Other movements also have intellectual base. But the topic is not dealt with in great details in other movements like the Bodo movement.

Sidney G Tarrow (1992/2011:8) has mentioned three elements of social movements. It is useful to know them to understand the characteristics of social movement. He states,

> This involves, first, mounting collective challenges, second, drawing on social networks, common purposes, and cultural frameworks, and third, building solidarity through connective structures and collective identities to sustain collective action. These are the basic properties of social movements.

Check Your Progress I

State whether the following statements are 'true' or 'false'

1. Social movement is a group movement.
2. The main objective of a social movement is to change the condition existing or imposed.
3. Social movement takes place even when people accept the given condition and try to be as much better as possible.
4. Identity movement is meant for asserting a perceived or real identity without any concern for betterment.

5. Identity assertion means that to retain an identity. So it is not a movement.
6. Language movement is a movement based on rights.
7. Resources are perceived by tribes as free gifts of the nature and so they do not approve ownership over it by the government.

This brief discussion on social movement will be useful to you to understand identity assertions and environmental movements as components of social movement.

4.4   Identity Assertions

The identity assertion is a social movement and the phenomenon has assumed increasingly significance from the later part of the 20th century. The movement has touched upon a variety of issues at different levels-from individual to social and from community to global, and includes such issues as gender, feminism, rights, indigeneity, ethnicity, language and literature, culture, political autonomy, religion and many others. No doubt, tribal communities have also participated in this movement and have reconstructed identity by casting off many old ones and articulating new ones. You will find negotiating mediations or fission and fusion tendencies in the movement of identity assertion.

We may take examples from Arunachal Pradesh. Nomenclature of a tribe gives it an identity. Among the tribes this nomenclature is often outside import. Not only is it the case of Arunachal Pradesh, the practice is found existing in the designation of many tribes. In Papua New Guinea the name Arapesh is given to a group by Margaret Mead with whom she worked in 1931. These people had no name for themselves when Margaret Mead contacted them in 1931 for her study. So, she and her second husband, Reo Fortune called them "Arapesh," after the word for "person" in Arapesh language. The name of the tribe based on the import from outside also often expresses outsider's perception of the community. You will find in Arunachal Pradesh a few tribes having designation as outside import. These outsiders' designations represented communities as Aka, Tagin, Hill Miri, Dafla (present Nyishi), Abor (present Adi), Khampti, Mishmi (such as Chulikata, Digaru appellation), Sulung and Apatani. Names of many of these communities have been included as Scheduled Tribes in the Constitution of India. You will find some of the tribes have organised movements in democratic ways to revert to their native identity.

For example, the Constitution of India had scheduled Dafla, a generic term used by the Ahoms and later by the British to designate a number of ethnic groups, in the category of Scheduled Tribe. So, the distinct ethnic groups like Sulungs (Puroiks), Hill Miri, Nah, etc. also adopted Dafla nomenclature for administrative purpose, but maintain community identity separately. Even these communities are also scheduled as Arunachal tribes and in census records as distinct groups.   In 2008 the Constitution of India replaced the nomenclature Dafla for Nyishi. Obviously, all these groups administratively are Nyishis, but in recent years they are also socially forged into Nysihi identity.

In a way, there is a loss of identity at one level and gaining a greater identity at the other. In 1987, the Meyors of present Anjaw district got the status of Arunachal tribes (thus, ST), but

the Zakhrings who used to claim themselves superior gradually assumed Meyor identity in order to have access to benefits to which STs are entitled. Both the groups have a less population, around 1500 persons. You will not find a Zakhring family in Walong and Kibootho circles of Anjaw district where they used to live. The Khampti and the Khamiyang of Tai race have been maintaining a distinct ethnic identity until recently when the latter started identifying itself with the Khampti. The identity assertion shows a tendency of a minor community's affiliation with a major/powerful one.

There is also an opposite trend in the formation of socio-cultural identity. The Nah group, considered as western Tagins (believed to be a clan of the Tagin group), has Buddhist influence and has also developed a distinct identity. The Tutsas, earlier considered as a clan of Tangsas of Changlang District; and Olo of Laju circle of Tirap district, considered as a subgroup of the Noctes have now ascertained their independent identity as a tribe. Similarly, the Sartang, earlier grouped under the Monpa tribe, now claim a separate identity. In this context, the identity assertion has a disaffiliation characteristic, the earlier larger affiliation being dissolved for a basic community identity.

In this regard the identity formation of the Galos of Arunachal Pradesh also may be considered as a process of affiliation and disaffiliation after Independence. The Galo, registered as Scheduled Tribe under the name of Gallong as per the Constitution (Scheduled Tribe) Order, 1950. Tai Nyori (1993) mentions that in colonial writings the group is known in various names such as Duba, Doba, Dobha Abor, Gallong Abor, etc.

It is to be mentioned that the Ahom and Colonial accounts designated the Galo and the present Adi tribe as Abor in the way they designated Nyishs as Dafla. In earlier days the people of Arunachal Pradesh used their clan or lineage identity, along with village identity or direction of location of habitation to introduce themselves to another clan or lineage. Within the clan an individual was introduced or addressed with reference to the lineage in the clan or ancestor of the lineage. But when these clans interacted outside the boundary of clan or group of clans, the outside people designated them in terms of their perceived attributes, whether derogatory or honorific. Therefore, the designation Abor was attributed not only to present Adis but also to some other tribes even south of the Brahmaputra. In the Notification of Presidential Order, 1950, 12 communities from present Arunachal Pradesh were listed as Scheduled Tribes. In this list the Galong and the Abor were mentioned as two distinct tribes, though British writings put them under the broad designation of Abor.

In 1960s 14 groups such as Gallong (Galo), Padam, Pailibo, Bori, Bokaro, Minyong, Bokar, Karko, Millang, Ashing, Tangam, etc. forged into a generic identity called Adi- the highlanders. By then Adi was a socio-cultural groups as in the Constitution Abor and Galong (Galo) were two distinct ST groups.

It is to be mentioned that the Minyong group of Adis like the Padam, the Tangam pronunce a work by adding 'ng' as a last syllable. So also is the tradition of Mising tribe of Assam. The Misings and Minyongs came in contact with the British first and they were deployed as

interpreters. They used to pronounce a Gallo word by adding 'ng' as last syllable. So in British writings and subsequently for some time in the writings of the Indian administrative documents and scholars various Galo names appeared with 'ng' sound. As a result Aalo (place name) became Along, Galo (tribe name) became Galong/Gallong, Kamba (place name) became Kambang, Keba (name of traditional village council) became Kebang, and so on. The tradition continued till 1990s though before it many Galos pronounced their words among themselves without 'ng'sound.

But in 1990s the Galos re-asserted their community identity as a tribe without affiliation to the Adi. During that time there were efforts to replace Abor for Adi in the Constitution. In the process of asserting independent socio-cultural identity the Galos also made efforts to replace Galong for Galo in the Constitution. Not only that, they also used Galo style of pronunciation without adding 'ng' in all communications including government records. During first decade of 21st century Abor was replaced by Adi and Galong by Galo in the Constitution.

The trend of affiliation in identity formation beyond tribe/community has been feature in post Independence India. The global indigenous movement has influenced affiliated identity of tribal groups. Assertion of indigeneity is concerned with the issue of expanded identity with an objective of self-identification and determination. In this context cross-tribal organisations in India are examples.

There are tribal organisations at all India level or state level with different tribes as members. Moreover, a number of NGOs are working for tribal communities. These communities at individual community level or group level display an identity of understanding modern dynamics through NGO intervention. New ideological intervention also helps reconstructing a collective identity. The indigenous identity, though has a community base, has been able to construct a greater identity of affiliation. Indian Confederation of Indigenous & Tribal Peoples (ICITP) may be taken as a point. ICITP founded in early 1980s was formally registered in 1994. It is a confederation of more than 300 indigenous and tribal people's organisations involved in issue based movements through the country. It is an organisation of the organisations of tribes and thus presents a greater affiliation identity.

All India Tribal Literary Forum, Delhi; *Adivasi Ekta Parishad*, Rajasthan, *Adivasi Jan Adhikar Rashtriya Manch,* etc. are also represent affiliated identity formation beyond community with specific objective. NGOs like *Akhil Bharatiya Adivasi Vikash Parishad*, New Delhi and *Bharatiya Adim Jati Sevak Sangh*, founded by A.V. Thakkar in 1948 consider tribes in terms of developmental requirements and thus formulates the identity of a social category beyond individual community.

In Arunachal Pradesh, indigenous religious movement also shows an affiliated identity formation at one hand and community based identity assertion through religious societies. The umbrella organisation of Indigenous Faith and Cultural Society of Arunachal Pradesh (IFCSAP), founded on 28th December, 1999 is an example of affiliated identity of tribes or

members of tribes committed to protect, preserve and promote indigenous faiths of tribes of the state. Every year, 31st December is celebrated as Indigenous Faiths' Day. This is like a confederation as tribe based organisations of indigenous faiths are also members in it in addition to individual members. Tribe based forums like *Donyi-Polo Yelam Kebang* of Adis, *Nyishi Indigenous Faith and Cultural Society* of the Nyishis, *Dani Piilo Society* of the Apatanis, *Rang Frah Faith Promotion Society* of the Tangsas, etc. are affiliated to this umbrella organisation.

Not only individual tribes assert their indigenous religious identity through tribe based forums but they also have their individual prayer centres such as *Nyedar Namlo* (of Nyishis), *Medar Nello* (of Apatanis), *Donyi Polo Namlo* (of Tagins), *Kargu Gamgi* of Galos), *Ganging* (of Adis), etc. Assertion of indigenous religious identity is in opposition to spread of alien religion in Arunachal Pradesh. You will find this trend among other tribes of the Northeast. In this context Prasenjit Biswas and Chandan Suklabaidya (2008) refer to the 'renewed sense of tribal identity. They write,

> A cult like *Doini-Polo*, *Seng Khasi,* or the celebration of *Gangngai* by *Rongmei Naga*, stands as a resistance to such processes of Hinduization or Christianization.

In fact the religious identity of a tribe emerges as a contested field between indigenous and alien faiths and practices. The members of a tribe are divided along religious denominations-indigenous and alien. At the same time both the denominations negotiate within cultural space beyond religious domain and sometimes participate across religious denominations of the tribe. Prasenjit Biswas and Chandan Suklabaidya (2008) write,

> The participation of Christian Hmars and Lusheis in traditional festivals like *Butu khuong Lawm*, *Chalpou kut*, *Mim Kut* or *Chapchar Kut* brings back a renewed sense of tribal identity.

