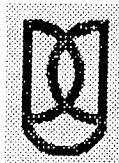


THE INDIGENOUS CONCEPTIONS OF
ENVIRONMENT AND CULTURE IN MODERN INDIA

DISSERTATION SUBMITTED TO THE JAWAHARLAL NEHRU
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INTRODUCTION

In the modern age, the ecological approach to understand man, his society and culture is very important. Life is the essence of a singular dynamic evolutionary process that characterized the substance of this planet. Human beings are the latest creations in this process. They are unique among free-living organisms as they are endowed with capability of insight into their origins and can control not only their own destiny but also that of other the organisms.

Human life is the outcome of multidisciplinary factors which not only embrace the super organic way of life of man, but also, these have got an effectual entry into the realm of organic life. Man can best be defined as the animal with culture. In the perspective of his biological evolution, man has got non-human ancestry and his non-human ancestors very naturally were devoid of any such feature which we call culture. Man was differentiated from the common animal stock in the remote pre-historic period by the development of culture and it is this culture, which gave those highly developed animals the status of human.

Man and culture are not only interrelated factors but also these are interdependent. One cannot exist without the presence of the other. Culture is multidisciplinary, multiconceptual and multidimensional entity. Therefore to understand these complicated conceptual ideas underlying the term culture, there is a specific need to analyze totalistic pattern of the emergence of

culture, its developmental perspectives, functional roles and changing situations.

Culture embraces novel understandings that there had been a continued effort amongst the human scientists to define it according to their own perceptions following the pioneer definition put forward by the renowned British anthropologist E.B. Taylor as back as 1871. At present, there are hundreds of definitions of culture, which are increasing day by day. Whatever may be the fact, culture gives us a close-set idea of discernment in meaningful looking into the human life and activities. It helps us considerably in understanding the matrix of the psycho-philosophical interacting patterns of human agency and cognition.

The very attempt of evaluating as well as understanding culture would be more significant if the linkage between social and cultural in the background of animal-human behavior patterns is brought to light. Culture is such a concept developed by the human scientists as to describe the conspicuous adaptive system practiced by human beings. In this specific angle, culture is the primary means of adapting to the environment. It is to be noted that the animals other than man adapt to their environment through biological changes. In human beings, adaptation to the surroundings is in greater part done in the cultural perspective.

Biological adaptation differs from the cultural one on the point that it is non-genetic in nature. Culture runs down through generations with the

help of education and understanding. Cultural characteristics are shared easily by large number of persons much quicker and wider than biological features. Man is regarded as the architect of the broad based social complex, which has resulted in a long term and continuous process. This social complex is characterized by diversified interactions, which ultimately have given the shape of a social setting known by the term society. Social process is very large and continuous one, which got its start right from the sub-human level whereas cultural process commenced with the emergence of man and not before that happening. Thus it is said that cultural evolution is coeval with human life.

In its broadest sense, culture consists of behavior patterns socially acquired and socially transmitted. But with this particular idea, there is always a conspicuous requirement, and rather inevitable need to understand culture in the background of biological development. Culture interacts with biology in a very significant way-giving rise to an integrated picture of bio-cultural setting. The culture is regarded as a part of biology of man. The specific social patterns adopted by the population group become embodied in the social traditions of the group and so a part of its culture. In the analysis of any social system and the working patterns of the human groups, it is always essential to study the traditional features that have been influencing the social sentiments through the ages.

Ecology works as the substratum in the beginning of human culture. Ecology is no doubt a complicated comprehension and it has been defined as the study of plants and animals including man in relation to each other and to their environment. The study of ecology increases our understanding of the world and its life. The unusual configuration and properties of the earth's substances and the geophysical relationships among the planets of the solar system provided the appropriate environment for the life process. With its emergence the bond between life process and environment was forever sealed. Organism and environment became parts of an evolving interacting system. Organism shaped environment, environment shaped organism, and organism shaped organisms and organism even shaped itself. The relationship between man and environment suggested that man stands aside from the myriad phenomenon and processes to which the rest of the biosphere is subjected. The fact that man is an integer in nature that he is subjected to its laws and regulations and like other organisms affects and modifies those laws. They deny the reality, which was consciously recognized in the past few years that man is not independent of nature's ways. In deed what he has sown in acts against nature he has reaped in discomfort, illness and even death.

It may be argued here that there are eco-systems in which man is not physically present and that these are, if not natural, at least non-human ecosystems. As numerous events of the past few years have amply demonstrated stress and insult on any given ecosystem can be brought about by agents and agencies whose locations may be many miles distant. No

ecosystem is unaffected by other ecosystems and none is unaffected by man, directly or indirectly.

The value of nature has become a focal point of worldwide political debate cutting across all nations and all areas of policy. While it is easy for most people to be concerned about the environment within their own reach of experience, it requires some degree of abstraction to give the same attention to global phenomenon of a damaged or endangered environment. The same is true among nations or even between continents. It seems to be widely accepted however that environmental problems of other regions often have a direct impact and can easily turn into a prelude to similar problems at home. There is an increasing demand, therefore to learn not only about the specific environmental problems of different regions but also about the ongoing debates related to them.

A dialogue of this kind needs to be led on different levels, especially at the level of political decision-making as well as that of civil society. It has to include questions of economy and of law, of party politics and of international relations of gender and of value-based limitations. While it is often nearly impossible to decide about priorities among these different aspects, it seems that most of them merge in the realm of politics. It is here that strategies can be implemented on a broader scale, laws can be enforced, and international concepts can be co-coordinated. At the same time however it is on the level of

the civil society that needs can best be advocated, developments watched and policies monitored.

The study of ecology is specifically characterized by the integrated mode of understanding of the surroundings both biotic and abiotic. Man, of course in his daily life, interacts with these surroundings, which result in the development of an integrated biocultural mode of behavior in relation to the people concerned. Ecology can best be studied with holistic, integrated and multidisciplinary approach. As because multifarious forces govern human life and activities most of which are meant for putting effective adjustment with the surroundings so the ecological models in exploring human problems and needs of diversified nature are seen to be very much effective. Of late, it has been taken for granted that the disciplines of ecology and economics have much in common besides terminology. It is noted that both economic and ecological considerations have influenced our ideas in relation to natural resource utilizations.

There are some human communities, the life of which is not only highly influenced but also intimately integrated with the immediate ecological settings in which they live. Thus in order to understand the basic pattern of life and the related psychological features, there is an inevitable requirement for studying the interactional patterns between culture and ecology. Man is regarded as unique in the sense that he is found to live in diversified ecological settings and has developed the capacity for creating his own cultural background to make an

effective adjustment with all kinds of environmental situations. There is a specific need for the cause of the holistic human life and thinking to focus the cultural patterns through the vistas of ecological understandings. At this time the line of approach very naturally is seen to be centered round the ecosystem concept, which indicates the basic unit of studying in ecology. In the domain of human science, specific importance has often been given on the sets of interrelationship between man and environment. The application of ecological principle is not of recent origin rather this concept has been and is being utilized from long time. There are many cultural ecologists who have a comprehensive viewpoint in the utilization of the term ecology in making a close-set linkage between the life forms and the earth. It very naturally gave rise to a specific situation in which the demand for interdisciplinary discussion becomes conspicuous. Human life is the direct outcome of the broad based and long-term interactions with the natural environment and the life concerned has been patterned accordingly. It is regarded as continuous process and is effectual in all forms of human communities but it is more and more complicated and inevitable in the life of the tribal groups depending on hunting gathering economy. Amongst the hunting gathering people, it is seen that the pattern of social relations within and between groups is based on the consumption of the resources of the environment rather than upon the economic production of resources.

Julian Steward (1955) has presented a clear-cut and practical methodology in utilizing the ecosystem concept in the study of human way of

life and activities. Through the categorical application of the eco-system concept he has very brilliantly shown the way of highlighting the multiple facets of the bio-socio psychological interactions with the natural surroundings. In the background of this situation Steward has developed a scientific conceptual idea known as "*cultural ecology*". It is the process of investigating into the total way in which human population adapts to and transform their environmental perspective. Hunting-gathering tribes find their totalistic expression in forest ecology. Forest is not only the unit of living but it is a symbol of life as well. Forest oriented ecology has been intermingled with the life situation forming a particular cultural tradition which has penetrated into the value attitude system of the people living in association with the forest ecology. Thus the forest based cultural ecology becomes the central theme of the life philosophy of the forest hunting tribal groups.

Continuous interactions with different elements of the surroundings biotic as well as abiotic in course of maintenance of life give rise to certain group behavior patterns which receive universal acceptance and these thereby get entrenched into the group and ultimately form the tradition of the people which run down through generations. This generational descent of the thinking patterns is highly revered and protected by the people concerned because of the fact that it is regarded as the inevitable tool for coping successfully, at least in their group consciousness with the adverse situations. Tradition is processed with group psychology in which philosophical perception works intimately to develop group sentiment. The socio cultural value centering round that

sentiment signifies its deep-rooted importance and inevitable nature and extent of the traditional perspectives. The group tradition is the result of synthesis of diversified beliefs, ideas, values, customary principles as well as superstitions, the essence of which constitute a particular social mind that controls all sorts of movements of the concerned society. Traditional thinking patterns and behavioral perceptions are inter-linked with cultural sentiments and thus the cultural traditions take the role of governing co agency of the social system.

In the primitive tribal groups, attached directly with the ecological setting constituted by the immediate natural resources for their sustenance, there is seen an effectual perspective of integrated relation formed in consequence of the close-set synthesis of the triple factors like culture, ecology and tradition. These factors are no doubt meaningful in all the human groups but these are more and more having all rounded influence in the life of the primitive tribal groups who are directly and exclusively dependent on nature and natural resources and whose way of life is heavily swayed by supernaturalism. It is to be noted with great concern that the primitive tribal groups attach specific importance and devote much of their time and energy in making contact with the supernatural forces through occult ways as they believe not only in the existence of these forces surrounding them but also in their modes of active actions centering around the total ecological setting as well as the human beings drawing their sustenance from the natural environment. Thus these people always give potential value of this thinking pattern that can come to the help of their

societies to maintain themselves. Their reliance on supernaturalism is so deep rooted and so integrated with all the diverse spheres of life-situation that their world view and life philosophy can never be understood properly which are indispensable at the time of framing the developmental plans and implementing the various facets of these for the over all well being of the people and the country.

Primitive tribal groups are subjected to long and continued misfortune caused by their very uneconomic and unproductive attempts for the exploitation of nature. Their social and economic life thus is seen to be in a very deplorable limit. They have become the victim of unfavorable circumstances caused by their lack of dealing with the adverse situations because of the absence of any effective means for adjustment. Since the beginning of the sixties of the last century the fate of these tribal groups had been discussed with due seriousness and it was felt by the various study teams and enquiry commissions appointed by the government of India that their precarious conditions should be given immediate attention and thereby positive measures must be adopted to bring these ill fated people in the line of socio-economic development. The primitive tribal groups having hunting-gathering mode of existence are the worst sufferers because of two specific factors-one is the rapid process of deforestation throughout the country, and the other is the imposition of the forest laws which restrict and obstruct their easy movement in the forest for the collection of their daily sustenance through hunting and gathering. In this specific situational context, there is

no other alternative but to bring an effective change in the traditional economic pattern of the hunter-gatherers. It has been suggested by all concerned that these people should be transformed into food producers through the adoption of agricultural activities. Perhaps this is the rational understanding in connection with the adoption of alternative economic system by the people practicing hunting and gathering from the forest and thereby to help them integrated into the mainstream economic perspective. But it has been seen from the experience that the efforts made so far seriously and sincerely to bring an effective change in the life and society of primitive tribes through the introduction of alternative economy in the form of agricultural activities could not bring desired result because of the fact that the people for whom the efforts were made failed to appreciate and there by those were out and out rejected. The picture is more or less same throughout the country. Of course, there were some sorts of altitude of acceptance of the alternative economy but those were not far reaching into the communities and hence lacked any positive outcome.

In the efforts of conversion of the forest hunting tribal groups into agriculturalists, that is food producers, there exists not only a big jump from one end to the other in the economic system but also, the whole event is characterized by conspicuous obstacles resulting from the cultural constraints of the concerned people. Hunting of animals in the forest and gathering of the forest resources are the traditional economic pursuits of forest-hunting tribes and as a necessary consequence this particular

economy has been intermingled with the age long cultural stream of the society which ultimately has developed into the governing force of the community. This smooth flow of the stream is hindered by the imposition of another pattern of activities especially characterized by opposite thinking. As a result of this there can be a tremendous resistance from inside the community. A cultural barren, known by the term cultural constraints would readily develop instigating the people not to accept the changing circumstances whatever may be their possibilities. As because these go against the tradition, so the primitive people whose life is full of tradition-bound thinking patterns and activity-orientation, discard forthwith all sorts of changing features applied from outside. Here lies the basic cause of failure in bringing any effective and reasonable change in the life of primitive tribes in spite of requisite procedural attempts. Economy is interlinked with other aspects of social system. The social settings together with the modes of behavior of the people are possessed and attain a definite shape according to the economic infrastructure of the social system. Thus when an abrupt change is brought in the basic economic endeavor through the infliction of the new methodological orientation in any primitive social system, there occurs a thorough stirring in the established value orientation in the traditional institutions of the society facing such directed change. In course of close enquiry throughout India, these sorts of happening are categorically seen in the domain of the primitive tribal groups. Social and cultural obstacle cannot be averted to serve the basic purpose of the

development of the suffering humanity. It is the universal truth that the country needs ecological balance through the conservation of forests and forested regions. Thus the wanton destruction of the forest trees must be totally stopped and gathering of forest resources must not be continued in large scale. This is the picture of one end and the picture of the other end highlights the facts of complete dependence on forests by large number of tribal people who from time immemorial have been maintaining close linkage with the forest for their subsistence. This double-headed necessity is of basic national importance today. In this complicated situation, the immediate alternative is to disassociate the traditional linkage between the primitive tribal people and the forests. Mention may be made here that dissociation does not mean complete severance of the tribal people with the forest. But what is to be done at the present circumstances is to convert the nature and the pattern of the total exploitation of forest resources for drawing all the requirements of life to other means; collection must be replaced by production and gradually these hunter-gatherers would have to be transformed into the food producers through the adoption of agricultural pursuits.

There are lots of concrete examples throughout the country where it is seen that the development strategies adopted for the well being of the primitive tribal groups with hunting gathering economy could not be given proper shape as designed in most of the cases because of certain obvious reasons which form the base line of interactions between culture, ecology, and tradition making the

total perspective of transformation abortive. Therefore there is a specific need of studying the obstacles of different primitive tribal groups to pin point the regional variations. The analytical study of the nature and extent of the obstacles would focus dissemble light on the situational contexts of the economic transformation from food gathering to agricultural activities which would very naturally be effected in exploring the opportunities through the adoption of which the development strategies could be made successful in the strict sense of the term.

