Indigenous People: A perspective from Gujarat
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Introduction

Indigenous people are the first inhabitants of a country and hence the original owners of the land and its resources. The UN declaration on Indigenous people says:

"Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired" (Article 26-1, 2).

Factors leading to marginalization

In spite of this UN declaration indigenous people have been the most exploited and dispossessed group in the world. This is as true of India as of other places. Indigenous peoples have suffered from historical injustices as a result of, inter alia, colonization and dispossession of their lands, territories and resources, all of which prevented them from exercising their rights, in particular the right to development in accordance with their own needs and interests.\textsuperscript{2}

People from outside with different value systems and worldview have pushed the original inhabitants to the interior forests and mountains, and snatched away their land and rights over the resources. As time went by and more outsiders came into India, the British took control of the forest and forest resources and started using these resources to make profit. This approach was quite different from that of the indigenous people who have dealt with forest, land and natural resources from time immemorial. Besides, the rules and

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\textsuperscript{2}The UN declaration on the rights of indigenous peoples states: "From the perspective of many indigenous peoples, ‘dominant’ development paradigms and practices, characterized by ‘their strong focus on economic progress without the integration of cultural development, social justice and environmental sustainability’ have failed, since they undermined and negated indigenous peoples’ cultures and worldviews, even considering them as an obstacle. Indigenous peoples today continue to face serious discrimination in terms of access to basic social services and are disproportionately represented amongst the world’s poor. Many populations have suffered historically from forced displacement, and their vulnerability to the impacts of globalization and climate change remains particularly high." (Indigenous Peoples Development With Culture And Identity, from the website "Indigenous people’s Issues and resources").
regulations created by the British, which were continued in India even after Independence, made the Indigenous people “encroachers” and law breakers in the forest and in their own land. Thus the original inhabitants were pushed to the receiving end. ³ It is a fact that the majority of Adivasis or tribals continue to live below the poverty line, have poor literacy rates, suffer from malnutrition and disease and are vulnerable to displacement and seasonal migration. They are also subjected to physical, psychological and sexual exploitation. On the one hand, the country is developing fast in terms of both its GDP and its infrastructure, and on the other hand, the poor are becoming poorer and increasingly dispossessed. The majority of the poor and the displaced are from the indigenous communities.

With globalization extending its tentacles everywhere, the value system cannot help but be affected by the market economy. Indigenous people whose world view is one of “live and let live” and “nature and land as mother and life giver” are made the victims of this new economic policy. Their land is taken away by private companies and government in the name of development; They are reduced to mere labourers and victims of liberalization, privatization and globalization. In a country like India the indigenous people are used today as vote banks by the politicians, and as cheap labour in the big farms and construction companies.

Effect on Culture and Identity

Together with the effects of Liberalization, Privatization and Globalization, the forces of religious fundamentalism are also active in their midst, alienating them from their culture and destroying their identity. ⁴ Market forces and the profit-making values of the market economy are affecting tribal identity and changing their life style and traditional values. ⁵ The sanskritization process is causing the Adivasis to replace their cultural identity and adopt upper caste practices. One can see that Brahminical methods of celebrating rituals and observing Hindu festivals and visiting Hindu religious places are growing rapidly in the entire tribal belt all over India. In some areas sanskritization is so pervasive that some tribal people

³As other authors in this section have pointed out, the plight of the Indigenous people is going from bad to worse. Being dependent on rains for cultivation and possessing limited resources, many of them are forced to migrate to cities and towns for labour. Education, health facilities, transport system and such social infrastructure as the government is supposed to take care of is not available in most of the villages where the indigenous communities live.

⁴“Globalization has also given birth to a world culture affecting all cultures; often this has resulted in a process of homogenization and in policies of assimilation that deny the right of individuals and groups to live and develop their own cultures.” (GC 35,3)

⁵The idea of private property, exposure to market opportunities outside and shrinking of common property resources are slowly replacing the communal resource holding. This has caused disparity in the traditional composition of tribal communities and competition to get higher social status.
have given up altogether their traditional way of living and culture and have completely accepted upper caste Hindu ways of living.