Such a trend is also sometimes noticed in Arunachal Pradesh. Cultural identity emerges as a space of negotiated mediation unlike earlier solidarity in all aspects of life-religious, political, economic, etc. Such a culturally negotiated mediation is noticed in political affiliations of members of a tribe. The members may have affiliation with different political party ideology, but they all belong to the tribe. From a single tribe there are candidates contesting from different political parties, national and regional.

You know that many tribes in the Northeast India have got Autonomous District and Regional Councils. Following these institutional arrangements under Sixth Schedule of the Constitution many tribes organise movements for the privilege. At the backdrop is tribal people's demand for separate state (for details see Hussain, 1987). Needless to say, demand for political autonomy is an assertion for tribal identity. Identity movements in the Northeast also have communal dimensions and elements of displacement burden (see Hussain,2000).

Consolidation of Identity: Aggressive Assertion: This means that in some matters the tribe closes inter-tribe or tribal-non- tribal relations in order to consolidate identity of solidarity or an 'identity of being within'. In doing so, members of a tribe adopt different means-democratic and violence. In many tribes, particularly the youth organisations decree that the girls of the community do not marry outside. A sense of ethnocentrism guides the motive. In case of violation of the decree, the girl is warned to lose tribal status.   The Khasi Students' Union, for example, advocate, as Karlsson (2018) reports, 'a stricter regime for recognition of tribal membership, eventually barring children of mixed marriages (especially if the father is non-Khasi) from recognition as Khasi and hence also from the right to inherit land. This again is presented as a measure to mitigate alienation of indigenous lands, arguing that outsiders marry Khasi women in order to gain access to land or trading licenses'. 'The Khasi Lineage Bill of 1996 passed by Khasi Hills Autonomous Distinct Council takes a legal view on the matter. It suggests excommunication of those Khasi women who marry outside the community. Evidently, as Biswas and Suklabaidya (2008) maintain, 'cultural politics' assume a closure ethnic identity…'.

Movement for assertion of identity around some issues apparently has economic considerations. For example, the Khasi Lineage Amendment Bill of 2018 seeks to prevent the economic exploitation of the state's land and its resources by   non-Khasi men to whom Khasi women are married. Broadly, identity assertion has a development overtone within an ethnicity frame and sometimes it leads to armed struggle. You can understand this with reference to armed struggle of the Karbi people of Karbi Anglong of Assam against non-Karbis. Such types of identity assertion disregard Constitutional provisions provided to protect their autonomy. The Karbi peoples' struggle to consolidate their identity is a means beyond the Constitutional safeguards provided through Karbi Anglong Autonomous Council. Violent means of identity assertion are unconstitutional and therefore often considered anti-national due to such activities as insurgency, terrorism, etc.

> Autonomy is a device to allow ethnic or other groups that claim a distinct identity to exercise direct control over affairs of special concern to them while allowing the larger entity to exercise those powers that cover common interest. – *Yash Ghai*

 The Karbis in Karbi Anglong, as Pattanayak (2012) reports, have been pushed to the periphery due to migration and subsequently increasing number of non-Karbis from across their defined land border.   The Karbis have been marginalised in terms of power politics that depend upon number games. A sense of   fear psychosis has been developed among the Karbis who   felt to have lost their dominant position in "their" Karbi hills. This has hardened their ethnic consciousness and necessitated among them to search aggressively their community's identity. Unchecked migration has also put heavy pressure on their resource based traditional livelihood. The Karbis view the land occupied by the "other" as an onslaught upon their identity. Many local tribes resent the fact that immigrants owning the land that they have encroached upon prosper while the indigenous people are left behind. This creates in them a sense of community threat and they view "conflicts around land as defence of their culture, identity and livelihood".

The growing sense of ethnicity assertion around   power disparity between them and non-Karbis   has segregated the collective "other"- both tribals and non-tribals, often constructing rigid social boundaries and foreclosing the possibility of a meaningful dialogue to bridge social differences.   It is because   the armed struggle for land claims has not only frightened the other communities, but also has developed a strong determination among some other tribes to resist such propensity.

Assertion of a sort of a closure identity around ethnicity and development issues is also articulated by Karlsson in the context of Meghlaya and by Saikia and Gogoi (2018) in the context of Thengal Kacharis of Assam. In case of the latter, ethnicity is invoked to assert an identity long compromised in the process of interaction with greater Assamese community.

Jyoti Prasad Saikia & Anannya Gogoi (2018) inform that Thengal Kachari a sub-tribe   of Bodo Kachari tribe has been largely assimilated in greater Assamese society over the years of interaction. Naturally the people have formed into a pan-Assamese identity by adopting Neo-Vaishnavism, pan-Assamese surnames, language; pursuing inter-community marriage practice and enjoying individual land ownership rights under the provisions of State laws. But when other sub-groups of Bodo Kachari got ST status in 1976, and some of them got Autonomous Councils, the Thengals invoked traditional socio-cultural identity to place their claims for ST status. Identity assertion came to a defining stage when The Sonowal Kachari Autonomous Council (henceforth SKAC) was formed under the Sonowal Kachari Autonomous Council Act XX of 2005 on March 4, 2005. The notion   of belonging to newly created socio-political space through ST status and Thengal Kachari Autonomous Council has been a movement to construct   a closure identity along with   their pan-Assamese identity.

 In Meghalaya,   there are seventeen tribes and thirty-five sub tribes on the state ST list including Hajong,   Rabha,   Hmar, Karbi Bodo, and Koch which inhabit other states also. But the majority of the population, however, belongs to one of the three dominant ST communities, namely the Khasi, Jaintia, and Garo. Karlsson (2018) reports that these three claim indigenous status along with ST status in order that they benefit from the provisions of Constitutional safeguards and the global indigenous rights movement, which is largely about permanent self-government over territory, livelihoods, and culture. The Khasis, Jaintias, and Garos believe in the notion that   land rights of other ST communities would deprive them their due rights to resources as they are 'sons of the soil'. So they feel becoming marginalized minorities in their own home land. Karlsson writes that the fear of being outnumbered by other STs and outsiders justifies their claim for indigenous status over land and resources. 'Influential student bodies like the Khasi Students' Union (KSU) and the Garo Students' Union (GSU) are some of the more radical forces in Meghalaya that push for an ethnic exclusivist agenda'.

Assertion for aggressive and closure identity resulted in violent clashes between communities at different levels. However, all the major incidents of violence since 2001 were between the

ethnic tribes though there were some clashes between ethnic groups and Hindi speaking people. In 2002 there were clashes between the Hindi speaking people and the Adivasis and in 2007 between the Karbis and the Hindi speaking people. There are instances where Hindi speaking and Bengali speaking people are also targeted.

In 2001 violence erupted between Karbis and Kukis, in 2003 between Dimasas and Hmars and in 2005 it was between Karbis and Dimasas. Pattanayak (2012) informs that four militant outfits formed on ethnic lines supposedly to protect the interest of the respective groups undertook surreptitious eviction of "ethnic others" from their "imagined homelands". The Bodos and other ethnic groups in their territory also involved in acts of violence which will learn in the section of Bodo movement.

4.5   Environmental Movements

Environmental movement is a social movement aimed at environmental conservation and improvement of the state of the environment. This movement has the philosophy of environmentalism at its core and alternatively is known as 'green movement' or 'conservation movement'. There is no single definition of environmental movement. However, a few definitions will be useful to you to grasp what the environmental movement is all about.

Guha and Gadgil (1989:155) defined the environmental movements as 'organized social activity consciously directed towards promoting sustainable use of natural resources halting environmental degradation or bringing about environmental restoration'.

For Archana Prasad (2004:11), the 'environmental movement is an umbrella term used to describe a series of local struggles and conflicts that highlight issues of livelihood and ecological security in the development debate'.

In Shah's (2004:250) words, 'more often than not the struggles of the people on the issues of their livelihood and access to forest and other natural resources are coined as environmental movements. An environmental movement includes a series of conflicts or struggles related to the environment.

There were several struggles for forest and water rights that raised larger environmental concerns. These include restoration of community rights in forests, rehabilitation and displacement through large projects and unsustainability of large dams and green revolution, and land based movements resulted from large scale commercial use of forest materials as well as unequal access to land resources.

The Chipko movement in the Himalayas and the Appiko movement in the Western Ghats are the main examples of forest based movements.

The Chipko movement was launched in 1973 in Gopeshwar in Chamoli district, and later in Tehri-Garhwal district of present state of Uttarakhand. The main objective was to prevent illegal cutting of trees in the region by forest contractors. Sunderlal Bahuguna and Chandi Prasad Bhatt were main the leaders of this movement. The most significant aspect of this movement was the involvement of women. The women of Advani village of Tehri-Garhwal

tied the sacred thread around trunks of trees and they hugged the trees, hence it was called 'Chipko Movement' or 'hug the tree movement'.

In 1983, on the lines of Chipko Movement, a movement happened in the Uttara Kanada   and Shimoga districts   of Karnataka in the Western Ghats. The resistance movement was gainst the felling and commercialization of natural forest and the ruin of ancient livelihood. In September 1983, when the axe-men came for felling to the *Kalase* forests, people embraced the trees and thus the 'Appiko movement took place. This movement was neither driven by a personality nor was formally institutionalised. However, Pandurang Hegde was its facilitator, but not a leader in the formal sense.

The other forest based protests are Save Silent Valley and Jungle Bachao Andolon. The tribal community of Singhbhum district of present Jharkhand launched movement against the forest policy of the Government in 1982. According to the policy, the Government wanted to replace the natural *sal* forest with the high-priced teak. This is often known as Jungle Bachao Andolon.

 Save Silent Valley was an environmental movement aimed to protect evergreen tropical forests. Silent Valley is an area of tropical evergreen forests in the Palakkad district of Kerala. The environmentalists and the local people strongly objected to the hydel power project being set up here in 1973. The project if completed would have flooded the forests in the Valley. Under pressure, the government had to declare it the national reserve forests in 1985. Though at the core of the movement protection of forests was the main objective, it also stands as a movement against big dams. Other movements against dam construction are Narmada Bachao Andolon, movement against Tehri dam,   and some others. The resistance by Siang Valley Bachao Committee against commissioning the mega hydroelectric projects on Siang river and its tributaries in Arunachal Pradesh. There are also resistance movements against dam constructions on Subansiri and other rivers in Arunachal Pradesh.

Tipaimukh Multi-purpose Project, located at the tri-junction of Assam, Manipur and Mizoram has faced stiff resistance from a number of organisations including the public. Hussain (2008) has recorded the movements launched against Siang and Subansiri dams, Tipaimukh Multi-purpose Project, Pagladiya Dam Project and other projects in the Northeast. He has also mentioned other resistance movements of displaced people consequent upon development projects of the state.