Keeping this in mind, in this research an attempt has been made to analyze the highly debatable "*Scheduled Tribes (Recognition of Forest Rights) Bill, 2005*", which bestows rights in land and forest resources upon the tribal community. This bill not only seeks to improve the condition of the Scheduled Tribes but can also be considered an inherent part of the broad discipline of "cultural ecology".

This dissertation comprises of four chapters, which are built up on a temporal frame. The *first chapter* gives a historical and a contemporary built up on the theme of cultural ecology. In this chapter, the claims for the right of the tribals are traced back to ancient times. An analysis of ancient texts and literatures like Vedas, Puranas, Upanishads and the like is presented made to depict the relationship between man, culture and their environment and the extent of their interdependence upon one another.

The *second chapter* brings the line of analysis to the contemporary era through the discussion of the conditions, cultural ecology and the interface with environment of two Schedule Tribes of India. These case studies of the Oraons and the Gaddis try to examine whether tribes like these still share a great deal of proximity and still have a close affinity with their natural surroundings.

In this interdependence between the tribes and the natural surrounding the state has a prominent place. The *third chapter*, while discussing the importance of forest even today to tribes, highlights this conflict and nexus of state and man (Scheduled Tribes) over the control of forests. Various attempts of the state to exploit the forest resources - its features, aims, concessions, which the state makes to the forest dependent tribal people, their loopholes and the failure in the way of their implementation, are also discussed.

In this context the *fourth chapter* finally deals with the “*Scheduled Tribes (Recognition of Forest Rights Bill, 2005)*”. An attempt has been made to touch and analyze several aspects of the bill to examine the true impact of the bill on the tribals. In course of this exhaustive study, the need for such an enactment, the aims, features, characteristics and loopholes are presented, to assess the applicability and true relevance of the bill for tribes (Scheduled).

CHAPTER ONE

CULTURAL ECOLOGY IN INDIA: A HISTORICAL PERSPECTIVE

The relations between people, culture and environment are certainly not a new theme of study. In fact, it forms the backbone of several disciplines in the social and behavioural sciences. Political scientists interested in geopolitics are very much concerned about the relation between political processes and geographic cultural factors. Human ecologists who examine migration and settlement pattern focus on culture and environment. Anthropologists and archaeologists are quite interested in how people in different cultures and at different periods in history have shaped their homes, communities and cities in relation to cultural and environmental variables.

There have been several psychological and anthropological analyses that bear on relations between culture and environment. These fall under the label of “*cultural ecology*.”¹ In general cultural ecology viewpoint emphasizes the role of the physical environment as one powerful determinant of customs, life style and behaviours in different cultures. Some cultural ecologists adopt a “strong” version of culture/environment relations. This view is that environmental phenomena are responsible in some manner for the origin or development of the cultural behaviour under investigation. In this approach environment is seen as strongly determining, limiting and affecting behaviour and cultural processes.

¹ Irwin, Altman and Martin, Chemers, *Culture and Environment*, (Cambridge, Press Syndicate, 1980), p.22

In an alternative perspective, “weak” version of culture/environment relations states that there are functional interdependences among environmental and cultural variables and that it is not always easy to establish precise directions of what caused what. This position holds that it is more fruitful to examine culture/environment relations as part of an interdependent ecosystem, without always trying to establish exact causes and effects. It argues that culture/environment relation have over the course of time become such a complex web that is not always possible to establish single direction, chainlike relations between variables. This weak version of a cultural ecology orientation suggests that it is best to examine culture/environment relations as a network of related factors, each of which can have an impact on another. This approach is less firm in its view about how the environment affects social system. It focuses on the interrelations of cultural and environmental variables in networks and patterns of dependencies and is less concerned with establishing hard and fast causal relations².

Within this framework of “*cultural ecology*” this chapter examines the interpersonal relations among people and social interaction in the context of the physical environment along with perceptions, cognitions and attitudes that bear on social relations. In other words it is about people, culture and the physical environment. It shows how people and cultures affect their environment and how the physical environment affects cultures and people. It emphasizes the theme that people, culture and physical environments form a “social system”

2. Philip, Stot and Sian, Sullivan (Ed.), *Political Ecology: Science, Myth and Power*, (Hodder Headline Group, 2000), p.94.

all of whose parts work in an integrated way.³

Florence Kluckhohn, an anthropologist described three general orientations to the environment held by people in different cultures and at different times in history. They are:⁴

People as subjugated to their environment that is living at the mercy of a powerful uncompromising environment.

In many societies and periods of history, especially societies having little industrial technology or living in excessively harsh and unpredictable climates, people feel that they live under the control of their environment. The environment is viewed as powerful and uncontrollable. All that people can do is adapt as best they can, be fatalistic and accept the good and the bad from the environment. This worldview implies that people can only act in a subordinate and submissive fashion in the face of all powerful and all dominating natural forces over which they have little direct control. People, who live in earthquake prone regions, whether in Los Angeles, Italy or Guatemala, exhibit elements of this orientation- a kind of resigned acceptance of a powerful nature. Farmers in dust-bowl regions and South Pacific Islanders exposed to hurricanes and tidal waves often reflect a fatalistic value system that says there will be good years and bad years; we must accept what comes and do the best we can; one must simply wait things out and hope for the best. People may interpret a serious

³ Buchanan, R.H., Emrys, Jones, Desmond, Mc Court, *Man and His Habitat*, (London, Routledge and Kegan Paul Ltd., 1972), p. 73.

⁴ David, Arnold and Guha, Ramchandra, *Nature, Culture and Imperialism: Essays on the Environmental History of South Asia*, (New Delhi, Oxford University Press, 2001), p. 106.

disaster, such as an earthquake, as “the will of God” or as a punishment or warning from God to mend their way. They may believe that they can exert some influence on a deity by praying or behaving properly but they still often feel that they are relatively powerless and are subject to the will of God or their environment.⁵

People as over their environment, dominating exploiting and controlling it.

The second world view of environment is diametrically opposed to the preceding perspective in the sense that humans are separate from the environment; are superior to it and have a right and even a responsibility to control, subjugate and bend the environment in accordance with human needs.

This orientation is predominated in Western cultures and is especially a characteristic of American life. It appears in many facets of our lives—food production, use of natural resources, land use and exploitation of the earth. Farmers have eagerly adopted pesticides, fertilizers and other forms of technology to generate higher quality and greater crop yields rather than allowing the surrounding to take its course — for example: through natural ecological relationship between insects. We have created more effective insecticides to over power “pests”. In the area of natural resources, such as mining, a value exists that which is beneficial to people and in some instances we have carried it to the extreme of strip mining, deforestation and resource depletion. Such activities reflect our view that nature exists to serve people and

⁵Ibid, p.107.

that almost any form of “progress” that makes life easier or more pleasant is acceptable.

Perhaps the areas of exploration and science most vividly typify western views of the surrounding as being subordinate to people. We speak of “conquering the wilderness”, or “of climbing Mount Everest” because it is there and because the act symbolizes people’s special place in the world. We reveal in the “conquest” of space and the phrase “a giant step for mankind”, uttered by the first astronaut to walk on the moon implies that we have overcome the forces of nature on earth and can now begin to control the universe. Scientists speak of “cracking the genetic code”, “unlocking nature’s secrets”, engineers and dam builders refer to “harnessing” nature and exploiting untapped resources all of which symbolize the modern view that people are different from their environment are superior to it and have the right and the responsibility to overcome it.⁶

People as part of their environment.

A third world view, prevalent in many contemporary and historical cultures, states that humans are an intrinsic part of their environment in the same way as animals, trees and flowers, thunder and lightening.

The best-known examples of harmony with environment appear in Oriental philosophy and religion. Although there are many varieties of Oriental thought. These ways of thinking have a common core. All the elements of

⁶ Ibid, p. 107.

nature are sacred and are not to be unduly exploited by people. Moreover people's lives including their moods and feeling are intervened with their environment. One cannot impose oneself on it, rather one must flow with it, be a part of it, understand its changing patterns and adapt to natural events. This does not mean passivity or surrendering, it means understanding the environment's flow and changes and workings within its boundaries. Most essential is the idea that people are part of their environment and must bind with it and is responsible for it.

Many American Indian cultures similarly think of themselves as children of the environment-some consider the earth and land to be the mother, the sky the father, the animals brothers and sisters, all of whom live together as a family. People are no better and no worse than the other members of the earth's family; they are all part of the family.⁷

After such discussion on the various dimensions of man, culture and environment and the various perspectives of the relationship between the three entities, it can be said that different disciplines of social sciences as well as natural sciences have their own viewpoints regarding this particular theme. Geographers talk of "man", sociologists of human behaviour and "society". Many other disciplines use the term "human being" in the sense of a creature functioning as a single biological entity in an environment, some even talk of the real world as distinct from the world of thought and ideas. In this sense the "real" world in its effect on mankind means, the direct unmediated influence of

⁷ Ibid, p. 10

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climate, soil, latitude, germs and so on, on the biological functioning of the individual. So we have studies of the effects of altitude on the oxygen levels of the atmosphere and the consequences of these levels either for the performance of athletes or on the lung capacity of Andean peasants. The co-relations so established are statistically meaningful and results reported are interesting. Nonetheless something important was missing in these equations. They overlook the fact that human behaviour is social and therefore has to be learned. We never react merely as biological powers buffeted by external forces. All human life is social life. We cannot really talk meaningfully by disassociating man and society. Man is society. He is created by his society and in one sense creates the society a new every generation. Continuity and order in societies come about through the overlaps of the generation or in other words through socialization. By means of language the repetition or accumulated and transmitted knowledge is easier than an entirely new creation of the human social fabric.⁸

Every society has as one aspect of its social matrix its means of adaptation to its environment. These means represent one part of its solution to the problems of survival. They consist of techniques and desired objectives and both are learned. Even the capacity to learn has to be learned. Thus there is existence of societies as the primary matrix for human living. This in turn complicates enormously the problems of understanding the adaptive process. By this it is meant the attitudes, values and techniques held by members of a

⁸ Sethi, Manmohan Singh and Sethi, Inderjit Kaur, *Understanding our Environment*, (New Delhi, Common Wealth Publishers, 1991), p.15.

society towards the external world societies are variables and rarely stable. They affect each other in complex ways and adapt to the physical or biological world with many distinctively different solutions to common problems.⁹

Henceforth I am going to examine the Indian society within this context of cultural ecology since the ancient times. Various religious texts and philosophical works depict this relationship of interdependence between people, culture and their environment. A detailed analysis is put forward in the remaining part of the chapter.

Cultural traditions and thoughts have provided ideological underpinning and legitimacy to the present environmental movement in India. India has traveled a long way as a geographical and cultural entity and so have her people. Living as it does for over four thousands years of a chequered and highly civilized existence, it has developed an indomitable spirit of sustenance and continuity. Her universalistic humanism has sustained her through various thrusts and jolts the historical forces have given her both from within and without. Her geography and history have had unique relationship together giving rise to both centripetal and centrifugal forces and pressures, the latter resulting at times into strong regionalisms into her body politic yet contained by the cultural unity India has managed to forge particularly on the foundations developed in her formative period well before Christ. The forces and processes bringing about unity in diversity have been mainly cultural in import and

⁹ Radhakrishnan, S. and Raju, P.T., (Eds.), *The Concept of Man*, (London, George Allen and Unwin, 1966), p.56.

content, imbibing on one hand the pan-Indian, Sanskritic, great-traditional, religio-philosophical tradition at the higher plane and the regional local traditional folk systems affecting the general masses in their day-to-day existence and life styles on the other hand.¹⁰

The religions of India and the philosophies nourishing them have been from the beginning universalistic in nature, never singular, archaic, particularistic and static. There have always been refreshing cross-currents, re-interpreting the earlier ones and giving new meanings and thereby new moorings to the individual and social life. This way of life style has managed to keep the people cheerful amidst worst political and economic disasters. Even her own cultural and social failing like the rigidities of caste system and economic and political exploitations were tolerated over the ages.

Western and some other scholars analyzing threadbare the Indian thought have found it containing few agreements and numerous contradictions. The Indian thought is full of these and quite correctly so; agreements or oneness or sameness seems to be an anathema to the Indian mind, this being generated probably as the early seers interpreted the variegated Indian geographical and ecological forces. In fact "... to the Indian mind would be to ignore the fact that finite views of the infinite are necessarily partial and the further fact that they are relative to time and place, to individual temperament and to the plane of consciousness that they reflect... the total truth residing not

¹⁰ C. Eidt, Robert, N., Singh, Kashi, P.B., Singh, Rana, (Ed.), *Man Culture and Settlement*, (Ludhiana, Usha Raj Kumar for Kalyani Publishers, 1977), p. 4.

in any one theory but in a synthesis in which all theories have their part. The flexibility suggested is and has always been a primary characteristic of Indian religion.”¹¹ Human perceptions are restricted both in space and time and are therefore widely variant at individual, groups or other levels.¹²

In the section below I will be analyzing the early making of the Indian man and culture.

The term “Indian man” might look a queer expression as if man is different from nation, state, religion, race or some other denomination. However it seemed to be more than a catchword. Man in any religious, philosophical and physico-cultural realm is different from other different realms in so far as the deeper sense of life style goes to explain it. In all likelihood, man may have been understood differently from different points of view, according to the different problems posed by the cultural and physical milieu of the countries in which the philosophical traditions stated. Man’s struggle first for survival and then his fight against nature for his progress, civilization and culture lead to different patterns of his application of nature and her resources, their utilization, the growth of different sciences and technologies and in different historical epochs and as such “people are organized differently in the struggle against and their socio-economic relations

¹¹ Wanger, L., Philip, *Environments and Peoples*, (Englewood, Cliffs Prentice-Hill, 1972), p.115.

¹² Mahapatra, L.K., *State, Society and Religion: Culture Historical Comparative Perspective of South East Asia*, (Chennai, Emerald Publishers, 2003), p.29.

are not the same.”¹³

The Indian man and his community structure is unique because of the way he has historically emerged and the process through which he has absorbed the diverse waves of races, cultures, technologies.