Adivasi languages, their culture and their life style are considered low and uncivilized and many NGOs vie with one another to bring them into the “mainstream” and to “develop” them. The values of community spirit, concern for nature and ecology, respect for elders, sincerity, and refusal to hoard have disappeared to a great degree; the youth are affected by consumerist values and the desire to make money at any cost. Rape, orphaned children, and theft, which were unheard of in tribal communities, have become common. As a result their rich culture and noble human values are fast disappearing from their lives.

New socio-political and economic initiatives

Let me point out some government initiatives that have tried to help these communities.

(1) Constitutional Provisions. The constitution of India, like the UN declaration, has acknowledged and given the indigenous people of India several rights. In the Constitution of India the term “scheduled tribe” is understood to be “Adivasis”, a word that literally means ‘first dwellers’ or original inhabitants (indigenous people). But strangely the government of India declared in Geneva in 1989 that India does not have indigenous people. India has therefore not signed ILO 169, which gives rights to the indigenous people for self-determination and use and control over natural resources. The constitutional rights have remained largely on paper. The Laws passed to safeguard and protect tribal lands have been surpassed by other laws in favour of the government and private companies. As a result, tribals have been displaced from their land; their culture has been destroyed by such displacement. After Independence,

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6 In Articles 244(1) and 244(2) of Indian constitution, the Adivasi-tribal areas are specially protected and given special rights under Vth and VIth schedule. Recognizing the traditional rights of Tribals over land, the government has provided Laws protecting their land rights and restricting its distribution to non-tribals. The principle of Tribal self-rule was accepted in the Constitution of India through its 73rd Amendment by following the framework laid down by the Bhuria Committee Report. This has been legalized through the Provision of the Panchayats (Extension to the Scheduled Areas) (PESA) Act 1996. PESA has made specific provisions for giving wide-ranging powers to the tribals on matters relating to decision-making and the development of their community. The Act specifically asserts that the tribal community through the Gram sabha (peoples parliament) is “Competent to manage the affairs of its own”. It not only accepts the validity of ’customary law, social and religious practices, and traditional management practices of community resources”, but also directs the state governments not to make any law which is inconsistent with these.

7 Under the provisions of Vth and VIth schedules the Governors of the states have been entrusted with legislative powers to suspend or amend any act that is harmful for the Adivasis and also to watch over the well being, peace and good governance of tribal areas. However, so far no Governor has ever exercised that power though several Acts like Land Acquisition Act, Forest Act etc. have been effective in tribal areas too.
over 10 million people have been displaced of which more than 40% are tribals. A recent study on ‘Land alienation shows that over 7% tribals are alienated from their land every decade due to development projects, industries and failure of legal safeguards like law of protecting the tribal lands.

(2) The **PESA Act**, which gives extensive powers to the Gramsabha (village parliament) and was to usher in self-rule for the tribals, has not been taken seriously in any of the Indian States. So far none of the States has framed even the rules for implementation. Hence the tribal self-rule is only a promise on paper. The tribal areas are also ruled by the general Panchayati Raj- act 1993.

(3) The **Forest Rights Act**. As mentioned in the preamble of the Act, its purpose is to *remove the historical injustice, to recognize, to re-establish and to vest* the rights of the Adivasis which were unjustly taken away by the laws created by the British and carried on by our own Indian government even after the British left India. Besides giving a maximum of 4 hectares to any family that was cultivating the forest before the year 2005, the Forest Rights Act also provides community rights to the tribals over the forest and its products. So this provision to some extent re-establishes the right of Adivasis over forest resources. The Act has also empowered the gramsabha to initiate and to examine the claims for these rights. Though this historic Act has been one of the most people-oriented, pro-Adivasi act and has given power to the people to initiate the implementation, the final decision is vested in a committee of bureaucrats and elected representatives. These committees are influenced by the Forest Department which from the beginning has been anti-tribal and non cooperative. As a result the implementation of the Act has been only slow, and it has failed to fulfil the aim with which it was passed. It is feared that even after providing Adivasis the land to cultivate, the Forest Department will still hold the key to control its use and thus continue the atrocities and the injustices meted out to the tribals from its inception by the British.