The development projects are not only commissioned by the State but also various corporations. Most of these projects are in tribal areas. You will study two such   movements in Niyamgir and Kalinga Nagar in this unit. The specific development projects against which protest movements have been launched by the environmentalists, media and people include dams, power projects, industrial plants, railway projects and mining. In many cases, a project is resisted from a number of issues. The protest against mining project of Bharat Aluminium Company (BALCO) in the Gandhamardan Hills apparently had survival dimension.

The above movements are popular, mass based social movements. There are also movements whose scale is limited to local groups. In this regard mention may be made group opposition to   the Kaiga nuclear power plant in Karnataka, the Rural Women's Advancement Society efforts to reclaim waste land in Bankura district and the opposition to the Gumti Dam in Tripura. Local movements are working against deforestation, water-logging, salinization and

desertification in the command areas of dams on the Kosi, Gandak and Tungabhadra rivers and in the canal-irrigated areas of Punjab and Haryana.

> We won't have a society if we destroy the environment. - Margaret Mead

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Check Your Progress II
Choose the correct answer

1. Name of a tribe reflects its identity and this identity may be
   (i)   outside import
   (ii)   insider construct
   (iii)   any of the two
   (iv)   none of the two
2. Identity of a tribe at one time may be
   (i)   generic
   (ii)   specific
   (iii)   affiliated
   (iv)   All of the above
3. Identity assertion involves in
   (i)   self-identification
   (ii)   self-determination
   (iii)   both
   (iv)   none of the above
4. Religious movement in Arunachal Pradesh displays
   (i)   affiliated identity
   (ii)   tribe-based identity
   (iii)   both
   (iv)   none of the above
5. You can see a divided religious identity in tribes who have organised religious movements. The identity is divided in terms of affiliation of members of the tribe to
   (i)   alien religion
   (ii)   indigenous faiths and practices in original form
   (iii)   reformative indigenous faiths and practices
   (iv)   all of the above

From the above discussion on environmental movements it is clear to you that the occurrence of movements results as people find change in their existing environment. These changes relate to

(i)   limited or no access to traditional resource base;
(ii)   environmental degradation, particularly deforestation affecting livelihoods;

(iii)   pollution and health hazards; and

(iv)   spread of environmental awareness

(v)   assertion of cultural identity in terms of preservation and promotion of traditional livelihood and in terms of assertion of rights over traditional resource base.

Behind the contemporary environment movements state sponsored development model which has exclusionary characteristics is solely responsible. In this development model marginalised groups like the tribes and poor farmers are 'adversely included'. In other words, their inclusion is marked by further marginalisation, deprivation and displacement.

4.6   Important Movements

The post Independent India has witnessed a lot of movements. Some of these movements are ethnic movements for identity assertion. Ethnic groups have organised movements to assert identity in terms of political autonomy, language preservation and promotion, religious reformation or in terms of claiming rights over land believed to be of their ancestors. Movements like Bodo movement are organised on issues which cover many aspects like political concession, language identity and territorial rights. There are movements against the government or concerned parties who encroach upon traditional resource base of tribes and deprive them of their traditional livelihood sources. These movements are also tribe specific like Nyiamgiri movement or mass based like Narmada Bachao Andolon. Such movements, as you have studied, are named as environmental movements. A few important movements are discussed below:

4.6.1   Bodo Identity Movement

The Bodos are an ethnic and linguistic group which is a sub-group of the Bodo-Kachari family. They live primarily in Kokrajhar, Chirang, Bongaigaon, Baksa, Barpeta, Kamrup, Darrang, Udalguri and Sonitpur districts.

In Assam, the Bodo Movement is a long drawn identity movement covering a wide range of issues. The first one is identity assertion pertaining to preservation of Bodo language. The second one   relates to autonomy movement   with a view to uphold ethnic identity through territorial homogeneity and autonomous administrative councils. The   second one therefore entails the issue of political identity as the territorial identity includes political and administrative provisions through Bodo Accord of 1993 and the Sixth Schedule which is extended to the Bodo tribe. The third aspect of Bodo Movement concerns identity assertion around land issues. As you know land is an important resource of tribal livelihood, and Bodo Movement asserts to prevent land alienation, and to free alienated land from 'immigrant encroachers'.

> You can't pick and choose which types of freedom you want to defend. You must defend all of it or be against all of it. - Scott Howard Phillips

There is also a fourth dimension of Bodo Movement in terms of its fission and fusion tendencies. You will learn in following paragraphs that various sub-groups of Bodo

affiliation, who have acquired separate identity, supported the movement at some points. On the other hand ideological divisions in the tribe asserted ideology based identity as is evident from the emergence of different organisations spearheading the movement following different methods. In the field of language preservation the script issue at one point got influenced by religious consideration. Religion played a divisive role within the Bodo community and thus in Bodo movement. Subir Bhaumik (2009) informs that the National Democratic Front of Bodoland (NDFB) is a Christian based organisation which supported the church's demand for the use of the Roman script for the Bodo language. Along with the NDFB, the claim of the church for Roman script got its support from other Christian Bodos and the Bodo students educated in Shillong. The Bodo intellectuals like a former President of Bodo Sahitya Sabha and some politicians, who opposed Roman script, were killed by its guerrillas.

Language and identity assertion: You might know that Bodo is one of two tribal languages and of total 22 languages in the country listed in the VIIIth Schedule to the Constitution as official languages. Ninety-second Amendment to the Constitution of India included Bodo and Santhali languages. Due to its inclusion in the 8th schedule, Bodo is recognised as a regional language of the country. However, it has been an associated official language in Assam since 1985. Bodo language achieved this status due to Bodo movement on language issue.

The seed of developing Bodo language germinated in the mind of educated Bodo youth during first half of the 20th century. From 1913 onwards language issue featured in the socio-political movement that was launched by local Bodo organisations. Under the initiative of Kalicharan Brahma the first Bodo organisation namely Assam *Bodo Chatra Sanmilan* was formed in the year 1918. This student body took up the issues of general improvement for the language, culture and educational facilities of the Bodos.

Language issue however was seriously considered by a group of Bodo intellectuals after Independence of the country. They realised the need to preserve language and culture. This concern led to the foundation of Bodo Sahitya Sabha in 1952 with a view to work for the development of Bodo literature and culture. It raised the issue of language and script in relation to consolidation of the Bodo identity. Language became an identity issue in the process of creating literature. However, there was not concrete development in language front till 1960. A turning point came in 1960 when *Bodo Sahitya Sabha* took language issue seriously as an ethnic identity. In this year the Government of Assam passed the Assam Official Language Bill. Assamese was declared as the official language of the state. In this regard, Bhaumik (2009) states that the Bodo people saw in it 'an attempt to deny them autonomy and undermine their distinct ethnic identity'.

 The movement for language preservation and promotion geared up. The Bodo Sahitya Sabha helped the language to attain own independent existence and opened the door for future progress. Along with the ABSU and PTCA it launched a movement in 1968, demanding recognition of Bodo language as a medium of instruction in the Secondary stage of education

in the schools of Assam. On constant demand and persistent efforts of the Bodo Sahitya Sabha, Bodo was introduced at the primary school as a medium of instruction in 1963 in Bodo dominated areas. The language was introduced as educational instruction upto secondary level from 1968. Also, the Colleges offer Bodo as a Modern Indian Language (M.I.L.). In 1996 Bodo language and literature was introduced as P.G programme in Guwahati University. Bodo Department started as a part of the Department of Modern Indian Languages in 1995 and as an independent department in 2006. In addition to Guwahati University, Bodo language is also taught in Dibrugah University and the North Eastern Hills University. With the establishment of Bodoland University in 2009 the Department of Bodo language became one of the first departments opened up in the university.

Language development is crucially linked with script issue. The Bodo people wanted a script other than Assamese. The demand was raised by the Bodo Sahitya Sabha and the All Bodo Students' Union (ABSU). The influential Christian group in the Sahitya Sabha lobbied for Roman script. It got the support of the NDFB. The script movement had it s beginning in the late 1960s and early 1970s. However, the movement became massive in 1974-75.

As you know the Bodo language was introduced as medium of instruction upto secondary level from 1968. Obviously, the need for a script was urgent. Bhaumik (2009) informs that in February 1969, the Script Sub-Committee of the Bodo Sahitya Sabha submitted its final report on the script issue. It recommended abolition of the Assamese script and its replacement with the Roman script. In view of the demand for a script, in 1970 the Bodo Sahitya Sabha in its 11th conference in 1970 adopted the recommendations to Roman script for the language. The demand was placed before the Government of Assam. However, the government did not accept the demand. There was a clash between the Assam government and the Bodo leaders of the movement for Roman script. In 1974 the Bodo primer *Bithorai* written in Roman script, was introduced in Bodo medium schools in 1974. As a reaction, the government stopped financial grants for Bodo primary schools. This led to the massive movement (see Prabhakar, 1994).

In opposition to the government's attitude, the Bodo Sahitya Sabha in its 15th annual conference in 1974 resolved to launch a movement demanding the use of roman script. The movement became a vigorous one in September 1974 in which as many as 15 people were killed. In view of the seriousness of agitation, the Assam government called for negotiations with the *Bodo Sahitya Sabha* but the Education Minister of Assam reiterated government stand that the Bodos should continue to use Assamese script.

Under such a situation, the Bodo leaders and representatives of Bodo Sahitya Sabha approached the Union government. Instead of taking note of the conflict between the *Bodo Sahitya Sabha* and Assam Government, the then Prime Minister Indira Gandhi advised the representatives to adopt the Devanagari script for the Bodo language. Understanding the gravity of the situation, representatives of the *Bodo Sahitya Sabha* agreed to adopt Devanagari script for the Bodo language and this was endorsed at 16th annual conference of

the Sabha in 1975. Again the issue of script was raised at the *Bodo Sahitya Sabha* proceedings in February 1993. Still the script problem persists.

This is for your information that the Bodo Kachari kings used the Deodhai scripts to write Bodo language. It is informed by famous Kala Guru Late Bishnu Prasad Rabha. In later years, however, the Bodos used Roman, Assamese and Devanagari scripts to write their language. Use of three scripts continues and the demand for a script is still alive.

Identity through Political Autonomy:The Bodo Movement is an important identity movement not only in contemporary Assam but also in Independent India. Bodo identity is projected in opposition to Assamese 'chauvinism' and in terms of Constitutional provisions of safeguarding tribal tradition, culture and creating self-governing institutions. This movement for political autonomy was at its heights in 1980s, but as we learn from the works of Chaudhury (1993), Prabhakar (1994), Mittal and Sharma (1998), Sharma (2007) and other scholars, it had its seed shown during colonial period.