There may be multi-tedious sub-structures; still there is an integral nature of Indian society, with the typical commonality of life style and the social technology with which he handles his environment and monsoonal rhythm and his fellow beings. Apparently it looks a stable society but it has innate capacity of continuity and change. The dynamics of this continual process of change and adjustment is constituted by the central process of empirical dialectic of nature on the one hand and of rational human reflection and action on the other. As such man and his civilization live dialectically in continuous operations. Man's nature itself and his relationship with his fellowmen and the environment and the cosmos are ambivalent. Contradictions and convulsions arise because of changing world view, perceptions, resource interpretations and socio-cultural organizations, yet in a maturing culture, there evolves an in-built mechanism and philosophy of life in which the bio-physical, behavioural, perpetual and metaphysical dialectic adjust on a conformal plan in order that the “civilization which always lives in dialectic tension and peril can smoothly and creatively get over its inevitable antinomies and contradictions,

¹³ Prabhavanand, Swami, and F. Manchester, *The Spiritual Heritage of India*, (A New York, Double Day Anchor Book, 1964), p.6.

excess and hazards.”¹⁴

Radhakamal Mukherjee rightly observed “each major culture spells out its own notion of complete and cosmic person its intrinsic and transcendent values of life and its wholeness and harmony with mankind and cosmos corresponding to its spirit and its genius, the accumulated forces of myth and environment.”¹⁵

The Indian mind discovered through the perceptive mind, the Vedic seers, the triple vision of the whole or Universal Man of cosmic community values a larger trans-human order or system of society “of which human society is a mere fragment.”¹⁶ The value of universalism regarding the entire cosmos as one was grasped very early and probably generated from the perception of the vast Indian expanses and varying landscapes and their seasonal rhythm, which confronted the first incomers. The spontaneous poetic ecstasy and consciousness of the Vedic seers 1500 years before the Christ, is almost as though men discovered not one part of the world but the whole cosmos for the first time. The numerous eloquences of the Indian mind are wider in outlook than the somewhat partial or clannish utterances of the time of the then known world. Later Upanishadic treats also speak for the whole humanity. In fact this early foundation of the universalistic concept set the tone

¹⁴ T.K.N., Indra, Dev and Yogendra, Singh, (Eds), *Towards a Sociology of Culture in India*, (New Delhi, Prentice Hall of India Pvt. Ltd., 1965), p. 98

¹⁵ Guha, Sumit, *Environment and Ethnicity in India*, (New York, Cambridge University Press, 1999), p.106.

¹⁶ Harvey, Brian and Hallett. D. John, *Environment and Society: An Introductory Analysis*, (London, MacMillian, 1977), p.45.

for much of the later writing in India. This universalism establishing kinship with the whole earth was wedded with the pantheistic Dravidian religions and philosophical ideas through magical rites. As a result of these universalistic foundations, the Indian civilization like Chinese civilization is able to maintain an easy and smooth subordination of the instrumental to the intrinsic value in men integral living and organizes and completes the finite realm of human existence. By their very nature these civilizations have not been outmoded with time. The Indian philosophy has developed a way of life the *genre de vie* which looks beyond any contemporary crisis and passes through the vicissitudes of the national and human history because of the timeless essences and norms. Thus whoever came into corpus, that is India, cultures races invading hordes, through a long time series, they all melted into its churning culture hearths: in fact in spite of many conflicts, it was always resolved in the way in which the problems of eating, drinking housing and clothing were solved.

Man is on the top echelon in the living system in the world. This supremacy is on account of his thinking faculty, the sixth sense. This ability of rationalization enables him to realize and understand the origin, functions and results of all manifestations in the universe. Providence and potentials are abundant in this world. Man is not a separate entity in nature. His origin is from the primordial state that is Almighty-Nature. Its qualities are plenum, force, consciousness and time.¹⁷

¹⁷ Mukherjee, Radhakamal., *A Philosophical View of Civilization in Unnithan*, (New York: Harper and Row, 1980), p. 96

The cosmological view of the Vedic, Upanishad and Puranic traditions and literary imagination in India enriched by fascinating symbols and idioms of the relationship of people with nature have provided the main mode of communication. Says Vandana Shiva, “for the cultures of Asia, the forest has always been a teacher and the message of the forest has been the message of the interconnectedness and diversity, renewability and sustainability, integrity and pluralism.”¹⁸

From the point of view of Indian cosmology, in both the exoteric and esoteric traditions, the world is produced and renewed by the dialectic play of creation and destruction, cohesion and disintegration. The tension between the opposites from which motion and movement arises is depicted as the first appearance of dynamic energy (Shakti). All existence arises from this primordial energy, which is the substance of everything, pervading everything. The manifestation of this power this energy is called nature (Prakriti). Nature both animate and inanimate is thus an expression of Shakti, the feminine and the creative principle of the cosmos in conjunction with the masculine principle (Purusha), Prakriti creates the world.

Nature as Prakriti is inherently active a powerful, productive force in the dialectic of the creation, renewal and sustenance of all life. In Kulacudamin Nigama, Prakriti says:

¹⁸ Des, Jardins and R. Joseph, *Environmental Ethics: An Introduction to Environmental Philosophy*, (Belmont, Wadsworth Pub. Co., 1997), p.67.

There is none but Myself
Who is the mother to create

Without Shakti, Shiva, the symbol for the force of creation and destruction, is as powerless as a corpse. "The quiescent aspect of Shiva is, by definition inert... Activity is the nature of nature (Prakriti)".¹⁹

Prakriti is worshipped as Aditi, the primordial vastness, the inexhaustible, and the source of abundance. She is worshipped as Adi Shakti the primordial power. All the forms of nature and life in nature are the forms, the children of the Mother of Nature who is nature itself born of the creative play of her thought. Hence Prakriti is also called Lalitha, the Player because Lila or play as free spontaneous activity is her nature. The will to become many (Bahu-syam-Prajayera) in her creative impulse she creates the diversity of living forms in nature. The common yet multiple lives of mountains, trees, rivers, animals is an expression of the diversity that Prakriti gives rise to. The creative force and the created world are not separate and distinct nor is the created world uniform static and fragmented. It is diverse dynamic and inter-related.²⁰

The nature of nature as Prakriti is activity and diversity. Nature symbols from every realm of nature are in a sense signed with the image of Nature. Prakriti lives with the world process. Nature as a creative expression of the

¹⁹ Sheth, Pravin, *Environmentalism: Politics, Ecology and Development*, (Jaipur, Rawat Publication, 1997), p.63.

²⁰ Shiva Vandana, *Staying Alive: Women, Ecology and Survival in India*, (New Delhi, Kali for Women, 1988), p. 38

feminine principle is both in ontological continuity with humans as well as above them.

According to Kalika Purana:

Rivers and mountains have a dual nature. A river is but a form of water, yet it has a distinct body. Mountains appear a motionless mass, yet their true form is not such. We cannot know, when looking at a lifeless shell, that it contains a living being. Similarly, within the apparently inanimate rivers and mountains there dwells a hidden consciousness.

Rivers and mountains take the forms they wish.²¹

The living, nurturing relationship between man and nature here differs dramatically from the notion of man as separate from and dominating over nature. A good illustration of this difference is the daily worship of the sacred tulsi within Indian culture and outside it. Tulsi (*Ocimum sanctum*) is a little herb planted in every home and worshipped daily. It has been used in Ayurveda for more than 3000 years and is now also being legitimized as a source of diverse healing powers by western medicine. However, all this is incidental to its worship. The tulsi is sacred not merely as a plant with beneficial properties but as Brindavan, the symbol of the cosmos. In their daily watering and worship women renew the relationship of the home with the cosmos and with the world process. Nature as a creative expression of the feminine principle is

²¹ Cliffs, Englewood, Philip, N.J. Wagner, L., *Environment and People*, (New Delhi, Prentice Hall, Inc, 1972), p.115.

both in ontological continuity with humans as well as above them.²²

Ontologically, there is no divide between man and nature or between man and woman because life in all its forms arises from the feminine principle.

In Indian cosmology, person and nature (Purusha-Prakriti) are a duality in unity. They are inseparable complements of one another in nature, in woman, in man. Every form of creation bears the sign of this dialectical unity of diversity within a unifying principle and this dialectical harmony between the male and female principles and between nature and man becomes the basis of ecological thought and action in India. Since ontologically there is no dualism between nature and man and because nature as Prakriti sustains life, nature has been treated as integral and inviolable. Prakriti far from being an esoteric abstraction is an everyday concept, which organizes daily life. There is no separation here between the popular and the elite imagery or between the sacred and secular traditions. As an embodiment and manifestation of the feminine principle it is characterized by creativity, productivity; diversity in form and aspect; connectedness and inter relationship of all beings, including man; continuity between the human and natural; and sanctity of life in nature.²³

Conceptually, this differs radically from the Cartesian concept of nature as “environment” or a “resource”. In it, the environment is seen as separate from man: it is his surrounding, not his substance. The dualism between man

²² Greenwood, Davyd, *Nature, Culture and Human History: A bio-cultural Introduction to Anthropology*, (New York, Harper and Row, 1977), pp.127-128.

²³ J., Bandyopadhyay and V., Shiva, *Ecological Sciences: A Response to Ecological Crises*, (Natrav, (1985), p. 186.

and nature has allowed the subjugation of the latter by man and given rise to a new world view in which nature is inert and passive; uniform and mechanistic; separable and fragmented within itself; separate from man; and inferior to be dominated and exploited by man.

The rupture within nature and between man and nature and its associated transformation from a life force that sustains to an exploitable resource characterizes the Cartesian view which has displaced more ecological world views and created a development paradigm which cripples nature and women simultaneously.

The ontological shift for an ecological sustainable future has much to gain from the worldviews of ancient civilizations and diverse cultures, which survived sustainably over centuries. These were based on ontology of the feminine as the living principle and on an ontological continuity between society and nature – the humanization of nature and the naturalization of society. Not merely did this result in an ethical context, which excluded possibilities of exploitations and domination; it allowed the creation of an earth family.

The dichotomized ontology of man dominating women and nature generates maldevelopment because it makes the colonizing male the agent and model of development. Women, the Third World and nature become underdeveloped, first by definition and then through the process of colonization

in reality.²⁴

The ontology of dichotomization generates ontology of domination over nature and people. Epistemologically, it leads to reductionism and fragmentation, thus violating women as subjects and nature as an object of knowledge. This violation becomes a source of epistemic and real violence.

Ecological ways of knowing nature are necessarily participatory. Nature herself is experiment and women, as sylviculturalists, agriculturalists and water resource managers, the traditional natural scientists. Their knowledge is ecological and plural; reflecting both the diversity of natural ecosystem and the diversity in cultures that nature based living gives rise to. Throughout the world, the colonization of diverse people was at its roots, a forced subjugation of ecological concepts of nature and of earth as the repository of all forms, latencies and powers of creation, the ground and cause of the world. The symbolism of Terra Mater, the earth in the form of Great Mother, creative and protective has been a shared but diverse symbol across space and time and ecology movements in the West today are inspired in large part by the recovery of the concept of Gaia, the earth goddess.

The shift from Prakriti to “natural resources”, from Mater to “matter”, was considered (and in many quarters is still considered) a progressive shift from superstition to rationality. Yet viewed from the perspective of nature or

²⁴ Benson, John, *Environmental Ethics: An Introduction with Readings*, (London, Routledge, 2000), p.82.

women embedded in nature, in the production and preservation of sustenance, the shift is regressive and violent. It entails the disruption of nature's processes and cycles and her inter connectedness. For women whose productivity is the sustaining of life is based on nature's productivity, the death of Prakriti is simultaneously a beginning of their marginalization, devaluation, displacement and ultimate dispensability. The ecological crisis is, at its root, the death of the feminine principle symbolically as well as in contexts such as rural India not merely in form and symbol but also in the everyday process of survival and substances.²⁵

India has prided herself as a "forest culture", an Aranya Sanskrit. India's words of wisdom are drawn from the forest and its ancient texts are called Aranyakas (forest texts) as her seers and sages lived in communion with forest, the major form of nature. Kalidasa, Gandhi and Tagore reinterpreted the concept of nature as a teacher, a model for a human society and a harmonious man-nature relationship. Rabindra Nath Tagore, our cultural seer, observed: "contemporary western civilization is built of brick, iron and wood. It is rooted in the city. But Indian civilization has been distinctive in locating the source of regeneration, material and intellectual in the forest not in the city. India's best ideas have come where man was in communion with the trees, rivers and lakes, away from crowds. The culture of forest has fuelled the culture of Indian society. The unifying principle of life in diversity, of democratic pluralism,

²⁵ Carolyn Merchant, *The Death of Nature: Women, Ecology and the Scientific Revolution*, (New York and Row, 1980), pp. 182-183

thus became the principle of Indian civilization.”²⁶

Some of the Sanskrit slokas have been selected from the ancient scriptures like Varaha Purana and Agni Purana by the poet Makrand Dave to bring out how nature in its various forms was perceived with reverence and understanding for its benevolence towards the mankind, some of them given here, graphically illustrate the high level of eco-tradition in our cultural heritage and the Puranic advice for protection of trees and environmental produce:

- (a) The man who plants shady trees yielding fruits and flowers for the gratification of all living creatures attains the highest bliss;
- (b) Trees through their leaves, flowers, fruits, shade, roots, bark and wood gratify others and obtain salvation for the forefathers;
- (c) The trees offer their oblations even to their cutter by shade, flowers and fruits, indeed the trees like the sages are devoid of malice;
- (d) The trees extending their hospitality to all are really redeemers of all; trees therefore should be statutorized as sons of Brahmins;

²⁶ Sen, Geeti. *Indigenous Vision: People of India –Attitudes to the Environment*, (New Delhi, Sage Publication, 1992), p.33.

- (e) The trees by providing shade and shelter to by passers, nests to birds, medicines to living beings through their leaves, roots and bark benefit them all. This is called the five fold sacrifice “Panchyagna” of the tree;
- (f) Whosoever indolently demolishes trees standing in cities or garden goes to a ghastly hell called “Jrimbhana”;
- (g) Oh earth! Thou art a giver of riches, art very cool, art bestower of merit and thou sustaineth all creatures. Hence salutation thee. Pray, let this tree blossom forth day after day.²⁷

In the Indian philosophical and mythological traditions every living being is constituted by five basic elements- panchamabhuta that is sky, air, fire, water and soil. The sentient being created out of these five elements of nature is the philosophical statement of ecology. The whole living world, the grand cosmos of the resources comprising the five elements is the common resource of the global family.

This concept is crucial to the ecological balance and well being on this earth. It suggests the organic relationship, interdependence and continuing exchange between the five elements of the cosmology. These elements are also related through a cyclical phenomenon of transformation of each of these five

²⁷ Sergent, Fredrick (Ed.), *Human Ecology*, (Amsterdam, North Holland Publishing Company, 1974), p.44.

elements into one another.

India has received wisdom for carefully cultivating the wonderful form of nature through its ancient cultural traditions and sources. In the Prithvi Sukta, the mankind is given advice to discriminately use the resources of nature in order to conserve the earth. Protection of birds, animals and vegetation is the norm of the Hindu religion. It naturally assumes the protection of the living beings. In the Hindu mythology of 14 avatars (birth) of the God, Matsyavatara, Kurma, Varaha, Nursingh and so on signify the divine forms in such animals and thereby making their life secure. Quite long ago before the Earth Day (22nd April) was observed in USA in 1970 and in the world thereafter, Indians have been worshipping prithvi, the earth, as Mata (mother). Long before without going to participate in the seminars on environment or eco-movements, the Indians were used to domesticate animals, worship the cow and the trees, offering grains to the birds and loaves to the dogs and the cows. Such traditions are woven with India's cultural fabric.