(4) **Government and NGO programmes.** In Gujarat, various agencies including state, market or industries, non-government organisations (NGOs) and Gandhians have been working with tribals for their uplift. By

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8The Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA, 1996)
9As mentioned earlier the tribal society is competent to manage its own affairs and many tribes have a distinct organizational form called ‘panch’ (council) as a justice delivery mechanism. The Panchayati Raj system that is the present form of local governance, is not in consonance with the tribal way of life.
10The Scheduled Tribe and Other Traditional Forest Dwellers (recognition of forest rights) Act, 2006 states in its prologue: “The forest rights on ancestral lands and their habitat were not adequately recognized in the consolidation of state forests during the colonial period as well as in independent India, resulting in historical injustice to the forest dwelling Scheduled Tribes and other traditional forest dwellers who are integral to very survival and sustainability of the forest ecosystem.”
and large their approach for tribal development has been paternal and condescending, wanting to assimilate them into the so-called mainstream. Despite separate tribal development programmes and safeguards like reservation in educational and political institutions, high illiteracy rates, and increase in the numbers of migrants and displaced people indicate that tribal development programmes have not achieved desired goals.

(5) **Joint Forest Management.** The forest policy of 1988 spoke of a partnership between forest dwelling communities and the government for conservation of forests. So a new project called Joint Forest Management (JFM) was launched. Despite the claim of ‘promoting partnership’, the authority and manipulation of the Forest Department continues. In many cases people were not even paid the minimum wages prescribed by the government. Besides, even a partnership makes for change in the tribal attitude and values regarding the forest. The forest which was for tribals a ‘mother’ now becomes a source of income.

(6) **Self-Help Groups.** The introduction of Self-Help Groups (SHGs) through government programmes and supported by NGOs has introduced the habit of savings and credit among tribals, which encourages individual growth through market opportunities. At the same time these groups often causes divisions in the community; they concentrate on profit making, and encourage consumerism, which they claim to be ‘development’. But in fact they cause the erosion of tribal values.

**The Society of Jesus’s commitment**

“In this globalised world of ours, the number of those excluded by all is increasing. Let us not forget the poor. They need the prophetic message of God…” These words of Fr. Adolfo invites us, the Jesuits, to be increasingly aware of our mission to work for justice and development of indigenous community and other marginalized communities. This needs not only good will and commitment but also research, a deep study of the community’s culture and problems, and its socio-economic situation. It calls for a critical analysis of the situation. The problems affecting indigenous communities and other marginalized communities are too large and the causes very complicated, and the solution cannot be found locally or just by ourselves. We need to join hands with other groups and like-minded organizations. We may observe such attempts in several places. However, often when it comes to going beyond our circles we are shy and reluctant and prefer to do the “little we can” and avoid the maximum we could. Today our commitment to the marginalized and exploited has to be in collaboration with others through networking with local, national and international groups. In 2002 the Adivasis cultivating the forestland were threatened with eviction by the Forest
Department. Several groups then joined hands and formed a national front and state level networks and forced the government to enact the Forest Rights Act. But the Jesuit presence in this united struggle was not much noticed. Even those provinces which have a predominantly tribal presence did not come out in the open to show their solidarity though many were sympathetic. In such a situation we need more than just sympathy; we need actual reaching out and standing up for the cause.

As suggested by GC 35, Jesuit conferences must have ‘work groups’ that will research, study, reflect and act in situations that demand our involvement “to accelerate the ministry of enlightenment and empowerment of these indigenous people for their integral liberation”. By reaching out and joining hands we can be not only more effective but can also contribute a lot through our commitment, dedication, study and leadership.

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