Information provided by the above authors trace the identity consciousness among the Bodos from 1929. In this year the Bodo community of Goalpara and the *Kachari Juvak Sanmiloni* submitted a memorandum to the Indian Statutory Commission demanding political power. A few years later in 1933, the All Assam Plains Tribal League (AAPTL) was founded as a political party under the leadership of Rupnath Brahma. The primary objective of this party was to protect the identities and interests of "tribal people" of Assam. It was for the first time that the tribal people of Assam formally demanded political autonomy.

The AAPTL demanded provision for separate electorate system for the tribals in Assam Assembly. Consequently, the British government, by an act, reserved five seats for the Plain Tribes in Assam. The Tribal League became a major political force to reckon with. In a memorandum submitted to the Government to Independent in 1947 the All Assam Plains Tribal League on behalf of the Assam Plains Tribes presented a list of demands to be included in the forthcoming Constitution of India for safeguards of their interests.

In independent India two crucial factors contributed to the resentment among the Bodos leading to mass movement. The first one is the intrusion of immigrants (mainly from present Bangladesh). These immigrants occupied Government waste land and were issued *patta*. They became legal owner of these lands. But the Bodos were using such lands as common resources and for traditional agriculture since generations. However, the Bodos were not *patta* holders and used the land according to traditional norms till *pattas* were issued to immigrants. They felt the burnt of land alienation consequent of immigration and resented loss of ancestral homeland. This resentment worked as a catalyst in building up strong dissent in the Bodo Movement.

As you know that the Bodos are plains tribe of Assam. You also know that the provisions of Sixth Schedule of the Constitution of India initially was meant for Hills tribes of the then State of Assam. Even after the re-organisation of North-eastern states provisions of the Sixth Schedule provided for the administration of tribal areas of hills in the states of Assam, Meghalaya, Tripura and Mizoram. The Sixth Schedule of the Constitution allows constituting autonomous district and autonomous regions. Being plains tribe the Bodos were deprived of

the provision provided in the Sixth Schedule. They were also not included in the Fifth Schedule either as their area was not excluded area.   This deprivation became a strong factor of resentment.

The Bodos, as you know, demanded separate political state before Independence. Already the seed of separation was sown in them. The development,   such as unbridled immigration, loss of ancestral land, deprivation of benefits of Sixth and Fifth Schedules created resentment among them. Further, they also became disillusioned with the post-independent government of Assam. The Bodos felt that the attitude of the state government of Assam, dominated by the Assamese has been step-motherly towards them. Needless to say, resentment out of these issues accumulated and culminated into mass movement and assertion of political autonomy.

It will not be out of context to mention that the discontent that erupted from language issue graduated into   Bodo movement demanding political autonomy. However, the movement in its present form emerged in the 1960s demanding to secure a homeland for them. It took a severe turn in the 1980s, after the Assam Accord was signed and continued unabated throughout the 1990s. It is not a surprise that the movement has been successful by gaining Sixth Schedule status for Bodo areas. Nevertheless the Bodo homeland question still continues in different forms. The violence that erupted in 2012 between two communities is seen as a move to oust non-Bodos from Bodo territory.

Though discontent was accumulating the firs organisational effort in this direction was the formation of the All Bodo Students Union (ABSU)   on 15th February, 1967. At first instead of being at the forefront ABSU took initiative to create, the political organization named Plains Tribal Council of Assam (PTCA) which came into being on 27th February, 1967. Through PTCA, the ABSU raised the voice for   the Union Territory of "Udayachal". They placed their demand several times before the state and central government. But when the demands were not fulfilled, a movement of protest was launched by boycotting the General Elections of 1968 by the PTCA and the All Bodo Students Union (ABSU).

 In the mean time, the members of the PTCA got divided on the issue of the demand for   a full-fledged state or autonomous region.   Moreover, it could not fulfill the aspiration of the people for a separate. As a result, the ABSU withdrew its sup-port in 1979. The PTCA itself split in 1984, with one of its militant leaders forming a new party named the United Tribal Nationalists' Liberation Front, Assam (UTNLF).

  In view of this   the ABSU took over the leadership independently and raised the demand for a full-fledged state. It launched a movement for greater autonomy on March 2, 1987 and resolved for   'Bodoland' in its 20th Annual Conference in1988. The Bodos under the leadership of ABSU ushered a very strong movement for Bodoland. In the mean time several organizations like Bodo *People's Action Committee*, All *Bodo Employees Federation*, Assam *Tribal Women Welfare Federation*, etc. actively co-operated with the ABSU in its demand. The ABSU also received strong support from the Bodo Sahitya Sabha. A number of Bodo militant outfits like the *National Democratic Front of Bodoland* (NDFB), Bodo *Liberation*

Tiger Force (BLTF), *Bodo Army,* etc. emerged who also supported the demand for the creation of separate Bodo state- Bodoland.

At the beginning of the movement a number of issues were raised. But in course of the movement the demands dropped to three major political issues. These were (1) formation of a separate state named Bodoland on the north bank of the Brahmaputra; (2) establishment of autonomous district councils in the tribal dominant areas on the south bank of the Brahmaputra; and (3) incorporation of the Bodo Kacharis of Karbi Anglong in the Sixth Schedule of the Indian Constitution.

There were several initiatives from the state and central government to resolve Bodoland issue. A number of ground works behind the scene were conducted. But the Bodo leadership rejected all proposals. However, the efforts continued till 1993 which resulted in the Bodo Accord. The Accord was signed on 20 February 1993 thereby formally ending the years long Bodo Movement for political autonomy.

Under the Accord the Bodo Autonomous Council (BAC) was constituted to give political autonomy to the Bodos in Assam. But the Accord could not resolve the political aspirations of the Bodos. Though a large number of Bodo militants surrendered, still a few organisations like Boro Security Force (Br.S.F.) opposed the Accord. A few other organisations like the United Democratic Front (UDF), which was formed in reaction to the BAC also opposed to it. After a prolong violence committed by some Bodo militant organizations i.e. National Democratic Front of Bodoland (NDFB), Boro Security Force (Br.S.F.), Bodoland Liberation Tiger (BLT), finally, the Union government appealed for talks by July 1999 and the Act was amended in 1999. On October 2, 2001, BLT gave up its demand for a separate Bodoland state and agreed to politico-administrative autonomy under the Sixth Schedule of the Indian Constitution. This led to the signing of a Memorandum of Settlement (MoS) for the creation of the Bodo Territorial Council (BTC) on February 10, 2003. According to the provisions of this memorandum the Bodos got the benefit of the Sixth Schedule and the Bodoland Territorial Administrative District (BTAD) was created. Accordingly, the Bodoland Territorial Council (BTC) was formed on 7th December 2003 with the objectives of fulfiling economic, educational and linguistic aspirations; preserving land-rights, socio-cultural and ethnic identity of the Bodos; and speeding up the infrastructure development in BTC area. In addition to the interest of the Bodos, the Council has also been provided for looking the interests of the non-tribals living in the BTC area.

The Bodos ultimately have been able to assert their identity through political autonomy.

Cultural Politics in Identity Formation: The Bodo Movement has been able to reinforce a strong cultural identity among the Bodos through literary works, and drawing on myths and folklore. According to Chandan Kumar Sharma (2007), the Bodos relied on the folklore as a mode of constructing and glorifying a distinct history and tradition during their self assertion movement. Since the Bodos had no written history, the folklore like the myths, legends and folksongs and colonial anthropological writings became the sources in the quest for identity

markers. It also pointed out that the Bodos had their own kingdom and that they had been an influential community in the region in the ancient times. Undoubtedly, an ethnic history was created on the basis of these sources. Accordingly, the Bodo leaders tried to establish the theory that the Bodos are the earliest inhabitants of the region. In this way the identity of 'son of the soil', a cultural identity with political aspirations was created. The 'son of the soil' identity, reconstructed through cultural means helped the leaders to mobilise common Bodos to rise to the position of rightful claimants of land as earliest settlers in the region than the Assamese.

Needless to say, cultural meanings were reconstructed for consolidation of the identity to assert political autonomy. You may say that one identity is used as a tool to realise other forms of identities. Writers like Bijaya Laxmi Brohmo Choudhury (1993), Indibar Deori (1995), etc. evoked the colonial anthropological text about the Bodo identity and thus tried to establish a separate identity-the identity of 'the son of the soil', and distanced them from the Assamese identity. In this regard mention may be made of the work entitled *Bodo (Kachari) At a Glance* (1993) written by the Bodo scholar Bijaya Laxmi Brohmo Choudhury. The time was the peak time of the movement when the book was published. The book contained a detailed account of the Bodos and in many ways reflected the self description of the Bodos. This acted like a catalyst and infused an emotional sense of unit, built of self-confidence and inspired self-pride during the Bodo Movement.

Assertion of Indigeneity or Son of the Soil: The Bodo movement not only sought to establish the Bodos as the aboriginals of Assam but it also questioned the influence of the Assamese over Assam. It is evident in the writings of Chaudury (1993) the Bodo assertion had a negative base. On one hand they rejected the state government of Assam as true representative of their interests and aspirations. On the other they refused to share the territory which they claimed had been their kingdom in the ancient times, with other groups. This notion asserted son *of the soil* claim which resulted in violent clashes.

Identity assertion as son of the soil has all Assam dimension which subsequently manifested in tribe–based identity movements. At the core of the Assam movement against foreign nationals the son of the soil feeling was a crucial motivating force. This feeling has two features. First it involves a political concession against the dominance of the major society. This is reflected in Bodos' questioning to the State government of Assam. A number of organisations like the All Bodo Students Union (Upen Brahma group), the Bodo Peoples' Action Committee (BPAC), the All Bodo Students Union (Ramsiary group), the Plain Tribal Council of Assam (PTCA) and the United Tribal Nationalist Liberation Front (UTNLF) expressed their feelings of alienation from the Assamese society in course of the movement. In view of this, they showed their solidarity for the demand of separate Bodoland.

Second, the members of the minor asserting groups claim indigenous rights over land and other resources. For instance, the question of land alienation along with reassertion of indigenous rights over ancestral home land has been crucial feature in Bodo Movement. To assert the identity of son of the soil the Bodo Movement adopted democratic means on one

hand to establish Bodoland. But on the other they keep involving in violent clashes over community claim of ancestral territory. The claim is publicly declared after the 1993 agreement to form an autonomous region for the Bodos by excluding the areas in which Bodos are in minority. It is reported by Bhaumik (2009) that the Bodo hardliner argued, 'those areas historically belong to the Bodos and will be part of our independent homeland'.