The world of human beings, the animal world, the flora and the fauna, according to this tradition, is possible because of the existence of these five elements. They are the giver of life; in modern terms, "the life supporting systems." They sustain and promote our health and these five elements of nature — the sky, air, fire (energy), water and soil — provide us with the needs of life throughout, our entire life – the human beings, birds, animals, insects and vegetation like trees and plants on it. The blue space viewed as the ethereal

canopy over the earth, the moving air, the water flowing or conserved and the land on the plains and the hills that allow rising of fields, farms and forests on it all are varied forms of nature.²⁸

In the Indian tradition, through constantly playing up of symbols and idioms, the man's mind was cultivated to treat respectfully and with a sense of humility. The earth was called Mother. So also rivers were described as Lokmata. The Yakshi is another manifestation of the Goddess of forests, the Aranyas of the Vedas. The forest was Vanadevta. Varuna was the Lord of water, Indira the Deva (deity) of the vast space of sky and rain; Vayudevta of air and even poisonous snakes were Nagdevta. Oblations were offered to such deities, which were manifestations of nature. The trees are worshipped. Lord Krishna while educating Arjun on the battlefield of Kurukshetra, referred to his various best forms as being Ashvastha among the trees, Parijat among the flowers. Bal Krishna, Krishna as child rests on the green leaf of the (eco-rich) Peepal tree. Peacock feather embellishes his hair lock.

The river Goddess is also described as Vrikshika. The Himalayas is Sumeru, the world axis, the mythical centre of the earth. Seshanaga which provides the canopy to Lord Vishnu who relaxes on his vast body, upholds the earth; river Goddess Ganga rides the crocodile, Yamuna the tortoise, Boars (varaha) and elephants upholds the earth. The Swan and the Garuda and the Mayur fly the Gods. The Mouse is the vehicle of Lord Ganesha. Shiva has his

²⁸Harvey, Brian and Hallett, D. John, *Environment and Society: An introductory Analysis*, (London, Mac Millian, 1977), p.26.

Nandi (the bull).

Even the Gods assume animal forms. Ganesh is the elephant God; Vishnu incarnates as Varaha. The story of Lord Vishnu relaxing on Seshanaga depicts the Garuda by the side of his lord. Significantly, the two avowed enemies, the Naga and the Garuda are shown to be together and serving the same master. A reconciliation of opposites, coexistence of the various elements in nature. All this underlies the principle that the jiva, the life of man and other sentient beings depend upon all that surround them and sustain them and they are conditioned by the forms of nature. Man's dharma therefore is to constantly remind himself individually and as part of the society-that unity of the universe is the rule.²⁹

Man is constantly reminded in the classical literature and the methodological tradition that he depends upon and therefore is the protector of the environment and ecology. Man is enjoined to the Rita and Dharma the cosmic moral order-the central concepts of Indian cosmology and philosophical thought. According to Kapila Vatsyayan, in physical (architectural) terms, the metaphor of the Meru, the mythical center is expressed as through the Shikhara and Girbhagriha (the hypothetical center or navel) - thus the ascending from the center to the summit, the core of the ecological process.³⁰

The nature's constituents like water, earth, tree and plant maintain the

²⁹ Johan, Berry. *Environment and Social Theory*, (London, Rutledge New Felter Lane, 1999), p.72.

³⁰ Ibid, pp. 22-29.

spatial balance of the earth while the dawn (Usha) and the night (Ratri) maintains the celestial temporal order.

Like all the major cultures and civilizations, the earth is respectfully referred to as the Mother Goddess. In Atharvaveda, man commits himself not to harm the earth, when he prays: "Let what I did from thee Oh Earth, rapidly spring and grow again. Oh Purifier, let me not pierce though thy vitals of thy heart."³¹

Prithvisutra is one of the greatest hymns dedicated to the Mother Earth. She is fecundity incarnate. In Atharva Veda, she represents the ecological balance. Varuna and Prithvi uphold the moral order.

In the Indian traditions and myths, the tree occupies a central and relevant place. A lamp is lit and head bowed down before the tulsi plant every evening. On the high mountain, the Deodars are referred to as the abode of Gods. When a tree is felled, it is done through proper ceremony. When Hanuman was to uproot a life saving plant from the Himalayas to save the life of Lakshman lying in trauma on the battlefield of Lanka, on its eve he offered prayer with apology for so for a greater cause. The forests of Sal and Deodar are venerated by the tribals and others. The virgin girl knocks at the Asoka tree so that it can begin to give flowers. The Bilva, the Kadamba, the Parijata, the Rudratsha and the Champak-all are sacred. The Palasa, the Amaltasa, the Kethi occupy venerable place in the classical literature. The Ashwatha, Ashoka,

³¹ Eagleton, Terry, *The Idea of Culture*, (Malden, MAE: Blackwell, 2000), p.19.

Neem and Kutaja are medicinally useful and ecologically blissful. So also herbs of all varieties like the sweta (white) and Krishna (black), Tulsi, Kesar, Duwaghas, Munja and Bakul. They are the trees of life. The Sal tree is central to the ecological cycle of the forest of Bihar and Bastar celebrated during the “Karma” festival by the large communities including the tribals.

Like trees, the pure air is prana, the breathe of life. Vayu pervading through all space, is the force that propels ships across the seas and rivers and bring rains along with the sun. Agni is the source of fire and energy. Venerated as the sacred fire of the yajna, at the altars made in the shape of a circle, a semi circle and square. As Katyayana interprets it “This symbolically states the inter-connection of three orders of energy”³². Finally, the sun by the chanting of mantras, he is venerated as energy, which gives light and life. He is everywhere in the “surya-namaskara” and sculptural statements.

The myth of Gangavataran-the creation of the Ganga- and the phases through which she flows to nurture humanity is an elaborate narration of ecological balance. Before bringing her down from heaven through the forest of Lord Shiva jatas to the Himalayas and finally on the plains, to rejuvenate the earth and vegetation rendered dry because of drought, Bhagirath had to undertake tapas, penance for the profligacy of his ancestors and exercise utmost austerity. The Gangavataran thus signifies the power of the austere restraints for the sustaining ecological well being and avoiding destruction of life –

³² Geerts, Clifford, *The Interpretation of Cultures: Selected Essays*, (New York, Basic Books, 1973), p.14.

support systems. Bhagirath is an ideal man who chastises (consumerist) pleasure-seeking lifestyle (though himself a prince). His Panchtapas (five imperatives of austerity) are expressed through acts of keeping the great river clean and pure. So also the celestial skies of the pilgrim centres and the forests, fields and plains, village and cities. The tapas also imply the exercises of Vivek or a consciously discriminating exercise, while using natural resources.

A-parigraha and Ahimsa are the norms central to Jainism, which influenced Gandhi. A-parigraha means non-grasping and non-possession; also a conduct not to encircle or overpower others – human beings or nature. According to Jainism, when we are driven to possess another human being or a source of nature it may lead to violence. Together non-grasping and non-violence contribute to securing the foundations both of human and social health and that of nature. Also man's harmony with nature is realized through their observance. Their negation in the form of grasping of human being or a tree or bird leads to violence. This results in loss of health of the society and nature. Gandhiji emphasized that there could be no political and economic reconstruction without non-grasping and non-violence as a basis of healthy society. The Jain philosophy of a-parigraha shows how it is in our power to break the chain of parigraha and thus sets limits to consumerism-a major cause of environmental degradation and exploitation of nature.

Indian culture shows an ecological evolution to peace. Peace to all elements of nature and mankind and harmony between them, and between man

and nature. In the Vedic prayer it is recited:

Now let the earth be peace and the air, the sky, the water,
the herbs, the trees be peace. Peace to all beings.³³

To the Indian creative psyche conquest over nature is a self-defeating goal. It is harmony and more than harmony, it is peace (Shanti), which is the cherished goal. Shanti is not a static situation; it is the other way round. It is a thousand fold shower of activating rays from everywhere from the trees, from the sun, from the herbs below, from the river, from the earth. The environment would be good to one who gives away one's own places to the environment, and displaces oneself from the illusory fortress of one's own, as if unique existence.

The Indians, like other Asians, applied the cultural lessons at two levels. Firstly, at the level of relationship between society and nature and secondly between people within the society.

As a society modeled on the forests and agriculture, it was socialized to respect the forms of diversity and have a niche for every life form including an insect. The Indian society was thus eco-culturally socialized. Renewability and sustainability were the second lesson. It is based on the recognition that sustenance comes from forests and not from man made cities, from the fields and not from the factories. And sustainable reproduction of society can only be based on the maintenance of diversity in the forests, which contributes to

³³ Franklin, Adrian; *Natural and Social Theory*, (London, Sage Publications Ltd. 2000), p. 96

human needs in diverse ways: agriculture, animal husbandry, water and irrigation, housing and health care. The forest as a source and means of sustenance means that the forest and trees must be treated as sacred and its integrity is inviolable. When sacredness of nature is violated and society is divorced from the nature, its essentials like diversity, renewability and sustainability are lost with degradation and destruction of nature.

CHAPTER TWO

CULTURAL ECOLOGY AMONG INDIAN TRIBES: A CASE STUDY OF THE ORAONS AND THE GADDIS

India is a country of cultural diversities that help us to understand the unique quality of its cultural mosaic. But surprisingly, tones of unity are lying behind all these diversities so that India emerges as a composite whole. The people living in this vast area have different ethnic boundaries with different levels of cultural development. These different cultures like different flowers composing a colorful bunch have merged to one single entity, namely the Indian civilization.¹

In this chapter, the tribal people of India are seen in the background of their physical environment, which moulds and affects their culture. In other words it aims at studying the *ethno-ecology* of the Indian tribes. It is a distinctive approach in human ecology that focuses on the conceptions of ecological relationship held by people or culture.²

Before going into depth, let us clarify what we mean by a tribe. The concept of tribe has been largely misused and misunderstood as this has been sought to be defined in terms of what it is not. Further, there has been some confusion between the terms "tribal" and "primitive". T.B. Naik had wrestled with the concept of tribe in India. Many scholars have attempted to place tribe

¹ .Banerjee, Biswanath, *The Habitat and Culture of Primitive Hill: People of India*, (India, 21st International Geographical Congress, 1968), p.3.

² .Hardesty, D.L., *Ecological Anthropology*, (New York, John Wiley and Sons, 1977), p-102.

in an evolutionary framework. According to Redfield, "tribe" evolved into peasantry when brought into the ambit of state and city under the influences of civilizations; others like Surajit Sinha have discussed the tribe-caste transition and transformation in many parts of India; Ghurye had long considered them to be "backward Hindus". Hutton had perceived the tribal cultures and religions as unassimilated indigenous cultures and religion of India, which contributed much to the evolution of Hindu religion and society.

B.K.Roy Burman has attempted to disentangle "tribe" from its "primitive" connotation. According to him analytically and historically it is possible to show that the world view of communion and reciprocity between man and man and between man and nature (rather than that of competition and coercion) can be disassociated from primitive dimension of tribe. A tribe can thus outgrow its primitiveness and retain its social boundary and essential features of its identity. This analytical orientation can be formulated within the framework of the concept of "post primitive" tribes. Thus "post primitive" is both an evolutionary stage and a quality of life.³

Thus on the whole we can say that a tribe is a group of homogeneous people that is with a common way of life and having an in-group sentiment of their own which differentiates themselves from other, having a common geographical territory with a common dialect, usually backward, segmentary society that is specialization is not rigid, shyness in contact with outsiders

³ Deva, Indra, *Folk Culture and Peasantry Society in India*, (New Delhi, Rawat Publications, 1989), p.23.

primitiveness in comparison to modern technology, lack of personal ethnics in supernaturalism and presence of hierarchic pantheon of their celestial world in their world view and have a belief in the transmigration of soul and reincarnation.⁴

Tribes constitute an important component of the population of India, representing about 8.20% (2001 census) of the total population of the country. They live in the hills, forests and in the islands, generally in isolated less fertile and less accessible habitat. Since the tribal people live in isolation for centuries together in the desire of nature, they have developed a culture of their own adjusting with their local or the immediate environment. Their interactions with such natural objects have become a part of their great cultural heritage.⁵

In the primitive times any happening beyond human control or any odd in their social environment was generally attributed to the influence or mechanism of supernatural powers, which ultimately resulted in the beliefs in various malevolent and benevolent spirits. To overcome all anxieties and feelings of uncertainty believed to be created by those spirits and to get strength in mind; they performed several rituals to appease all those spirits. Ritual is nothing but the functioning or action or the performing part of religion. "Religion is one of the most important aspects of culture and religion corresponds to the ecological setting to a great deal"⁶

⁴. Sarkar, Amitabha and Semira, Dasgupta, Ethnic Conflict: Unrest among Autochthons of Jharkhand, *Social Change*, Vol.25, No.4. 1995, p.96.

⁵. Vidyarthi, L.P., Strategy for Tribal Development in India, *Abidasi*, Vol.15, 1973-74, pp.77-79.

⁶. Chandra, Ramesh, (Ed.), *Ecology and Religion of the Kinner in Nature-Man spirit Complex in Tribal India*, (New Delhi, R.S. Mann, Concept Publishing Co., 1981), p. 28.

The tribal world picture presents the Supreme Being or Sing Bonga or the Bhagwan or Dharmesh as the creator of this earth and of the mankind. There are many myths among the tribals about the universe. The most usual role of a myth is explanatory. It explains a ceremony of a cult why it is observed and what one will get from it and so on. There may be a romantic and heroic story of some historical person or figure, which may finally give the tribal group their clan or family God. The myths may read animal or human causes into natural events to explain them as actions of the superhuman and supernatural.

The geographical or natural environment has an overall impact on the belief system of tribal people in a particular niche. Titiev has shown the inter relationship of the universally accepted patterns of culture through the model of bio-cultural triangle where the environmental relationship of man forms the base whereas the other two arms of the triangle comprise man-man and man-supernatural interaction. Titiev opines that the three sides of the bio-cultural triangle are always integrated but the emphasis is not equal in all the societies.⁷

It is obvious that different tribal groups possess different belief systems of their own which vary according to their local geographical environment. Their beliefs and rituals are very much associated with their life and it is difficult even to isolate or separate those from the people. In fact these tribal people possess belief in various super-natural powers that wield a profound influence on their day to day life and livelihood.

⁷ Dasgupta, Samira, *Birja: Society and Culture*, (Calcutta, Firma KLM Put. Ltd, 1994), p.92.

The tribal ethnic religions are most numerous and are normally associated with a small group of people. Specific details of ethnic religions vary but each commonly has a format set of behaviors and rituals designed to placate the Gods of an individual locale. Tribal ethnic religious groups use religion to provide order in uncertain environments. Environmental uncertainty is dealt with by ritualistic behaviors designed to ensure good weather, abundant game for hunting, fertile soils and productive crops and a suitable human land relationship as well as to prevent droughts, hurricanes and hazards.

Closely associated with placating the Gods is reverence given to specific features in the environment. Sacred space is regarded as categorically and qualitatively different from the profane space that comprises most of the world. Tribal ethnic religions recognize a variety of physical features or plants and animals as sacred. Sacred trees or animals are normally protected. The designation of a physical feature as sacred not only affects its environmental conditions but the believer's behavior associated with it.⁸

Every tribal ethnic religion has developed a system for dealing with the uncertainty of the world in which its members live. The ritual actions and prescriptions of religion are designed to ensure that the well being of the group is maintained. Most tribal religions traditionally had a harmonious relationship with the environment. Since most of these tribal religions relied on hunting and gathering, nomadism or simple subsistence farming, their major environmental

⁸ Kluchkolm, Clyde, (Ed), *Culture and Behaviour: Collected Essays*, (New York, Free Press, 1966), p.51.

impact involved the protection of selected trees, animals, landforms or other physical features. Among those who relied on a specific animal for livelihood as did the Plains Indian with bison (buffalo) conservation of limited resources was a necessity and was included in the formal belief system of the religion to ensure that their would be adequate food supplies for their future. Many of the groups with a tribal religion have a much less harmonious relationship with the environment today as modern technology has led to larger populations.

The religious belief of the tribal ethnic groups still provides a spiritual geography that guides their actions with respect to the environment and to one another. The religion specifies the proper procedure for selecting a site for a home, a grave or a village or interacting with the environment. The resulting cultural ecology of the tribal ethnic religions tends to be markedly distinct from that of other groups. The central role of the environment in the religion and beliefs and behaviors designed to prevent humans from offending or destroying the environment and its Gods typify the cultural ecology of these groups.

Based on the above background the current chapter aims to discuss the ecological conditions of the Oraon and the Gaddi tribes and their subsistence activities. It also explains the correspondence of ecology and culture, availability of natural resources and its management by the respective tribes.

NATURE CENTRIC CULTURE OF THE ORAONS

This part of the chapter aims at understanding the place that the natural

order assumes in the life of the Oraons, one of the major tribal groups in India found in Jharkhand and Orissa. This is done by examining some features of the Oraon culture-culture understood in the sense of the way of life of a group. All the same the focus is not on how nature and environment are articulated in riddles, stories, myths, legends and so on. Though these tell us about the ways in which nature is perceived, they may not tell us how people actually relate to nature. Accordingly in this part those aspects of culture are dealt with that are being lived in the day-to-day lives of the people.

It is further divided into three parts. The first part outlines the place of nature in the life of the Oraons; the second tries to understand the nature of the interface that obtains and the values making such interaction possible; and in the last part we explore the modes through which the Oraons sustain the order that exists.

I

An important aspect of the Oraon culture that is intimately related to the environmental features is their food habits. The Oraons are primarily agriculturalists. Their usual diet consists of rice, dal and vegetables. Fish and meat are occasionally consumed. What is striking; however is that leaves, flowers, seeds, roots and fruits are an integral part of the Oraon diet. These are procured from the forest. Only the people themselves grow a few. A study has shown that there are 21 kinds of common native plants whose leaves are eaten by the Oraons. The number of common native plants whose flowers, roots,

seeds, fruits and whole plants that are eaten stand at 10, 10, 15, 25 and 6 respectively. In all there are 87 kinds of common native plants, which are related to the food of Oraons.⁹

The construction of houses, household items and other artifacts too show a linkage with the environment. Chotanagpur is the land of forest. Many products are obtained from the forest. Some of these are major products and others are minor ones. The Oraon house is usually made of mud walls and tile roofs. All the same, the house construction requires the use of timber and bamboo.

It is for minor products that we find greater concern among the Oraons. The Oraon household includes such items as mats, cots, wooden stools, baskets, cups, plates, cushion, rope, mortar and pestle and oil presses. All of these are made from forest products. Hunting implements such as bows and arrows, slings, spears and swords are made from forest products. Similarly fishing tools such as baskets and traps of various kinds are made from bamboo. Fishing nets are made of twines. Umbrellas are made with handle and ribs of bamboo covered with gungu leaves. Even the hooded coat is made of the gungu leaves.¹⁰

Knowledge of the treatment of diseases is another sphere where we find a close relation between the Oraon community and its environment. The

⁹Rundell, John and Mennell, Stephen (Ed), *Classical Readings in Culture and Civilizations*, (London,, Routledge, 1998), p.129.

¹⁰Sahay, K.N, *The Impact of Christianity on the Oraon of three village in Chotanagpur*, (Calcutta, Bookland (P) Ltd. 1963), pp-108-110.

treatment of diseases is invariably based on the use of medicinal herbs found in the region. There are about 34 kinds of diseases, which are treated with such medicines. These include pain (headache, tooth-ache, stomach-ache, eye pain, ear pain, and migraine), fever (high, ordinary, and malaria), wounds, constipation, diarrhea, epilepsy, rheumatism, insomnia, tetanus, eczemas and so on. These are treated with medicines based on leaves, roots, and the bark of trees and with plants, which grow wild in the jungle. Some of them are grown in their fields by the people themselves.¹¹

The major customs among the Oraons as with any other community are connected with birth, marriage and death. The linkage of culture with ecology is best reflected in customs connected with marriage and death. There are many customs preceding marriage with which the environment is closely connected. There is the custom of men going to the forest to fetch firewood and women to fetch sal leaves for preparing cups and plates. The preparation of marriage mats and marriage baskets of various sizes are other customs. Setting up a marwa is however, the most significant. Nine sal saplings with leaves on top are planted in the courtyard in three rows. The middle one of the second row differs in its height. Also planted are branches of bamboo, sidha, bhelwa, mango and mahua. The mango suggests perpetuity of descendants; the bamboo symbolizes progeny, the sidha fidelity of husband and wife, bhelwa protection from the evil eye and the mahua love between the couple. The marriage ritual would be incomplete without this invocation of trees and plants.

¹¹Ibid, p. 11.

During funerals the Oraons practices burial and cremation. Bodies are buried when crops stand in the fields. In this custom various shapes of branches cover the bottom of the grave, lengthwise and cross-wise.¹²

An important festival of the Oraons pertains to the forests, hunting, agriculture and cattle. Besides these there are socio-religious gatherings known as jatras, which take place at the commencement of different seasons.

The spring festival known as Sarhul is celebrated when the sal tree is in full blossom. In this festival the Oraons perform the symbolic marriage of the sky with the earth. This is done to ensure the fertility of mother earth. On this day a propitiatory sacrifice is offered to the old lady (the village goddess) who is believed to abide in the sacred grove of the village. Phaggu is a festival, which is observed towards the end of February or the beginning of March. On the evening previous to the feast, young castor (Palma Chisti) plant and a semar (*Bombax Malabaricum*) branch are planted in an open place. Around these some hay, firewood and dry leaves are heaped. The village priest sets fire to the hay. When fire burns at its brightest the young castor shrub is cut into pieces with an axe. Immediately the young boy of the village light torches from the bonfire and throw the burning torches at fruit, trees saying "be it loaded with good fruit."¹³

¹² Roy, S.C., *The Oraon Religion and Customs*, (Calcutta, The Industry Press, 1920), p-35.

¹³ Vidyarthi, L.P., *Cultural Configuration of Ranchi : A study of the Pre-industrial City of Tribal Bihar*, (Bihar, Council of Cultural and Social Research, 1970), p.74.

II

What these selected illustrations shows is the scale of interaction that prevails between the community and its environment. Whereas the community's dependence of nature is overwhelming it is far from being passive. The community acts on nature and transforms it into forms that are of use to it. However the use of environmental resources is limited to the extent necessary for the community. It is this, which leads to harmony between community and the environment. Such harmony is however possible because of the overwhelming social values that guide the Oraon society. These are values of equality in the society, collectivity in economy accommodation in history, ethical living philosophy, folkism in literature and group participation in art and music. On account of this the attitude the Oraon have towards nature is one of rational adaptation and not mastery over the world.

Crisis in this harmony result from a number of sources. The opening up of the economy to the market and therefore profit is an important factor but is not only one. Societies guided not by profit but by their assessed needs have been equally instrumental in the destruction of environmental health. What seems to be at the back of disharmony is the attitude of rational mastery over the world rather than rational adaptation to it. What has led to this shift seems to be a spirit of competition and domination rather than co-operation, the hallmark of the traditional societies.¹⁴

¹⁴ Vidyarthi, L.P., *Socio Cultural Implication of Industrialization in a Case Study of Tribal Research*, (Bihar, Council of Cultural and Social Research, 1970), pp.119-120.

III

After having tentatively explained what makes possible harmony between community and environment we shall explore the ways in which the Oraons contribute to sustaining the existing order. We have seen how nature enters into the very fabric of Oraon society – their food, houses, domestic goods, artifacts, rites, rituals, customs, festivals and so on. This shows how the natural order enters into the social order of the Oraons. The two orders are not separate, discrete autonomous. Rather they are integral to each other. At the same time the social order is also a moral order for the Oraons. Hence there are ways through which moral order is maintained. In Oraon society, these orders are maintained either through prohibition or propitiation. Taboos surrounding the use of environmental features are varied. These are observed on different occasions and by different sets of people. Restrictions surrounding hunting or the commencement of the season or totemic institutions may be taken as illustrations. Propitiation of village deities in charge of different environmental features in another way by which the moral order is thought to be maintained in the Oraon society.¹⁵

SACRED RESPONSE TO ENVIRONMENT: THE GADDI AND HIS MOUNTAINS

For the further understanding of this area of research I seek to explore the ecological world view of the Gaddis and show how this world view as well as the life style based on it are in complete harmony with nature and have for

¹⁵ Sharma, B.D., *Planning and Tribal Developments*, (New Delhi, Prachi Prakashan, 2001), p.17.

centuries helped preserve the eco-socio-cultural nerve center of their existence namely the Dholadhar range of the Himalayas.

The Gaddis are a semi-nomadic pastoral group whose economic activity revolves around sheep rearing and agriculture. The Bharmaur sub-tehsil of the Chamba district, Himachal Pradesh is the homeland of the Gaddis and is called Gadiyar or Gaderan after his inhabitants.¹⁶

Gaderan, situated on the Dholadhar range of the Himalayas is not just a physico-geographical entity but possesses a symbolic multi-level identity. The Gaderan land contains within itself the Brahmlok-Bharmaur. Brahmlok belongs to Brahma Mata or Bharmani the original deity and the ruler of Bharmaur. Chaurasi, the main temple complex at Bharmaur, which according to popular belief contains 84 shivalingas, represents the celestial kingdom both at the micro and macro levels. What appears to the naked eye is at the micro level and to the vice or to those with inner vision the real and pure celestial kingdom is perceivable. Thus Chaurasi is not a mere reflection or a replica of the original kingdom but in fact is the real celestial kingdom. Chaurasi is immortal. Situated at the yoni basin of Shiva it remains intact during the cosmic dissolution. Chaurasi also represents the meso-space the middle space mediating between the individual microcosm and the microcosm of eternal space the Mani-Mahesh Kailash. It is not just Chaurasi but the entire hill terrain inhabited by the Gaddis, which is held sacred. There is no place for profane here as the entire land is the Shiv Bhumi or Shiva's Jalhairi.

¹⁶Bose, N.K. *Tribal Life in India*, (New Delhi, National Book Trust, 1971), p-42.

The Shivbhumi or the yoni basin (Jalhairi) stretches from Kharamukh (15 km West of Bharmaur village) the meeting point of the river Ravi and its tributary, the Buddhal Nallah to Mani-Mahesh (36 km east of Bharmaur). Mani-Mahesh represents eternal space which has neither an end nor a beginning. The soil from Kharamukh to Sundrasi (a spot en route to Mani-Mahesh) is made of copper and that from Sundrasi to Mani-Mahesh of gold. The Dal lake located at the feet of Mani Mahesh represent Shiva's Vaikunth and Bharmaur is Bharmanis Vaikunth. Lord Vishnu Vaikunth is located deep inside the Ksheer- Sagar which is situated under the waterfalls of Dhancheho (one of the stopovers en route to Mani-Mahesh).

The temporal world consists of four paths and they all lead the Chaurasi, where the river Vaitrani flows. The 2½ steps, the soul climbs to reach the court of Dharma raja are also located at Chaurasi. After death the soul crosses 16 bridges and then by one of the four paths reaches Dharmaraja's court located at the Dharmameshwar temple in Chaurasi. The gates of the celestial space of Chaurasi are guarded by Bhe and Bidh Mata who is also known as Lakhna Mata.¹⁷

As in life, so in death man is seen as closely related to cosmic elements. If during his life time man's survival is conditioned by his response to the environment whether social or natural or biological his fate after death is decided by 14 witnesses who accompany the soul on its journey to

¹⁷ Majumdar, D.N., *A Tribe in Transition : A Study in Cultural Pattern*, (Jordon, Longman Green and Co. 1947), p.180.

Dharmaraja's court. These witnesses are day, night, morning, after-noon, evening, moon, sun, stars, air, water, fire, earth, and akasha. The shrine of the 14th witness Chitra Gupta (who in a sense encapsulates the deeds of the soul in the temporal world) is situated in front of the entrance to the Dharmasehwara temple. This is an ultimate statement about man's total dependence on nature as well as acknowledgement of its supreme power. This is also an acknowledgement of the fact that it is in deed the bondedness of the biological being with nature and his actions within the temporal world (both physical and social) that sustain a Gaddi in life and death.¹⁸

The ultimate destination of the soul is the Mani-Mahesh Kailash beyond the boundaries of mundane space and time. The ultimate goal is to become one with the cosmic realm of Shiva, the lord of the Dholadharas. Mani-Mahesh represents the eternal celestial bliss - for here Shiva at his benevolent best lives with Mata Gorja whose man ka Mahesh (beloved) he is. Shiva created Mani-Mahesh as his abode after his marriage to Parvati.

Shiva resides in Mani-Mahesh for a period of 6 months and migrates to Piyalpuri, the nether land during the winter months. The migratory period of the Gaddis coincides with the migratory pattern of their main deity, Lord Shiva. It will not be off the mark to state that the Gaddis notions of the space and time as well as their economic-socio-cultural configuration are conceptually derived from this upward downward movement of Lord Shiva. The Gaddis annual calendar of activities is accordingly divided into two halves and represents two

¹⁸ Ibid p. 182.

distinct modes of life during the summer month at the Bharmaur and the high passes of the Dholadhar and winter months in the valley of Kangra. The Gaddi universe is spatially conceived as being on the vertical axis. On one end of the axis is Shiva's Kailasa and on the other is the Netherlands. The up and down movement of this vertical axis is cyclical and follows nature's rhythm. When Shiva migrates to Piyalpuri he takes away with him all the living creatures so the Gaddi too migrates to Piyalpuri. This upward downward movement is so important to the Gaddi that it is reflected in his more sedentary existence as well, namely in the construction of his houses which stand as if on a vertical pole and the life within the house which also follows this movement. The vertical axis is so important that the horizontal axis in fact is seen as an undifferentiated mass of things and beings.¹⁹

Nothing would be more off the mark than to give Gaddi migration a mere economic pursuit. Ironically all developmental programmes launched in the Dholdhar mountain range are aimed at making the Gaddis move towards a sedentary way of life. This migration pattern is seen as a clever attempt at grabbing land on both the sides of the Dholdhar on the one hand and retaining their schedule tribe status on the other. The relationship between the Gaddi and his flock is again understood in purely materialistic terms so he is urged through various administrative means to give up sheep rearing. High taxes on sheep and goat, the closing of traditional pastures and routes the planting of trees in traditional grazing grounds, the introduction of horticulture and offers

¹⁹ Ibid, p.186.

of clerical jobs at local C.P.W.D. and electricity departments are some such means which according to the Gaddis have done more harm than good.