The fall out was violent clashes against other communities in those areas. In October 1993, a few months after the Bodoland Accord, Bodo militants attacked Bengali Muslims. As Bhaumik reports, in 1995-96 the Bengali Hindus were attacked and in 1996 Adivasis. These attacks were retaliated by forming *the Adivasi Cobra Militants of Assam* ACMA) and *the Bengal Liberation Tigers*.

The violence continued- the Bodos claiming territorial rights over ancestral land and other settlers in the area opposing this claim which resulted in granting s the Sixth Schedule Status to the Bodos in 2003. But still some of the claimed areas remained outside the territorial boundary of autonomous council. The demand of the Bodos continued and the worst violence took place in 2012. As Misra (2012) reports, the Bodos clashed with the immigrant Bangladeshi settled in BTC. About a hundred people lost their lives, several brutally wounded, villages were burnt and thousands were displaced in a mere 30 days time.

Now you might have understood how identity assertion has a violent dimension when it is coloured by 'son of the soil' ideology.

Identity Construct: Affiliation and Disaffiliation: In the process of emerging identity, a trend of affiliation and disaffiliation is noticed. The Bodos manifested a greater Assamese identity .it is not a surprise when they participated during the Assam movement on the issue of foreign nationals. Naturally, Bodo students jointed the All Assam Students' Union (AASU) in the movement against illegal immigrants. During the Assam movement many of the Bodo youth worked along with the All Assam Students' Union (AASU). George (1994:880) writes that the Bodos got disillusioned after the Assam Accord was signed. They began to perceive that the new government's stance towards them was not much different from the previous government. So they disaffiliated from the AASU and formed the All Bodo Students Union (ABSU) which spearheaded the Bodo Movement in the late 1980s, for a separate Bodo state- "Bodoland".

In 1992 when they launched *bandh* it was supported by the Autonomous State Demand Committee (ASDC) of Assam. George (1994) comments that such a support was important as it enabled the Bodo movement leaders to forge alliances with organisaitons from which they previously had distanced themselves, including the AASU. Even the agitation leaders, as George (1994) quotes a news report, realised the need to forge a broader alliance of parties and groups, including with those that were not committed to a separate Bodo- land but were opposed to the ruling Congress (I) regime in Assam.

In their attempt they also tried to forge a greater Bodo identity of such communities as the Dimasa, the Koch Rajabanshi and other Bodo tribes. The attempt to incorporate the Koch

community under the aegis of the "greater Bodo stock" fell short of agreement. The Bodo leadership tried to integrate the Koch community into the generic identity- 'the Bodos', by declaring that the Koches as an offshoot of the Bodo stock. On the basis of this consideration, the Bodo leadership supported the movement of the Koch people for Schedule Tribe (ST) status. When a relatively advanced Koch community was provisionally given the ST status in the mid 1990s (which was subsequently withdrawn), they took away an overwhelming share of the government jobs and seats in the educational institutions reserved for the STs. The new relationship of fraternity soon turned into one of competition. Even the Koch Rajabanshi joined hands against Bodos' claim of territorial rights. The All Assam Koch-Rajbongshi Students Union became a constituent member of Non-Bodo Protection Forum (NBPF) to retaliate Bodos' attacks. The identity formed through NBPF is an affiliated identity of the All Assam Minority Students' Union (AAMSU)-represented by Muslim settlers, All Assam Koch-Rajbongshi Students' Union, Bengali Students' Federation, the All Assam Gorkha Students' Union and the All Assam Tea Tribes Students' Union. The response of other groups like the Sonowal-Kacharis and the Thengal-Kacharis were also not amicable to the project of identity building by the Bodos.

4.6.2 Donyi-Polo Movement

Donyi-Polo movement is an identity movement among the Tani group of tribes of Arunachal Pradesh. It is a part of the greater indigenous religious movement aimed at preserving and protecting traditional religious rights in the face of conversion to alien religion and impact of development forces.

Precisely, forging of religious and cultural identity based on   traditions forms an important dimension of the Donyi-Polo movement. As mentioned, this movement has its rival in the wake of the perceived threat felt from   dominant religious forces, especially Christianity and Hinduism.   Apart from the threat of alien religions, the introduction of education and contact with other societies have also raised questions about many aspects of traditions to which Donyi-Polo movement has tried to address. In this sense it is a reform movement.

Donyi-Polo movement, as you know, is the movement of Tangi group of tribes to assert religious identity. The Tani group of tribes which includes the Apatani, Nyishi, Adi, Galo, Mishing, Hill Miri (Nyishi), and Tagin. The Mishing group   settles in Assam and others in Arunachal Pradesh. The Donyi-Polo movement, though is common to all the tribal groups, each tribe has specific features. For example, the Donyi-Polo movement among the Nyishis is well known as Nyedar Namlo movement because the movement centre around Nyedar Namlo- the house of purity, i.e. the place of worship. In the same line the Donyi-Polo movement among the Adis is Ganging movement because the Ganging (the place of worship) is at the centre in the process of institutionalisation of Donyi-Polo religion.

The specificity is also noticed in the image constructed in the house of worship. You will find that the Nyishis emphasize more on Donyi (the sun), and so its painted image is displayed inside the Nyedar Namlo. In their prayer also unlike the Adis, they hardly use the word Polo (moon). They call to the Donyi often whenever they are in need or trouble. In this way, Dangmei (2012) writes, two sects are emerging out of the broader form of Donyi-Polo faith. Nevertheless, philosophically there is hardly any difference as the two groups basically accepted Donyi- Polo as the Almighty power of the universe. The mythological background

relating to origin, evolution and role of Donyi-Polo is also more or less same. Therefore, we shall discuss Donyi-Polo faith as promoted in the process of institutionalisation with reference to the Adis and Nyishis.

Several first generations educated and other enlightened persons are the pioneers of Donyi-Polo movement. Talom Rukbo is considered to be the father of this movement though stalwarts like Oshong Ering, Kaling Borang, Tamo Mibang, and later Narmi Darang, etc. from among the Adis have contributed greatly to the movement. The long time Chief Minister of the State, Shri Gegong Apang, not only believed in the movement but patronised it in many ways. In other communities mention may be made of Tumpak Ete, Joram Begi, Bengia Tulom, Tejum Padu, Tai Nyori, Mihin Kanning, Tedi techi, N.Tana Ekha, kamen Ringu, Likah Taje, Hage Kojin, Nabam Tata, Nabam Atung, Tana Showren, etc. whose tireless efforts made the movement widespread and a success.

Individual efforts got proper direction through establishment of various organisations. Some important organisations are *Tani Jagriti*, *Arunachal Pradesh Priests Association* (renamed as *Arunachal Pradesh Nyobu Welfare Association*), *Nyishi Culture Society, The Donyi-Polo Mission, Donyi-Polo Yelam Kebang*, *Indigenous Faith and Culture Society of Arunachal Pradesh*, and *Nyishi Indigenous Faith and Culture Society and Adi Cultural & Literary Society* which work towards preservation and promotion of cultural and religious traditions.

The Adis formalized the Donyi-Polo faith as an indigenous religious tradition and propagated it through *Donyi-Polo Yelam Kebang*. The Nyishis too believe in Donyi-Polo, with more focus of Donyi, and have formalised the new faith through Nyedar Namlo (spiritual, pure house). Nyedar Namlo is a purely religious body and was established on 27 January 2001 at Doimukh under the aegis of *Nyishi Indigenous Faith and Culture Society*. Subsequently, branches have been established at many places like Yazalee, Palin, Kimin, Balijan, Itanagar, and Naharlagun, which are centrally placed under the guidance of Doimukh Nyedar Namlo.The person behind the movement is Nabam Tata, a known figure in the field of socio-cultural aspect of the Nyishis. He initiated the move and conducts the proceedings of the Nyedar Namlo. Like the Donyi-Polo Yelam Kebang, the Nyedar Namlo organizes regular prayer meeting in a fixed place like those of church and temple. Tana Showren (2003) informs that besides the daily prayers, a week end public prayer is conducted on Sunday. The prayer in the Namlo has four sequential parts. The first one is called salutary/introductory prayer; second one is initiation of main invocation, third prayer is for new devotees/members for admission to Namlo and the last one is the main supplication prayer.

As already mentioned, the *Nyishi Indigenous Faith and Culture Society* has played a crucial role in formalising Donyi-Polo movement through Nyedar Namlo. Tana Showren (2003) informs us the aims and objectives of the Society in its first Executive Body Meeting. The aims and objectives are bed rock of the religious identity asserted through the reformative Donyi-Polo movement. These are:

- to preserve and promote the indigenous faith and belief of the Nyishi;
- to propagate the diversified ethnic, religious and cultural practices;
- to educate the people about the values, art and social mores of the Nyishi community handed down from the ancestors by organising seminars, symposia, cultural exchange programme, fairs, festivals,etc.;
- to honour and preserve the institution of Priesthood and to promote original social life of the Nyishi;

- to make arrangement for documentation of oral literature of the Nyishi, like mythical folklores, folktales, folk songs and publication of such works in many forms;
- to discourage and check that the ritual ornaments and dresses of the tribe are not misutilised;
- to check borrowing and usage of Nyishi mythological words in other religions and faiths;
- to check that the tradition, culture, customs, practices and rituals are not misinterpreted in any form;
- to raise, receive, and secure fund to carry out the aims and objectives of the Society; and
- to foster unity and brotherhood by organising medical and relief camps as per necessity.

The aims and objectives clearly show the commitment to preserve and promote traditional religious faith and cultural norms. In doing so the focus is on preservation and promotion of religious and cultural identity. The aims also display the commitment to address the issues digressed due to misinterpretation and misutilisation of traditional practices in the area of mythological words and ritual objects. The aims also recognise and include medical services, relief needs within religious domain.

Like the *Nyishi Indigenous Faith and Culture Society, the Donyi-Polo Yelam Kebang* of the Adis direct the Donyi-Polo movement. It was formed on 31 December, 1986 under the guidance of Talom Rukbo, Secretary of Adi Cultural & Literary Society. The Donyi-Polo Yelam Kebang has formulated, as is presented by Dangmei (2012), the following aims and objectives for the preservation and promotion of Donyi-Polo faith:
- to organize Donyi-Polo as a functional religion under the authority of the Kebang;
- to accept Yelam Kebang as the authority of the Donyi-Polo faith;
- to make the idols of Donyi-Polo and other benevolent gods and to construct temples (ganging);
- to publish books of hymns and prayer, traditional teachings and injunctions of the Donyi-Polo known as Abang;
- to establish prayer centres, Ganging to accommodate people for prayer and worship;
- to celebrate the festivals which are the ingredients of the faith; and
- to preserve and follow the age-old traditions as the basis of any innovation, modification and reform in the religious practice.