What must be understood is that to a Gaddi his way of life is not dispensable. His mountains, his sheep, his pastures are not dispensable either. He derives his socio-cultural, religious and territorial identity from these. They not only sustain him but are also sustained through him. The protection of sheep is the reason why Shiva created the Gaddi in the first place. He is a nomad because his Lord himself is a nomad. He roams from pasture to pasture, from hill to hill, because lord has ordered him to do so. In his nomadism and pastoralism he is doing what the Lord of the Dholdhar himself does. The boon of sheep rearing is not granted to the Gaddi easily. A Gaddi became a Gaddi by Shiva's blessings, which first tested his integrity, as a shepherd.

Shiva tested the Gaddi. He gave him a flock of sheep to tend. The Gaddi saved the flock from the attacking bears, risking his own life. He saved it from the attacks of the wild dog. At last, when he sat to eat, Shiva drove his flock away. The Gaddi forgot his meal and ran after the flock and brought it back. At night when he was about to sleep Shiva led his flock astray. The Gaddi ran after the flock and ran the whole night bringing it together. Shiva was convinced at last. He gave the Gaddi his flock and his garb and made him a Gaddi.²⁰

The chola and the dora (the Gaddi dress) are indeed an extension of

²⁰Ibid, p.189.

Shiva's own self in the same way as sheep rearing and nomadism are. The Gaddi body is created with the mitti (earth) taken from Shiva's body and this act of creation takes place while Shiva is seated on his royal seat (gaddi). The area where the Gaddi lives and tends his flock is the majestic Dholadhar (the grey pasture land, grey because of the clouds). This pastureland rests in Parvati's lap or in the yoni basin of Shiva. Space this is seen here as a Shiva-Parvati continuum or a Purush-Prakriti continuum. The Gaddi is an extension of this space. The Gaddi garb a symbolic extension of Shiva's own self. The Gaddi cap whose top represents Shiva's Kailasha and the flaps of the cap that represents the inner chambers of Paravati's abode, repeat the Purush-Prakriti continuum. The Shiv Bhumi or the Jalhairi that protects and nurtures the Gaddi has the central axis of its existence in Lords Shiva, who himself is embedded in this Bhumi.

Thus the Gaddi space is both immediate and physical on the one hand and eternal metaphysical transcendent on the other. The five primeval elements that fill the ecological space also fill the biological space of the Gaddi body. This water is what flows in the form of blood. Air constitutes breath. Earth makes flesh and bone. It may be pointed out here that it is only who is created from mitti is blessed with life (motion), prana (air). Fire gives strength, vigour and vitality. Akaska is consciousness. Akasha as sun are the eyes. The soul resides in the inner most chamber of the heart.

This worldview of the Gaddis does not just remain discussed or referred

to discourse but is actively practiced. The life of the Gaddi shepherd is the life of discipline, austerity and acknowledgement government of the interdependence and bondness of man with the great forces of nature and its eternal rhythm. Nature and its forces are revered and the most sacred act is the act of maintaining its purity. This is done through the moral and ethical order. As body and mind are kept away from pollution through moral conduct so is the environment.²¹

Each stone, each dhar, each slope and each spring is sacred. Each has a deity or represents a deity. Obeisance is paid to each nallah, each stream has appeared as a result of some sacrificial act by ancestors. The Sui fair at Chamba annually pays homage to Rani Naina Devi, who sacrificed her life in order to release the flow of waters. Bharmani Mata is the most revered deity from whose fleet flows the water of the Bharmani Nallah. She according to one of the legends stole the waters from the Naglok (a long vessel made of dry pumpkin) and provided them to Bharmaour. Minjar ka mela worships rain, sun and varuna.

The village Panihar (place for washing, bathing and drawing water) is a sacred place. Each newly wed daughter in law is taken there to offer prayers. After the bath, the batter cleans the Panihar, removes the dirt and offers dhupa (incense), sindur (vermillion) and flowers. Panihars are beautifully carved places where figures of Gods and ancestors are prominently displayed and worshipped. The great reverence for water comes in the form of an

²¹Ibid, p.191.

acknowledgement of Mother Earth as Jalhairi (water reservoir). Along with the worship of water, the sun is worshipped too. Water is offered to the sun. There is some archeological evidence that the Gaddis were sun worshippers at one stage. It is noteworthy that the Gaddi calendar of fairs and festivals are solar in nature. The festival of Patroru is associated with the worship of fire and Shiva. It is also a festival of flowers and green leaves. Domestic fire is revered too. Halwa is offered to the fire god at the time of lighting a new oven.

The Gaddi shepherd on the mountain passes interacts with his resource base in responsible manner. He not only reveres the mountains but leads a life that follows the principle of non-pollution, minimizing waste and conserving self, flock and land. The Gaddi refrains from taking liquor as a mark of respect to the deity of a given pass. He does not spit or litter the place in any manner. Where and when the shepherd can relieve himself is specified. The Gaddi shepherd is well aware of noise pollution up in the mountain passes he is prohibited from talking aloud, making loud sound or laughing aloud. If he does so stones will start rolling down the mountains and snow storms will destroy him and his flock. The Gaddi shepherd at the passes eats only once in a day and that too at a specific time. No body is allowed to eat or light a fire after that. The Gaddi shepherd while up in the high pastures does not erect tents. No matter how cold it is he sleeps in the open along with his flock and receives warmth from his sheep. Rock projections serve as a shelter from rain. Rock spirits are offered three coloured grains of rice, five sweet cakes, a loaf, a flour log with a red wick, three kinds of flowers, three pieces of dhupa and a she-

goat. The deities of the Dhars (mountain summits) are offered a she-goat. Permission is taken from the deity of the pass at the time of entering and leaving his area. This life of austerity and restraint is oriented towards the preservation and conservation of life sustaining elements, which we very often dismiss as a superstition of the primitive mind.²²

Gaddi pastoralism or transhumance also helps conserve the ecology of the Himalayas. Studies of transhumance show that it maintains an equilibrium among men, animals and pastures in the mountain regions that are unsuitable for conventional agriculture. The animals are important sources of primary products such as meat, milk, wool, hides and skins. The system calls for a judicious use of the available resources- herds and pastures. The ecological aspect of transhumance is as important as its economic significance. In high altitude, movement of cattles helps afforestation. While traversing over mountains they exert pressures on seeds and spawns deposited on leaves of plants thereby fixing these in the soil to generate. Also the process of rotation grazing and weeding out of unnecessary shrubs and grass helps tree and plant grown these regions²³.

And one last word about the Mani-Mahesh Jatar, Shiva has supposed to have come to Bharmaur from Kashmir with 84 siddhas. They lit a fire and filled the area with smoke. The ruling deity Mata Bharmani was furious. She

²²Huges, J. Donald, *An Environmental History of The World: Human Kinds Changing Role in The Community Life*, (London, Routledge, 2001), p.23.

²³Szerszynski, Bronislaw., Heim Wallace and Waterton Claire (Ed), *Nature Performed: Environment, Culture and Performance*, (New Delhi, Blackwell Pub, , 2003), p.197.

turned the 84 siddhas into stone lingas and ordered Shiva to leave and to move to his Kailasa. Shiva in veneration to this deity decreed that all persons intending to go on a pilgrimage to Mani-Mahesh must have a dip in the Bharmani pool and offer prayers at the Bharmani temple. Failing this the pilgrimage would not be acceptable to him. So even the lord himself was not allowed to desecrate the socio –ecological order. The annual pilgrimage to Mani-Mahesh is a Gaddis way of paying tribute to this order. The Mani-Mahesh Jatar not only reinforces the Gaddis moral and socio-cultural order it also makes him an integral part of the cosmic ecological rhythm of the lord of the Dholadhars.²⁴

Thus we can say that the present treatise deals with the Indian tribal situation and the varied geographical settings in which the tribes live. Naturally the differential aspects of their culture have to be explained in terms of their geographical setting. Herein an attempt has been made to portray the role of ecology in the formation of the tribal cultures of India and to highlight how the resources are exploited by the communities living in hilly, forest, island or plain areas.

This chapter has importance because it is the geographical condition that guides and dictates cultural behaviour of a particular community. It has shown how the geographical environment plays an eminent role in shaping the cultural pattern of a community or a group.

²⁴Hardy Friedhelm, *The Religious Culture of India: Power, Love and Wisdom*, (Cambridge, Cambridge University Press, 1995), p.123.

Indian subcontinent is composed of cultural mosaic of different ethnic groups with their distinctive cultural identities. After the passage of 50 years of independence, the Indian society is still blighted with some age old problems of social stigma. People of India are differentiated as high, low, scheduled, non scheduled, untouchables and so on and the scheduled caste and scheduled tribes continue to occupy the lower most layer of the social ranking and economic strata. These people generally have a very little knowledge of technological advancement and due to this they are less competent to tame the various environmental hazards. They have to adjust with the local niche with their little traditional knowledge of technology. Their life and culture is constructed to suit their local environment. In this way, various types of cultures have emerged in the Indian scenario.²⁵

The tribals are in close inter-action with forest environment. Their dependence was total in ancient times when they were supposed to be "lord of forests." In fact they are an integral part of the forest eco-system and like the other components of terrestrial ecosystem they have been playing a significant role in the operation of the forest eco-system and in the maintenance of the ecological balance in the area.

They have a symbiotic relationship with the forest since time immemorial. From the forest they derive their basic needs of survival that is food materials, like fruits, nuts, vegetable, leaves, various types of tubers and

²⁵ Majumdar, D.N., *A Tribe in Transition: Study in Culture Pattern*, (London, Longman Green and Co. 1937), pp.206-207.

roots, mushroom for themselves. Forest is also a source for their shelter, collection of raw materials for their huts, firewood, fibers for clothing, rope, wood, bamboo, and grass for housing and farming, grazing of their cattle, herbal medicine for health and earning source through the sale or barter of gums, resins, waxes, honey, chiranji seed, mahua, silkworm, cocoons, kosa, tamarind, phooljharu, sal, seed, sindur, seed, mushroom, bora, bans, karil, chirata-a kind of medicinal plant and several other valuable forest products. In turn they protect the forest with their folk knowledge and also enrich its fertility through their various cultural performances, beliefs and practices. The forests not only give livelihood to the tribals but also provide them with social bondage and a culture reminiscent of their ancestors. Rajiv Sinha (1991), in his article "Ecosystem Preservation Through faith and tradition in India," observes that tribal women think of forest as their maika and the trees are held sacred. He writes that although the tribal people cut some trees in the forest for economic and other purposes, side-by-side they take the vow of planting new trees in the vicinity of their habitat to keep up the ecological balance.²⁶

Animism, naturalism, various beliefs and practices are part of the cultural life of the tribals in India. In their system plant, animals, hills, trees, rivers, lakes, ponds, stones, mountain tops are considered sacred. Nature worship is a form of belief and all nature's creations have to be protected. In fact this sort of dependence on nature has greatly helped in the preservation and protection of many natural items of ecosystem in our country. Due to such

²⁶ Majumdar, D.N., *The Affairs of a Tribes: A Study in Tribal Dynamics*, (Lucknow Universal Publisher, Ltd., 1950), p.14.

belief several “virgin forest” or a patch of land have survived in its pristine glory. These are sacred groves, usually dedicated to a deity or the Mother Goddess who is supposed to protect and preside over the groves and intruders will be punished.

These virgin forests also preserve several wild species of biologically diverse flora and fauna. Since many of them are on the verge of extinction their survival in these sacred groves is of great ecological significance for the biosphere. In fact, these patches of forests in the abode of forest dwelling tribes contribute significantly in the maintenance of biological diversity and ecological balance of the country. The sacred groves of ancient times have become the “biosphere reserve” of today and are found in several parts of the country.

It has been observed that tribals are highly conscious about their local environment and resourceful plant and trees, like they never destroy mahua, kusum tree, sulphic, aden and even sal trees are protected in view of economic and ritual value in their subsistence pattern.²⁷

Tribals of our country still love to live in their original natural abode consisting of hills, forests, rivers, fresh air, soil and practice their traditional way of living, rituals, customs, dance, music and traditional belief system of health cure within their self-sustained forest eco-system. Their traditional beliefs and practices have helped them in the preservation of their age-old

²⁷Ibid, p.78.

culture and along with it in conservation of the physical environment, biological and ecological legacies which have come to present day as a great heritage from, these primitive people.²⁸

Thus we can say that the above analysis has a great significance in explaining the interdependence between the tribal population and their natural environment. The ecological factor has proved to be an important agent in maintaining the distinct identity of the tribal people. Their religion is based on their physical environment which has shaped their culture and this has a historical evolution. In other words this distinct tribal culture have geographical relationships like for example on the one hand the spread of particular religions into certain regions was influenced by positions and other natural conditions, while on the other hand the beliefs of a particular group of people may have a great effect on their work, mode of life government and selections with other groups. Nature seems to speak an ever present spirit world, which compels men to seek the supernatural in every bush, rock and avalanche. Every rock and rivalet is dedicated to some saint or diety and has its appropriate legend. Thus we can not ignore the effect of the natural environment on the tribal society as a whole.

²⁸Guha, B.S. *The Racial Affinities of People of India*, (New Delhi, National Book Trust, 1935), pp. 121-122.

CHAPTER THREE

RECOGNIZING THE RIGHTS OF THE TRIBALS TO LAND AND FOREST IN INDIA

It would be a truism to state that “the environment”, “nature” and “natural resources” are now a part of the daily issues that we are confronted with. In contrast, in the immediate aftermath of independence, the political process in India rarely acknowledged the diversity of issues that today make up the ground for contentious ecological politics. Despite widening awareness, however there are multiple perceptions of what needs to be prioritized, what needs to be urgently attended to and by whom. For a vast majority of Indians, Nature continues to be the source of life, it provides subsistence and meaning and it contributes to their self-definition of who they are. It is also brutish and unpredictable, often bringing starvation, conflict and strife. For others who predominantly live in urban areas, priorities encompass the pollution of air, water, and soil, the loss of species and biodiversity, destruction of ozone layer, destabilization of climate and loss of vegetative cover. The complex and vastly differing relationship with nature in these two domains, how Nature is “valued” in each of them and how the dynamics in one impact on the other frames ecological politics today.¹

¹ Verma, R.C., *Indian Tribes through the Ages*, (New Delhi, Publication Division, Ministry of Information and Broadcasting, 1989), p. 124.

HISTORICAL PERSPECTIVE

The history of human development starts from man's association and intimation with forest resources. This has two stages: the first is the tribal phase of history and the second is agriculture and advanced technology economy. The historical association with forest through the ages made him "lord of the forest" and in the Indian context we have also coined the terms "vanyajati" (forest dwelling communities), "vanabasi" (inhabitants of forests) or "vanaputra" (forest-dwellers) for them. The Birhor, Korwa, Birjia, Asur and Maler of Bihar, Rajis of Uttar Pradesh, Cholanikan of Kerala and Onge, Sentinelese, Jarwa and Shompens of Andaman and Nicobar Islands are a few examples of such people.²

Up to the beginning of the 19th century, lands close to village habitations were enough to satisfy the subsistence needs of the people and therefore forests remote from habitations were generally never over exploited. Often these virgin forests were concentrated in infertile highlands, where lived India's indigenous communities who were often forced to seek refuge in forests, being driven from fertile lands by the more aggressive warrior communities. The Indian rulers did not disturb these forests dwellers as they concentrated their political aspirations on fertile agricultural plains and on more populous villages and towns.

The British presence from the late 18th century onwards started making a

² Ghurye, G.S., *The Aborigines-So Called — and their Future*, (Pune, Gokhale Institute, 1963), p.26.

difference to land and forest usage in India. Guided by commercial interests, the British viewed forests as crown lands. Often such forests were under community management, and their annexation by government alienated the tribal communities from their erstwhile common resources, leading to their overuse by the same tribals.

Britain's loss of power after the First World War and appointment of a Forestry Commission in Britain in 1921 led to an appraisal of the importance of forests. The Commission was established with a mandate to ensure a flow of forest products from within the Empire. From this period onwards, large areas of natural forest in India were replaced with uniform plantations of marketable species.

While uncultivated land remote from habitation was declared by the government as forests and managed under the new forest regulations, lands close to habitation were governed by state specific laws, and left as open access lands to meet the needs of cultivation and biomass. This buffer, to some extent, prevented over-use of forests, but with the increase in both population and area under cultivation in post-independence period it was no longer sufficient to stop the pressure of people on forests. Most village commons, due to lack of management and interest from all concerned, rapidly deteriorated and were unable to meet local demands for fodder and fuel, leaving the villagers with no other resource but to turn to forests which increased the pressure on them.³

³ Chaudhuri, B., *Forest, Forest Dwellers and Forest Development*, (New Delhi, Inter-India Publications, 1989), pp110-111.

The forest occupies a central position in tribal culture and economy. The tribal way of life is very much dictated by the forest right from birth to death. The forest is not only their home rather they always live in harmony with nature. They worship the forest as "Mother Goddess". The traditional way of conservation of forest is called "sacred groves" where they invoke village tutelary deities. A good number of clan names are also associated with the names of plants and animals, which are available in the forest. In several proto-australoid tribes a man is married with the mango tree before the formal marriage rites. Many of the roots, tubers and leaves are required for them for their magico-religious rites. During a famine or natural calamity, forests are their last succour. It has been found among agricultural communities that boys and old men regularly visit the forest for their recreation. Their folk songs and dances revolve round the forest and they enjoy peace and maintain a happy life centering the forest. They also organize their animal hunt in the forest.

On the basis of the relationship with forest and wider economy the tribals can broadly be divided into two groups, which are as follows:⁴

(a) Isolated and living in remote inaccessible forest areas, e.g. Bonda of Orissa, Birhor of Bihar, Cholanikan of Kerala, Chenchu of Andhra Pradesh, Onge, Jarwa and Sentinelese of Andaman and Nicobar Islands, whose major economic activities are hunting, fishing and collection of roots, tubes, fruits and so on in the forest. Those who are still in the food gathering stage have no definite property concepts with regard to land. They conduct their economic

⁴ Jaiswal, C.M. *Environment and Justice*, (New Delhi, A.P.H. Publication, 2004), p.63.

activity within the territory of the forests with their natural boundaries, hill ridges, rivers or marked trees. They are equipped with simple indigenous tools like digging sticks, iron knives, pots and vessels made of mud, wood, bamboo and so on. For hunting purposes they use different types of rope nets and traps. Bows and arrow with wooden or iron heads, knives, sticks and so on are their hunting tools. Some also take help of dogs in hunting. A variety of traps, made of rope, yarn and bamboo are used for fishing. These implements are either made by themselves or procured from the nearby village or market or from neighboring artisan tribes. The hunters and gatherers are usually grouped in bands or clans, which are a collection of families usually nomadic in nature having intimate association with plants and animals, and basically adopt the exchange system of distributing the products. They are self-sufficient and gathering and hunting are done for home consumption.

(b) Little advanced, practicing shifting cultivation having some contact with outside for example Khand of Orissa and Maria of Bastar. As of now about 2.5 million people living in states namely Assam, Arunachal Pradesh, Nagaland, Manipur, Meghalaya, Mizoram, Tripura, Orissa, Andhra Pradesh, Madhya Pradesh, Maharashtra and negligible areas of Kerala, Karnataka, Sikkim, Gujrat and Bihar are practicing "slash and burn" cultivation. Shifting cultivation has different names in different regions, for example jhum in Assam, tekonglu in Nagaland, adiabik in Arunachal Pradesh, hooknismong in Tripura, watra in Rajasthan, waler in Gujrat and kumri in Tamil Nadu.

Shifting cultivation is an integral part of tribal culture and as it grows out of a particular mental outlook of the tribals it affects all the other spheres of their cultural life. The tribes, which prefer shifting cultivation deliberately, choose hilly and forested areas for their habitats. They usually like to live in small hamlets consisting of families closely associated by kinship or affinity. For a large part of the year they live on the patch of land which they cultivate or whose crops they guard. They are always ready to shift their homesteads to other places and are anyway less steady in their habitats. Family solidarity is strong but village solidarity is tenuous. Extended joint family is the rule. Land is distributed among village or clan and every year renewed in strictly equal shares and due to the increasing scarcity of cultivable land tribal society slowly became graded. They venerate the spirits of mountains rocks, rivers lakes and trees. They pay special veneration to the fertile soil, the Mother Earth with offerings of not only flowers and fruits but also domestic animals like chicken, goats, pigs and even buffaloes. Shifting cultivation is firmly rooted in the religion and mythology of tribals.⁵

Out of India's total land area of over 320 million hectares, barely 72 million hectares that is 22% is forest that is controlled by the forest department of various states. However the tree cover is put at around 10% or 34 million hectares. Thus, there has been a loss of about 12% of tree cover during the 35 years. Since 1952 Forest Policy, which declared that 33% of the country's area should be under forests, the population being 60% for hilly regions and 20% in

⁵ Vidyarthi, L.P., and Rai, Binay Kumar, *The Tribal Culture of India*, (Concept Publishing Company, 1977), pp. 96-97.

the plains and estimated the actual tree cover at 22%? Thus between the british document of 1854 when the tree cover was estimated at 40% and 1952 there was a reduction of about 18% of tree cover while another 12% was lost during the following 30 years. At present the annual loss of tree cover is put at a staggering 1.3 million hectares.⁶

The recurring growth of India's population and also for various other reasons the pressure on forest is increasing considerably and this in turn lead to gradual decrease in forest areas. The decrease in forest areas is creating both ecological as well as social problems. In recent times the issue of ecological balance and maintenance of ecosystem is receiving the top priorities in our development programme. The socio economic importance and commercial value of the forest have also been realized for our national interests. All these facts enable to formulate the forest development programmes in India. Consequently various measures have been taken to develop the condition of forests through various afforestation schemes.⁷

To prevent the massive deforestation the government has realized the need of forest development. Consequently, government has taken various measures for developing the forest and increase of forest areas. The broad afforestation programmes have two distinct wings that are commercial or production forestry and social or community forestry. Production forestry is

⁶ Desh Bandhu and Garg, R. K., *Social forestry and tribal development, Indian environmental society, New Delhi, 1986*, pp. 38.

⁷ Deegaonkar S.G., *Problems of Development of Tribal Areas*, (Delhi, Leela Devi Publication, 1980), p. 65.

meant to cater to industrial needs and social forestry is for people's requirement of food, fodder and small timber.⁸

PROBLEMS AND APPROACHES FOR DEVELOPMENT

It is ironical that the poorest people of India are living in the areas of richest natural resources. Even after independence when the tribals are being exposed to important forces of change and social reconstruction, the grievances and protests are reflected through different uprisings on the grounds of the following factors: settlement of non-tribals on tribal lands; land alienation; oppression; enhancement of rent; encroachment of forest traditionally held by them; compulsory bonded labour; exploitation of tribals; poverty, illiteracy and unemployment.⁹

Since independence, the problems of development of the tribal communities have been seriously taken into consideration for the upliftment and amelioration of the conditions of the tribal life. It is significant that Article 46 of the constitution of India enjoins on the state not only to promote the educational and economic interest of the scheduled caste and scheduled tribes but also protect them from social injustice and all forms of exploitation. Likewise as per Article 48A, the state should endeavour to protect and improve the environment and safeguard the forest and wildlife of the country. The scheduled tribes mostly live in forested areas. Hence the compliance with two constitutional provisions is mutually reinforcing. Pandit Nehru's approach,

⁸ Mathur, J.S., *Tribal Development Administration*, (New Delhi, National Book Organization, 1985), p 164.

⁹ Doyle, Timatty and Mc Eachern, *Environment and Politics*, (London, Routledge, 1998), p. 92

widely known as "Tribal Panchasheel" (The five principles for tribal development) in the foreword to Varrier Elwins Philosophy of NEFA 1958, has been endorsed through all these years of planned development of the tribal areas. However it was a little unfortunate that certain important considerations like developing tribals along their own lives of genius and optimum utilization of available natural resources in the form of land and forest was not given due consideration. The emphasis was more on giving monetary help rather than using their traditional skills at available natural resources.

The Dhebar Commission (1961) recommended that the Forest Department could be deemed to be charged as the branch of the government with the responsibility of participating in the betterment side by side with the development in forest.

The Hari Sing Committee (1967) on tribal economy in forest areas suggested providing the tribals with employment in major and minor produces to save the forest from denudation. The committee also emphasized on tribal interest in forest management and welfare of the inhabitants of forest rather than revenue collections.¹⁰

The tribal sub-plan strategy was adopted during the fifth five year plan and much emphasis was put on family oriented programmes during the 6th Five Year Plan with a view to bring substantial portion of families above the poverty line. With the above purpose in view, the central and state governments

¹⁰ Krishna, Sumi, *Environmental Politics: People's Lives and Development Choices*, (New Delhi, Sage Publications, 1996), p.73.

agreed devising suitable schemes in the forestry sector for the benefit of tribal families in assisting them to cross over the poverty line. The Conference of State Ministers of Forest and Tribal Welfare on the "Role of Forest in Tribal Economy" (1978) recommended that forestry development, instead of being planned in isolation, should become an integral part of the comprehensive plan for the area in which the local economy should get high priority and consequently influence the choice for associating tribals in big plantation programmes. The conference underlined the need for the establishment of a strong co-operative base by Tribal Development Department in conjunction with the Forest Department. It also recommended that the tribals in the forest villages should be given inheritable and inalienable right over the land, which they cultivate without any further loss of time.¹¹

A National Seminar on "Economic Development of Scheduled Tribes" (1979) recommended that tribals are ecologically adapted to a forest environment. Hence gainful occupation for them should be in the forestry sector.¹²

The Working Group on Tribal Development (1978-83) recommended that the forestry plans may be prepared to satisfy the basic needs of tribal economy and to uplift the communities living in the area as the counterpart of commercial forestry and intensive utilization of forest resources. Similarly the working group on tribal development (1980-85) recommended that the local tribal community, which has symbiotic relationship with the forest, should be

¹¹ Fuchs, Stephens, *Aboriginal Tribes of India*, (New Delhi, Mac Millan India, 1973), p.47.

¹² Ghurye, G.S., *Scheduled Tribes*, (Bombay, Bombay Popular, 1963), p.107.

accepted as partners in the local forestry development efforts in each area. The working groups on Development of Scheduled Tribes during the 7th Five-Year plan have made 15 similar recommendations in its report.¹³

MAJOR ISSUES

Regarding development perspectives the following major issues can be highlighted in the tribal-forest relationship:

I. Non Timber Forest Products (NTFPs)

They provide substantial sustenance to the tribals living on the fringe of standing forests. The tribal men and women having daily habits of collecting grasses, fruits, fibers, gums, medicinal plants, seeds and so on for their own and commercial consumption. It is estimated that 70% of non timber forest products are collected in five states that is Maharashtra, Madhya Pradesh, Bihar, Orissa, and Andhra Pradesh where 65% of tribal population lives. In the earlier days, it primarily met their personal requirements. But gradually some forest products acquired commercial value due to nationalization of non timber forest products. These are sal seed, mahua seed, kusum seed, karanj seed, palash seed, and amla fruit with seed, harra fruit and baher fruit. They are now included in trade to earn cash money. Non timber forest products are important raw materials for cottage, small and village industries and contribute to the nation income through export and import substitution. Collection of non timber forest products is conditioned by availability, marketability, access to forest and various other constraints. It is done through three agencies namely (a)

¹³ Chaudhary, Buddhadeb: *Tribal Development in India — Problems and Prospects*, (New Delhi, Inter-India Publications, 1982, pp. 321-322.

contractors, (b) co-operatives and (c) government. However in most cases the collection is done through agents who are appointed by the state and are generally men of private contractors. Appointment of such agents solve the problem of quality of collection and its handling, storage, disposal and so on which otherwise would be the responsibility of the Forest Department. The state gets the difference of collection charges and the final forest revenue but it is at the expense of the tribals. Until non timber forest products were nationalized, the tribals were free to collect and sell them as they wanted. But nationalization affected them in two ways. First the tribals were deprived of the fair market price of the items, as the increased price would amount to recovering the margin of the profit of the state. This arrangement precludes the primary objectives of removing the middleman and passing on the maximum benefit to the primary collection. Other problems associated with nationalization of non-timber forest product include reduced number of legal buyers, interrupted flow of goods and delayed payments.

It has been observed that annual collection of most of the non-timber forest products in the country is presently less than 5% of the estimated potential. Major constraints which account for low collection are: inadequate organizations at the grass root level; inadequate road communication; lack of storage facilities; lack of processing units; short period of collections; financial constraints; lack of technique of collection; and lack of intermediaries who have no interest in the development of the tribals.

II. Forest Policy and Forest Laws

We find the beginning of systematic forest policy in 1855 when the then Governor-general Lord Dalhousie issued a memorandum on forest conservation. He suggested that teak and timber should be retained as state property and trade in teak should be strictly regulated. In 1856, Dietrich Brandis, a German botanist, was appointed as the first Inspector General of Forests to the government of India. The forest department first came into being in 1862. Under Brandis, the forest department was organized and the First Forest Act was enacted.

In the Forest Act of 1864, the forest exploitation, management and preservation were regulated. For the first time an attempt was made to regulate the collection of forest produce by forest dwellers. Thus the socially regulated practices of the local people were restrained by law. The Act was applicable only to the forest under control of the government and no provisions were made to cover private forests.