The aims and objectives of the *Donyi-Polo Yelam Kebang* reflect main guidelines of the Donyi-Polo movement. In this context, it is to be mentioned that the main purpose is to preserve and promote the traditional faiths and beliefs to meet the new requirements. Obviously, the guidelines have new discovery not only to assert religious identity but also to address emerging issues. About new discovery Talom Rukbo (1998) writes the following objectives and actions initiated for promotion of the traditional faith:

i. To strengthen the faith on Donyi-Polo, pieces of meditation and prayers are composed in order to create a means for direct communication with Donyi-Polo.
ii. In order to practise spiritual aspiration for self satisfaction and self confidence towards achievement of salvation, regular prayer and sermons on every Saturday are

conducted at Donyi-Polo Dere by Yelam Kebang, where codes of moral conducts and disciplines are taught in the mass prayer.

iii. Orientation course for further enlightenment for self realization are conducted twice in a regular manner.

iv. To remove the suspicious and superstitious outlook which cause moral weakness, blessing of Donyi-Polo are sought through prayer to regain strength of mind.

v. Through prayers, worship is performed for the good health, good mind, peace and happy life.

vi. Through prayers evil spirits which attack and assault innocent persons are driven out and taboos which are chronic disease of the society are totally stopped for the affected family. Through these ways all worries and melancholies of mind are removed and relieved.

The Central Donyi-Polo Yelam Kebang is based in Pasighat, and it guides the Yelam Kebang at district, block and village levels. Every important matter is discussed and deliberated, and passed by the Central Yelam Kebang. The mode of selection for the appointment of persons in the Yelam Kebang is simple. The people democratically select experts/ priests to lead the Yelam Kebang in their own respective areas. Traditionally, there is no institution of the priest in Donyi-Polo faith.

Believers of Donyi-Polo faith are advised, as Talom Rukbo (2000) writes:

- to have fear and faith on Donyi-Polo;
- not to tell a lie; and
- not to commit theft.

This is because Donyi-Polo always sees the movement of all beings. 'He is being omnipresent, there is no place to hide from His sight; there is no time to hide from his ear; there is no space to escape from his hand'. Oshong Ering (1998) also describes virtues of Donyi-Polo which means truthfulness, wisdom, enlightenment, blissfulness, right conscience, compassion, love, peacefulness, selflessness, friendliness and other virtues that lead man to attain perfection. The doctrines of Donyi-Polo philosophy are nicely spelt out by Talom Rukbo (1998) in the following words:

- It is the supreme governing power of the universe.
- It is the ever probing power which is Almighty, omnipresent, omniscient and omnipotent.
- It is the supreme judge of highest court of eternal law.
- It is the source of all life and energy of living beings.
- It is the divine light, wisdom and knowledge, truth and brotherhood.

In addition to the above doctrines, Rukbo has informed us about the following qualities and qualifications of virtues in Donyi-Polo faith.

1. All living and non-living objects are creation of Donyi-Polo.
2. Purity, openness, truthfulness, love, peaceful co-existence are eternal laws.
3. Rightness, justice, kindness are path to the Donyi-Polo.
4. Equality, fraternity, self-respect, and self-reliance are the qualities and qualifications of Donyi-Polo faith.
5. Mercy and apology with understanding are divine qualities of Donyi-Polo faith.

6. Theft, lies, hatred are against Donyi-Polo faith and therefore they are sins.

From above discussion you are now clear that Donyi-Polo movement has a number of implications. First, it asserts religious identity. Obviously, it involves religious and cultural rights of Tani group of tribes as it directs efforts toward preservation and promotion. It is a reformative movement as it aims at institutionalising the traditional faith and practices.

4.6.3 Kalinga Nagar Movement

Kalinga Nagar killings in 2006 is an incident of tribal resistance to industrial projects on their land. The resistance movement is a social movement with environmental dimensions. The tribal people resisted to land occupation and thus establishment of industries on their land. Industries, as you know, degrade environment by degrading soil, polluting water by draining out industrial effluent to water bodies, polluting air from emissions toxic gases and by deforestation to clear land for factories and settlement areas. Though the resistance was not directly concerned with environmental aspect, it is implied by resisting establishment of industries which has effects on environment. Moreover, the support they got from NGOs and other groups was based on the ideology of environmental concern (see Mishra,2010) along with questioning the development model (see Mishra,2006).

Kalinga Nagar is a planned industrial and modern town located in Jajpur district of Odisha. The area belonged to Danagadi and Sukinda Blocks of the district and is mainly inhabited by people of the Ho tribe. The area is rich in iron ore. In 1990s the IDCO (Odisha Industrial Infrastructure Development Corporation) acquired land from public to develop infrastructure for steel producers-hub. A large number of steel plant projects were planned by Jindal Steel, Tata Steel, Neelachal Ispat Nigam Limited (NINL) and many others.

Tata Steel was the first to set up its plant. The resistance began with *bhoomi puja* in 2006. But it declined later giving way to the development of Kalinga Nagar as a steel hub. In fact the people became powerless against the muscle power, political power, police power, money power and bureaucratic manoeuvring, and ultimately came to terms. The course of the movement can be understood with reference to four stages mentioned by De la Porta & Diani 2006:150). The stages are

- Emergence,

- Coalescence,

- Bureaucratization, and

- Decline.

The first stage is the formation stage marked by widespread discontent (see Macionis, 2001) and the potential participants show unhappiness with some policy or condition. In Kalinga Nagar movement, tribal land acquisition by IDCO is the beginning of tribal discontent. The uneasiness shown initially becomes consolidated and collective which is called the stage of coalescence. In this regard Rex D. Hopper (1950:273) states that 'unrest is no longer covert, endemic, and esoteric; it becomes overt, epidemic, and exoteric. Discontent is no longer uncoordinated and individual; it tends to become focalized and collective'. At this stage people know what the unease about and who or what is responsible for it. At bureaucratization stage, the movement becomes formalised, strategies are formulated and actions initiated. Tribal resistance

to *bhomi puja* marks the beginning of third stage. The fourth stage is decline which has four possibilities, namely repression, cooperation, success or failure. Cooperation is acceptance to the game plan of 'out-group', what Macionis (2001) calls establishment with mainstream. This is evident when the tribal (in-group) participants of the movement accepted the doles given by Tata Steel and the movement pacified.

In this movement there is in-group and out group rivalry and the efforts to change the condition imposed on them for better life. Land alienation was perceived as livelihood insecurity and the doles given changed the feelings of insecurity and people cooperated with the company.

The critical presentation of Kalinga Nagar movement will be clear to you if you know the background. We will discuss the movement and its background with reference to the writings of Padel and Das (2010). The Kalinga Nagar complex was conceived in the 1980s and the government started negotiating for land acquisition in 1990. The first steel plant was completed by Nilachal ispat Nigam Ltd on 2,700 acres displacing 634 families and rehabilitating a few who agreed to do so. Several other companies including the Jindal, have also completed steel plants. But in May 2005, police lathi charged a protest against Bhumi puja being performed by Maharashtra seamless Steel. A few tribals were killed, many injured and detained. Though the company withdrew, pressure mounted upon to construct another company. This was resisted.

On 2 january,2006 hundreds of tribals from 25 villages heard that Tata was about to start construction on their land. There were bulldozers on the site escorted by a huge contingent of police force. A tribal delegation met the authorities with no response. When the tribals were advancing, dynamite exploded to stop them. In course of the event a police was killed. This death triggered police firing killing 14 tribal persons.

After these killings, the Bisthapana Birodhi Jan Manch (BBJM)) created a lot of publicity. It blocked the National Highway. The blockade was finally lifted in March 2007 under the intense pressure and promises from the government. Tata started its construction since then.

There were two problems for which people resisted the construction. First, those who had land and land deeds (*patta*) did not agree to displacement. Second, those who had land but no *patta* did not have access to compensation and rehabilitation benefit. You know that tribal land tenure is governed by their tradition and in most of the tribal areas land records are not available. Tribals own land according to customary norms and thus are alienated from land when they encounter formal legal rules.

The Ho tribe who lived in Kalinga Nagar area had come from present Jharkhand more than 100 years ago. They were invited by the king of Sukinda to bring Sukinda forest lands under cultivation. About 80 per cent of the migrated families did not receive *patta* and they did not have need of it as they never felt its importance. Obviously, many of them did not have proper land titles. They cultivated the land on the words of the king and paid in terms of goti (see Sahoo and Mishra,2017). The rehabilitation policy rehabilitated them but reduced them from cultivators to unskilled industrial workers.

Acceptance to the establishment of industries under pressure however did not satisfy their sense of opposition. Time and again they organise oppositions, but face attacks and threats from *goonda*s. On 5 January, 2007 when tribal protestors they were demonstrating against

the Jindal Steel Company for not giving local people preference in employment 12 of them were allegedly beaten up by security officials.

The movement has multidimensional implications. But for the tribals it has an identity marker as their identity in development process was compromised. Their identity was defined not in terms of their traditional customs and norms but in terms of national development agenda. The movement was also environmentally meaningful as the tribes protested against encroachment to their natural environment of land tenure.

4.6.4 Narmada Bachao Andolon

Narmada Bachao Andolon (NBA) is the most popular environmental movement in 1980s and 1990s against large dams in India. This movement was organised against the Narmada River Valley Development Project (NVDP). According to the project plan, dams were to be constructed in the Narmada River along its course in three states. The states are Madhya Pradesh, Maharastra and Gujarat.   As pointed out by Nepal (2009a), the project had envisaged   30 big dams, 135 medium dams, and 3000 small dams   on the Narmada River and its 41 tributaries. Among the dams, the Sardar Sarovar Project (SSP) and the Narmada Sagar Project (NSP) are the two largest dams.

The dam project was first conceptualised in 1946 by Sardar Vallabhbhai Patel. The foundation stone for the project was aid by Prime Minister Jawaharlal Nehru in 1961.

During the time more than 22 million people were estimated inhabiting the valley and several tribal groups, particularly Bhils and Gonds used to occupy the forested uplands. The project is estimated to affect over 0.25 million of people. The height of the Sardar Sarovar dam was sanctioned to be 138.68 m and the construction work of the dam began in 1987 after obtaining th enecessary environmental clearances.   The SSP alone would submerge 245 villages: 19 in Gujarat, 33 in Maharastra, and 193 in Madhya Pradesh and almost 40,000 hectares of land. Thus these two projects have remained controversial owing to their large-scale displacement and problems of humane rehabilitation. This has resulted in the emergence of the protest movement   called the '*Narmada Bachao Andolan*'(NBA).

Narmada Bachao Andolan gained huge public attention under   Medha Patkar along with the support and participation of Baba Amte, Arundhati Roy Sungarlal Bahuguna, Aamir Khan along with environmentalists and human rights activists.   At the beginning it was centred on the issue of human rights as it started as a protest for not providing proper rehabilitation and resettlement for the people who have been displaced by the construction of Sardar Sarovar Dam**.** Later on, the movement turned its focus on the preservation of the environment and the eco-systems of the valley.

 As you know, there were resistances before Medha Patkar mobilised and organised the oustees, mostly tribals. Even she laid down the ground work for local mobilisation in Akkalkua and Akrani tribal areas of Maharashtra. The Khedut Mazdoor Chetna Sangh (KMCS) in the submergence zone of Alirajpur in Jhabua district of Madhya Pradesh started local mobilisation against the dam in early 1980s. On 16th August, 1979 the caste Hindu farming communities of Western Nimad Plains initiated the first resistance against the SSP first as 'Nimad Bachao Andolan' immediately after the Narmada Water Disputes Tribunal

(NWDT) presented its final award. In the tribal areas of Gujarat, anti-dam resistance began under the leadership of ARCH Vahini(AV).

 But Medha Patkar made the resistance movement a mass movement. She is social worker who worked among the tribals of the Narmada Valley in the mid-1980s. Realising the disastrous effect of big dams on the Narmada in the live of poor tribals and peasants and on environment she mobilised people against the dam project. Narmada Bachao Andolan objected the dam project on three main grounds. First, they estimated that the dams would force the displacement of about a million people and affect many more, largely poor peasants and tribals. Second, dams would also cause immense ecological damage through the inundation of forests, including prime habitats of rare species. Third, drawing on experiences about the benefit accrued from large dams, they suspected that benefits of hydropower, irrigation and drinking water might be much below the projected target.

NBA is normally equated with the campaign against Sardar Sarvor Project (SSP), but it is more than the struggle against the SSP and embraces within its fold the protests against the Indira Sagar, Maheshwar,   Omkareshwar and Bargi dams too.

The NBA also found resettlement and compensation provisions totally inadequate. They were in all doubt whether the oustees would be properly resettled and compensated and whether ecological damage adequately compensated. The environmental issue was taken into court. Sangvai (1995) states that the court in its oral observations also expressed concern over the irreversible construction work and submergence. A review committee report doubted the government estimates of the water availability in Narmada and asked for a fresh estimate. One of the impacts of the movement is that the World Bank withdrew from the project. However, in October 2000, the Supreme Court gave a judgment approving the construction of the Sardar Sarovar Dam with a condition that height of the dam could be raised to 90 m. Later, the dam's height was raised to 121.92 metres and by 17th September,2017 when Prime Minister Narendra Modi inaugurated it in Narmada district's Kevadia, the dam's height attained 138 metres,   the initial height planned. A news item in Indian Express reports that the gates were closed to increase the height of the dam from 121.92 metres to 138 metres and the storage capacity from the existing 1.27 million cubic metres to 4.73 million cubic metres (MCM).

Long years of movement did not succeed. The protestors, particularly Megha Patkar has been labelled with various charges. The most important aspect of the movement is that it has been following peaceful means all through. Padam Nepal (2009: 197 & 2009a:834) informs that the movement uses various tools of protest such as *Satyagraha, Jal Samarpan, Rasta Roko, Gaon Bandh,* demonstrations and rallies, hunger strikes and blockade of projects.   The news item reports that on 17th September 2017, at 3 am, women led by Medha Patkar entered the water, while a huge posse of police, district officials and two small boats of the National Disaster Management Authority watched from a distance. For five hours, they remained inside the river, their faces visible, shouting slogans, singing songs, listening to speeches. However, the peaceful movement was not taken peacefully by the administration. On the day of inauguration, around 3,500 people were doing peaceful Satyagraha at Kevadia colony.

They were forcibly picked up by the police after a lathi-charge and left in distant locations, while several were detained.

By now you might have learn that NBA was not successful. The dam could not be prevented. Yet, the movement questions the western and capitalist model of development, as much as believes in the synthesis of nature and humanity for a sustained development strategy. It has affected rehabilitation and resettlement policy and the movement has centred its focus on rights issues. Nepal (2009) maintains that the movement is thriving with an arduous toil, harping primarily on the issue of full and just rehabilitation of the already ousted people, and surviving as a part of the broader canvass of peoples' movement in India

4.6.5 Niyamgiri Movement

The Niyamgiri resistance movement is an environmental movement though apparently it is a right based movement of Dongoria and Kutia Knodhs to protect their traditional rights over resources. Padel and Das (2010) maintain that environmentalists supported the movement by the people recognising that they lead the most 'sustainable' lifestyles. Moreover, environmentalists' critiques of industrial mode of development are based on recognition to tribal cultures' systems of knowledge about the earth and nature. Needless to say, movement to save the nature as is at the core of Niyamgiri resistance movement is an environmental movement of our time.

The Niyamgiri Hills in southern Odisha form a mountain range. The hill range is situated in the districts of Rayagada and Kalhanid districts. Niyamgiri is an area of densely forested hills, deep gorges and a number of streams feeding Bansadhara river. Huge reserve of bauxite is found in this hill range.

> A fascinating challenge facing today's environmental movement is how to best approach the reversal of past decisions that altered once- pristine environmental spaces for the sake of urgent man made needs. - Matt Gonzalez

The hill range is home to more than 8,000 of the Dongoria Kondh people who live in villages scattered throughout the hills. The tribe is one of the Particularly Vulnerable Tribal Groups (PVTGs) in India. The lifestyle of the people and their faiths and practices has helped nurture the dense forests and rich wildlife. It is a taboo for them to cut trees on the top of the hills. Taboo has played a vital role in the preservation of forests and wildlife in the area. They believe that the top of the mountain is the abode of their god, the Niyam Raja. They believe that they are descendants of Niyam Raja and he is also believed to be the creator of the Niyamgiri range of hills. Moreover, as the Dongoria Kondhs believe, thier right to cultivate Niyamgiri's slopes and meet other livelihood needs has been conferred on them by Niyam Raja. So they worship the top of the mountain as the seat of Niyam Raja and protect the forests there.

When the Sterlite Industries Ltd. (later renamed as Vedanta Resources) attempted to mine bauxite from the Niyamgiri hills, the Dogoria Kondh and another tribe, namely Kutia Kondh opposed the mining. The Vedanta had signed a memorandum of understanding with the state government of Odisha in 1997 and started acquiring land for the construction of an

aluminium refinery at the foot of the Niyamgiri Mountain in 2002. The protests against Vedanta Resources, therefore, can be traced to 2002.

In the beginning, local residents who were opposed to the construction of the refinery led the protests. Later, activist-minded citizens from neighbouring towns, as well as professional activists who were active in the region joined the protests. Initially, local activists used the language of environmental justice to protest against the mining company. They protested that the pollution from the refinery was damaging the health of the people who lived around it. When it later became public that Vedanta Resources was also planning to acquire and mine the Niyamgiri Mountain, the activists supported the Dongaria Kondhs in their movement.

The resistance of Dongoria Kondhs drew not only local support, but also gained support from national and international fronts. A number of celebrities like Human rights campaigner Bianca Jagger, Charls Darwin's great grandson Professor Felix Padel and Booker Prize winner Arundhati Roy along with Joanna Lumley and Michael Palin supported the cause and spoke out in favour of the resistors. Organisations like Amnesty International, Survival International and Foil Vedanta visited the protest site in India regularly, lobbied for the protestors and organized mass rallies outside the company's London office. They drew the attention of investors in Vedanta Resources to the genuine problems of Dongorial Kondhs. Witnessing Vedanta's atrocious treatment of the Dongria Kondh and its involvement in the gross violation of human rights, many international investors like the Norwegian Government Pension Fund, Martin Currie, the Church of England and Marlborough Ethical Fund sold their stocks in the company.

 However, the mass support has also an ugly dimension. A news paper report states how the movement has been perceived at the government level. In April 2017, Union Home Ministry had come up with a decision to link the Niyamgiri Suraksha Samiti (NSS) to the Maoists. In its annual report, the ministry wrote: "In Niyamgiri Hills area (Districts Rayagada and Kalahandi, Odisha), the outfit [the Maoists] continued to guide the activities of the Niyamgiri Suraksha Samiti".

 The Dongoria Kondhs adopted various means to oppose not only mining activities on the top of the mountain, but also knew that as long as the refinery is operational at the foot of their hills, they do not feel their mountain is safe. So organised roadblocks formed a human chain around the Mountain of Law and even set a Vedanta jeep alight when it was driven onto the sacred mountain top. The slogan was: We are Dongria Kondh. Vedanta cannot take our mountain.' The leaders said: "Vedanta can give jobs to only a few, but Niyam Raja has given us everything." "We will keep fighting till the end. We will intensify our agitation." The following paragraphs, prepared on the basis of various reports, describe the course of movement of the Dongoria Kondhs.

 On May 7, 2008 hundreds of members of the Dongria Kondh marched through Bhubaneswar, and staged a sit-down protest on Mahatma Gandhi Street, which leads to the state assembly. Like Kalinga Nagar, goondas of the company and its employees continuously threatened the protestors. However, they were committed to their cause. So, when on October 8, 2008 when they learnt that the Vedanta intended to start survey work for the alumina refinery, 150 people erected barricades and blocked the road leading to the site. Under police pressure and threats from hired goondas, the protestors removed the barricades two days later under but remained watchful and vigilant to the movement of the Vedanta men and vehicles.

Twelve days later   on October 20, 2008 the Kondhs demonstrated a novel way of protest. Hundreds of them marched dancing and singing along the streets of Bhubaneshwar armed with traditional weapons.

As you know the Kondhs were watchful and vigilant to the activities of the Vedanta. it did not come as a surprise when around fifty protestors blocked and prevented the midnight entry of Vedanta workers into their land on January 6, 2009.   However, their biggest show of strength was   on January 17, 2009. On that day about 7000 demonstrators- people from various tribal groups, women, farmers and day labourers- marched to the gates of the alumina refinery. Many of them had carried their traditional weapons such as bows and arrows. They destroyed the Vedanta sign boards   erected across Niyamgiri area. Within 10 days, on January 27, 2009 thousnads of men, women and children formed a 17 km long human chain around the Niyamgiri Mountains, preventing the Vedanta bulldozers from demolishing the mountain. The protestors carried placards bearing the slogans 'Vedanta, go back' and 'Stop mining in Niyamgiri'.

Such a massive protest drew the attention of the Government which   sent a team of experts to the Niyamgiri Hills in 2010. The team reported in their March, 2010 report   that Vedanta's proposed bauxite mine would be detrimental to the existence of the Dongria Kondh. The report also recommended the government to deny the diversion of forest land to the company.

> The people know their rights, and they are never slow to assert and maintain them when they are invaded. - Abraham Lincoln

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Check Your Progress III
Choose the Correct word/phrase and fill in the blank

1. Identity assertion may take either peaceful or ---- forms (democratic, violent).
2. 'Son of the Soil' ideology considers ---- as rival ('ethnic others', the 'state').
3. Chipko movement is a ---- based movement (forest, mining).
4. Appiko is an …. . movement (environmental, identity).
5. Tribal movements to resist development projects are based on the threats of ….. (displacement, livelihood options).
6. Compensation to tribal oustees of development projects is a problem as they do not have….. (formal land records, political connection).
7. ……(Land alienation, Demand for Sixth Schedule Status) has been the major force behind violence in Bodo Movement after 2003.
8. …….(Narmada Bachao Andolon, Niyamgiri Movement) has been a successful tribal social movement.
9. Bodos have been able to assert their identity by gaining ….(political autonomy, Bodoland University).
10. Donyi-Polo faith believes in …. (truthfulness, tactful means).
11. Kalinga Nagar movement is a resistance against….(industrial plants, mining activities).

12. Niyamgiri movement is a …. (tribal movement, environmentalist movement) against environmental degradation.

The Dongria Kondh emerged victorious on 21st August, 2010 the reviewing of the mining project carried out by the MoEF exposed the violation of a number of environmental regulations by the company. A few days later, Environment Minister, Jairam Ramesh called a halt to the project. Two months later, the Environment Ministry also rejected Vedanta's plans for a six fold increase in capacity at the Lanjigarh alumina refinery.   After denying the company Forest Clearance in 2010, Jairam Ramesh delivered a final blow by revoking Vedanta's Environment Clearance in July, 2011. The Dongria Kondh welcomed the Ministry's decision with celebrations and processions throughout Niyamgiri.   In December, 2012 Vedanta Aluminum Limited was compelled to declare the closing of the Lanjigarh alumina refinery due to the insufficient supply of bauxite. Another victory came when on April 18, 2013 the Supreme Court rejected the appeal on the mining ban and recognised Dongria Kondh's rights to decide upon continuity or discountinuity of Vedanta's mining project. The court also further recognized Kondhs' right to worship their sacred mountain and decreed that such rights must be 'protected and preserved'. It also decreed that religious and cultural rights must be heard in the decision-making process. The court provided them with three months to come to a decision about the hazardous mining project.

Accordingly, 12 Gram Sabhas (village councils) were chosen by the state government to make the crucial decision. In the three months after the Supreme Court ruling the Gram Sabhas voted against the mining project.   In January 2014, the Ministry of Environment and Forests, which had earlier aided Vedanta's invasion of Niyamgiri, completely rejected the project.

Needless to say, the Dongoria Kondhs fought a successful battle against mining baron in their quest for environmental justice, protection of cultural rights and traditional livelihood means.

The environmental problems that would have emerged had the mining activities undertaken are enormous. Mining would have resulted in deforestation and affected the rich wildlife. Mine workers,   heavy machinery and trucks would place an enormous burden on the forests which would be exploited for firewood. It would also place burden on wildlife which would be exploited for food along with forest resources. Further, the area would also become accessible to poachers and illegal loggers. It is for your information that the bauxite-capped Niyamgiri hills soak up the monsoon's rain.   Several streams and rivers rise and feed to big rivers like Banshadhara. These streams provide water for drinking and irrigation purpose. The open-cast mine would have disrupted its rivers, dried them up and destroyed not only livelihoods but the belief system and thus ecological knowledge of the Dongorias.

  Several news papers and Padel and Das (2010) report that due to refinery at the foothills Kondh people suffered from skin problems, livestock diseases and crop damage. Red mud polluted soil and when dried polluted air. Government report also admitted 'ground water contamination' caused by 'alarming' and 'continuous' seepage of the red mud. The toxic waste having been leaked into the Banshadhara river also polluted the water.

4.7   Let us sum up

After reading this unit you have learnt that

- Social movement is a group movement aimed at making the life condition of members of the group better by changing the situation or the condition in which they live.
- Means adopted in social movements may be democratic or violent.
- Movements to assert identity and environmental movements are included in social movements.
- Religious movements, language movements, ethnic assertion, demand for political autonomy are examples of indentify movements.
- In a social movement there is an in-group whose Social movement launch the movement and an out-group or the rival party.
- Social movement passes through four stages namely emergence, coalescence, bureaucratization, and decline.
- Every social movement has an ideological base.
- Social movements of tribes are often characterised by the ideology of 'son of the soil' and thus display a type of closure identity.
- Economic considerations also often provide ground for identity movements.
- The social movements with focus on environmental conservation and improvement of the state of the environment are environmental movements.
- Contemporary environmental movements occur as resistances to development projects.
- In India environmental movements have been launched against development projects like mega dams, power projects, industrial plants, railway projects and mining.
- Bodo Identity Movement, Donyi-Polo Movement, Kalinga Nagar Movement, Narmada Bachao Andolon and Niyamgiri Movement are examples of important identity and environmental movements of our contemporary time.

4.8   Keywords

Andolon:	movement
Appiko (Kannad word):	to hug
Autonomy:	originated from two Greek words-*autos* meaning ***self*** and *nomos* meaning ***law*** or ***custom***; it refers to self law or rule
Bachao:	save
Bureaucratisation:	the third stage in the life cycle of a social movement also called *formalisation*; in this stage movement strategy is carried out by formal organizations and trained staff
Chipko (Hindi word):	embrace/to hug
Coalescence:	the second stage in the life cycle of a social movement marked by demonstrations and formulation of strategy and the coming together of various components of the social movement

Compensation:	monetary payment or other types of reward to someone to recover their damage or loss done by the paying party; it also refers to recovering the damage done to environment
Co-operation:	this is a means by which the movement decline; the leaders and rivals come to terms- the leaders are diverted by the rivals
Corporation:	a company or a group of companies that is controlled together as a single organisation by its owners and members
Eco-system:	refers to all living things and their relations-from plants to animals to microscopic organisms- that share an environment
Emergence:	the first stage in the life cycle of a social movement marked by discontent at individual levels
Environmental justice:	equality, equal treatment and participation of all citizens without any discrimination on the matter of the formulation, implementation and enforcement of environmental laws/regulations /policies
Ganging:	the place of worship of the Adis
Gaon Bandh:	refusing the entry of government officials in to the villages
Goonda:	a thug, muscleman or bully who threats and involves in criminal activities like beating, killing etc.
Identity:	tells who or what of a person or community/culture; quality of a group of being identical/similar; originated from Latin word *idem*, meaning same
Jal Samarpan:	sacrificial drowning in the river
Rasta rook:	road blockade at strategic points
Rehabilitation:	restoring to the former condition or normal life of the displaced people
Resettlement:	the process of settling the displaced people in a different place
Satyagraha:	political action based on truth and non-violence as coined by Gandhi
Social Movement:	simply it refers to collective efforts by members of a society to change the existing condition for a betterment of life
Vedanta:	name of a London based Multi-National Corporation

4.9   Probable Questions

Short Answer Questions

1. Why do tribes resist development projects?
2. What is a social movement? What is its scope?
3. Explain the idea of the in-group and out-group with reference to Bodo language movement.
4. Enumerate features of social movements.
5. Do you think environmental movements are social movement? Justify your answer.
6. Discuss the phases of social movement in the light of Blumer's suggestion.
7. Is identity movement a social movement? Which issues are included in it? Name a few identity movements in India after Independence.
8. Give examples to show identity assertion by tribes.
9. Do economic factors contribute to identity formation? Justify your answer with examples.
10. What is an environment movement? Discuss its nature with reference to some definitions.
11. Write a short note on movements against dam projects.
12. What is environmental movement? Why do such movements happen?
13. Briefly discuss autonomy movements in Assam
14. Explain language movement of the Bodos as an identity movement.
15. Briefly discuss the 'son of the soil' ideology with reference to Bodo identity assertion.
16. Write a note on Nyedar Namlo movement.
17. What constitutes an out-group in Donyi-Polo movement? Why?
18. Enumerate the objectives manifested in Nyedar Namlo movement.
19. Discuss the philosophical tenets of Donyi-Polo.
20. Are Narmada Bachao Andolon and resistance against Saradar Sarovar Project one and same? Explain.
21. Discuss the grounds on which dams on Narmada were objected.
22. What are the methods of protest adopted in Narmada Bachao Andolon?
23. What would have been the impact on health had the Vedanta resources continued their projects?

Long Answer Questions

1. Define Social Movement. Critically examine its nature and characteristics.
2. Write a critical note on identity assertions in the North east India.
3. Critically examine the nature and characteristics of identity movements with examples.
4. Discuss Donyi-Polo movement as an identity movement.
5. What do you mean by closure identity? Describe some movements to explain your points.
6. Critically examine the concept 'son of the soil' with reference to identity movements in the Northeast India.

7. How was Karbi identity threatened? What was the core objective of Karbi movement? Examine the issue of 'other' with reference to identity movement by the Karbis.

8. Write an essay on environmental movements in India after Independence? Why did tribes involve in such movements?

9. Give example of two movements to show that tribes consider both the government and the corporations as 'others' in the process of launching development projects.

10. Do you think social movements occur due to development model we have adopted? Justify your answer with reference to two movements.

11. Critically examine Bodo Movement organised for gaining political autonomy.

12. Discuss the role of Bodo Sahitya Sabha in Bodo Movement.

13. Critically examine the aims and objectives of Donyi Polo Movement with reference to Nyishi and Adi tribes.

14. Critically examine Kalinga Nagar movement in the light of four stages in the life cycle of a social movement.

15. Describe the contributing factors to Kalinga Nagar movement. Explain its course and consequence.

16. Make a critical assessment of exclusionary trend in our development model with reference to Narmada Bachao Andolon.

17. Though Narmada Bachao Andolon was not a success, it still continues. Explain.

18. The projects of the Vedanta Resources were opposed on the basis of its environmental impact. Discuss these impacts.

4.10   Answers to Check Your Progress

Answers to Check Your Progress I
1. true
2. true
3. false
4. false
5. false
6. true
7. true

Answers to Check Your Progress II

1. (iii)   2. (iv)   3. (iii)   4. (iii)   5. (iv)

Answers to Check Your Progress III

1. violent
2. 'ethnic others'
3. forest
4. environmental

5. livelihood options
6. formal land records
7. Land alienation
8. Niyamgiri Movement
9. political autonomy
10. truthfulness
11. industrial plants
12. tribal movement

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