By 1875, the government of India thought it necessary to increase the control over forests and a new Act was passed which was more comprehensive than the earlier one. Forests were divided into (1) reserved forests (2) protected forests (3) village forests. Persons were to be notified to record their claims over land and forest produce in the proposed reserved and protected forests. Certain acts like trespassing or pasturing of cattle were prohibited. Provision was made to impose a duty on timber. Some provisions were also made for

private forests. Certain actions were declared as forest offences and imprisonment and fines were also prescribed for them¹⁴.

The First Forest Policy came into force in 1894 which made two major enunciations; first the claims of cultivation are stronger than the claims of forest preservation; secondly the public (material) benefit was the sole object of forest administration. The British rulers were also reluctant at that stage to limit individual rights, which were inconsistent with the material (imperial) interests. However several regulations were made for forest under their control for commercial use. Due to this fact, the people of India particularly the tribals faced a serious problem as they were deprived from using the forest resources. The British forest policy was mainly based on commercial interests and it aimed at supplying timber and other resources to colonial forest based industries. The commercial exploitation of forest was encouraged at the cost of forest dwellers (adivasis) in the name of greater national interest. They issued permits to the professional contractors to collect forest produce and as a result they exploited the forest by all means without considering its consequences in future.

The government gradually increased its control over the forest and the Forest Department was strengthened with a view to regulate people's rights over forestlands and produce in the Indian Forest Act of 1927.¹⁵

14. Ran, Vijoy Kumar, *Participative Development of Tribal and Rural Areas: A Theoretical-Analytical Study*, (Patna, Buddhist Centre for Action Research and Development Studies, 1999), p. 121.

15 Parvathama. C, *Scheduled Castes and Scheduled Tribes: A Socio-Economic Survey*, (New Delhi, Ashish, 1984), p.114.

After independence, there was some rethinking on the issue of forest policy. The new National Forest Policy was issued as Government of India Resolution in 1952. It was declared that in the initial stage the National Forest Policy of independent India was just an extension of the old policy followed during the colonial period. Rigid restrictions were also imposed on the forest dwellers and others on exploiting the forest resources on which their economy and culture largely depend. The regulations were imposed on the ground that the forest dwellers (adivasis) were solely responsible for the destruction of forest and forest resources. These restrictions on the adivasis created several problems and gave birth to various tribal agitations in India. The commercial orientation of the forest policy, which was adopted during the colonial period and also followed in independent India, had created massive destruction of forest and forest resources. Functionally in the Forest Policy of 1952, the forests were classified into the following: protected forests for ecological forests; national forests for commerce and industries; village forests for satisfying the socio economic needs; tree lands for improving the physical condition of the country.

The distinctions between the old policy (1894) and the new policy (1952) are given below:

The old policy envisaged the release of forest land for cultivation subject to certain safeguards. The new policy withdrew this concession;

The old policy had left a margin of the supply of villagers' needs from

the outlying supply areas in the reserved forests. The new policy decided that there should be village forests for this purpose.

The old policy did not touch the private forests of the tribals. The new policy applied some controls over them;

The old policy did not prevent free grazing in the forests. The new policy sought to bring it under control. Fees were introduced and grazing facilities were sealed down to minimum;

The new policy made one important concession. It administered that while it was emphatically opposed to shifting cultivation, persuasive and non-coercive measures should be used to wean the tribals way from their traditional cultivation.¹⁶

Henceforth, the rights and privileges have been converted into mere concessions like: to take the water for agricultural purposes; to take the small timbers for making their agricultural implements; to remove the stones for agricultural purposes; to graze the domestic animal in forest grasslands under passes; to hunt for small game which are normally eaten by the tribals; to collect fuel on head loads; to collect the Major Forest Products/Non Timber Forest Products and sell to the Forest Department and; to perform the slash and burn cultivation where they are permitted.¹⁷

¹⁶ Sharma, B.D., *Planning Tribal Developments*, (New Delhi, Prachi Prakashan, 1984), pp. 85-87.

¹⁷ Roy Burma, B.K, *Historical Ecology of Land Survey and Settlement in Tribal Areas and Challenges of Development*" (New Delhi, Inter-India Publications, 1986), p. 46.

In 1976, the National Commission on Agriculture (NCA) recommended the classification into (i) protected forests — forests on hill slopes and other localities vulnerable to erosion and degradation, (ii) productive forests — the commercial forest for the production of timber for the national economy and (iii) social forests — on wastelands for satisfying the rural communities. The National Commission on Agriculture (NCA) recommended the drastic reduction of people's rights on forests. The free supply of forest products to the tribals should be stopped and controlled by the official depots. In 1982 the report submitted to the Ministry of Home Affairs, under the Chairmanship of eminent anthropologist B.K. Roy Burman urged to integrate the forest policy and tribals sub plans for the benefit of tribal economy to balance the ecology through conservation of soil, moisture and plantation programme.¹⁸

Many of the recommendations of the Roy Burman committee were later incorporated in the forest policy of 1988, which envisaged people's involvement in the development and protection of forests. This policy may be called "Environment Population Policy". It reflected the pro tribal attitudes with clarity. Though it relates the rights and concession of the tribals to the carrying capacity of forests, it also mentions the "need for optimizing this capacity by increased investment selvi-cultural research and development of the area". It assures that the customary rights and concessions are fully protected adding that the domestic requirement of fuel wood, fodder, and minor

¹⁸ Roy Burman, B.K., *Transfer and Land Liberation of Tribal Land*, (New Delhi, Inter-India Publication, 1982), p. 93.

forest produce and construction timber should be the first charge on forest produce. It also deals with the restabishments of the symbiotic relation for protection, regeneration and development of the forest.¹⁹

III. Forestry

Forest policy governs the forest due to the introduction of the scientific management in the forestlands. During the British period the government was more interested in commercial plantation for revenue earning. It did not care for meeting the needs of the village people. That resulted in wanton destruction and massive felling of trees, which caused the depletion of forest resources. In 1976, the National Commission on Agriculture (NCA) pointed this out and proposed the scheme of "Social Forestry". In this scheme all the forestry activities had to be taken in private lands and non-governmental forest lands through agro-forestry, farm forestry and extention forestry. It has been found that in the first two cases the big farmers have benefited much. The tribal communities mostly belong to the small and marginal farmers. Besides, due to the large scale deforestation, there have been significant changes in the nature of traditional forestry operations. So, in the forest villages where the maximum inhabitants are the tribals, they live in very poor condition as they are not getting as much employment as they got earlier in various forestry activities.²⁰

With a view to increasing the forest cover in the country an almost complete ban has been imposed on coupe cutting and tree cutting for

¹⁹ Mahapatra, L.K., *Tribal Development in India: Myth and Reality*, (New Delhi, Vikas, 1994), p. 23.

²⁰ Vyas, N.N., *Indian Tribes in Transition*, (Jaipur, Rawat Publication, 1980), p.157

commercial purposes. The emphasis has now been shifted from forest exploitation to forest conservation. This change in the concept of forest management has had corresponding effects on the nature of forestry operations such as coupe cutting, climber cutting and so on which required a large labour force. Presently, the forest labour is required only for some essential forestry works like fire protection, forest road maintenance, nursery work, afforestation and sporadic development work in the forest villages. Due to heavy reduction in wage employment, acute unemployment is present among the various sections of tribals in the forest villages. Even they are not allowed to work outside the forest village because this type of village was established with a view to secure a regular supply of labour for carrying out forestry operations. As in the rainy season they are permitted to raise the crops for which land was allotted to them without giving ownership rights over the forestlands. They support their sustenance by collecting the minor forest products for which they enjoy various rights and privileges granted by the Forest Department.

III. Shifting Cultivation

The government has banned shifting cultivation or it could be done with the permission of the Forest Department. A lot of problems arise from such felling of trees causing ecological imbalance and depletion of natural resources. At present, the problem has become serious because of the degeneration of soil fertility. It also accelerates the rate of soil erosion, destroys the catchment areas and makes the land barren and unfit for cultivation. On the other hand, it is

becoming a problem of cultural incompatibility. It has become a serious problem on the hills of Koenjhar Koraput and Vishakhapatnam where the monotonous and barren topography of red soil with only a few ribbon like green patches of cultivated fields at the valley bottom is observed. Mile after mile, hill slopes can be seen without natural vegetation which is due to over utilization of land.²¹

Besides because of population increase, there has been a progressive deterioration of soil in the hill slopes. The cycle of shifting cultivation is getting shorter. It offers very little scope for economic upliftment, as it is subsistence by nature and also for specialization as diverse crops are sown in a single plot of land. Even when there is surplus income in some families, the scope for investment in agriculture is limited. The desire to invest in agriculture is greatly hampered due to lack of opportunities. Improved agricultural tools and implements and high yielding variety seeds (HYV) suitable for hilly areas have not so far been developed. Having no suitable avenues for investment the surplus wealth of the affluent farmers is diverted to procure more wines, unproductive mithus (as among the Daflas and Gallongs of Arunachal Pradesh), ornaments, beads, gums, transistors and so on.

IV. Ownership of lands

Divergent claims about the ownership of forest resources are a crucial and controversial issue. The Forest Department tends to view the tribals as

²¹ Chaudhuri, Buddhadeb (Ed), *Tribal Transformation in India*, (New Delhi, Inter-India Publications, 1992), p.173.

intruders and encroachers while the tribals see the Forest Department as “exploiters” of their forest. At present little effort is being made to take the tribal communities into confidence, persuade them to tend to trees and follow scientific exploitation. A situation needs to be created where tribals can accept and create an extensive and better tree cover in their own interest. They should be given a state as an individual or as community in the tree wealth. They should be associated in the program of tree plantation. They should be given tenancy ownership rights at least on the trees which they help to grow.²²

V. Employment

At present, employment in forestry is mostly seasonal and casual in character. The individual is not sure about the duration of employment or its periodicity. Also the nature of employment in forestry is such that it coincides with the timing of agricultural operations. Therefore though the supply of labour in tribal areas is high the Forest Department has to hire outside labour. It is possible to reschedule the forestry works in such a way the local labour is not denied the opportunity of employment in the forestry works.²³

IV. Environmental Hazards and Rehabilitation

In the beginning, our country’s policy of development in the five-year planning was framed for the industrial growth and industrialization, not being well aware of the environmental impact, soil erosion, spreading of wasteland

²² Bhandari, J.S. and Channa, Subhadra Mitra (Ed), *Tribes and Government Policies*, (New Delhi, Publications, 1997), p.146.

²³ Behera, Deepak Kumar and Pfeffer Georg (Ed), *Contemporary Society: Tribal Studies*, (New Delhi, Concept Publishing Company, 1991), p.193.

and so on. The maximum set back came to the tribal people. Due to massive mining operations and deforestation for the raw materials of the industrial complexes, the ecological imbalance in the tribal land not only took place but they were also uprooted or displaced from their own lands. The governmental measure to rehabilitate them was successful to the least extent. This was resettlement rather than rehabilitation. This has happened in the Bhilai Steel Plant, Korba Thermal station, Parasia Coal mine, Kolma colliery and so on. The last example is the Sardar Sarovar Project and Narmada Sagar Project in which we lost not only huge forest areas but also valuable biodiversity. That caused uproar in all the corners of the country. From this point of view the tribal uprising may be called the tribal movement for the protection of the rights on their lands of which they are deprived when the large development projects are run for providing the benefits to the urban-dwellers. Only they are to be satisfied with a very small portion of the daily wage. But a large section of the people have to transmigrate sacrificing everything.²⁴

CONCLUDING REMARKS

The British policy of commercial forestry first shattered the rights of the tribals over the forests and after the attainment of independence the national forest policy was the legacy of colonial production forestry. Our ambition of 33% of geographical land converted into forestland failed miserable and there was a realization that without community's participation it is a myth. The total 75 million hectares of recorded forest area has been turned into half. Then we

²⁴ Singh, K.S. *Tribal Society in India*, (New Delhi, Manohar Publications, 1985),

came to the second phase particularly after the report of the National Commission on Agriculture in 1976. From 1976 onwards production forestry on forest lands and social forestry on non-forestlands became the adopted policy, although fund availability during this phase was much better for non-forest than forestlands. This phase is termed as "social forestry". It faced a lot of hazards as many commercial species were planted in village wood lots without looking into the basic needs of the village people. The major breakthrough came after the report submitted to Ministry of Home Affairs in 1982 and the final shape of the National Forest Policy on "Environment and Population" is based on that. The government of India also issued a circular on 1st June, 1990 to introduce the "participatory forest management" for the protection and regeneration of degraded or depleted forest lands with provision to the communities, need based usufruct rights. This will satisfy our strategies of keeping ecological balance and sharing the equity rights with the people.

So far we have discussed about the development of forests. Crores of rupees have been spent under various tribal sub-plans but the fruits of tribal development are yet to percolate the intended beneficiaries. More than 60% of them are either under the process of pauperization or below the poverty line. In every corner of our country these aboriginal people are threatened. On the contrary they are found to be challenging the well-equipped military of the government with their primitive ammunition of bow and arrow being dissatisfied over the rehabilitation issue on the dam building in the perennial river or over the exploitation of natural resources of their habitat for the forest

based industries in which their share is nothing.

The reason behind such problem is that the tribal policy and forest policy despite the rhetoric have never been integrated so far. But it has been clear that tribal development and forest development, as two co-equal goals are fully consistent. Certain basic needs of the local tribals or forest dwelling communities must be accepted as an important condition for determining the level of technology and intensity of operations in an area. The basic needs themselves have to be assessed in a dynamic frame. The plan for the tribal development must take forest resources as the base on which tribal economy can progress with greater confidence. The role of the anthropologists is essential to find out the initial handicaps of the tribal in the more backward areas and this will require careful micro level planning with proper participation and active involvement. The tribal should become not only a co-sharer in the new wealth created in those areas but should also have an active participation in its management.

CHAPTER FOUR

SCHEDULED TRIBES (RECOGNITION OF FOREST RIGHTS) BILL, 2005: A CRITICAL ANALYSIS

Forests are sites of conflict between the people and the modern state, since a large number of disadvantaged depend on them for their survival. It is important to note that most problems arising out of the governments forest conservations programme emanate from the state's monopoly control on forestland and produce since the nineteenth century. The bureaucracy that came up created a structure that was ostensibly meant to carry out the scientific conservation of forests but, in effect, both colonial and postcolonial periods have seen massive degradation and destruction of forest in India.

Environmental and tribal movements have been arguing that foresters look at forest as an economic resource rather than a social and cultural entity, which forms the very basis of the life and livelihood of tribals. Thus many environmental movements struggle for the restoration of tribal rights over natural resources and argue that conflicts over forest resources symbolize the clash between modern civilization and the traditional life of tribal communities. They demand that control over forest lands and resources be given to communities whose customary rules and institutions should decide the methods of resource use.¹

¹ Brennan, Adrew, *Thinking About Nature: An Investigation of Nature, Value and Ecology*, (London, Routledge, 1988), p.56.

DEVALUING TRIBAL SKILLS

Tribal and environmental movements have often described the conflict over the control of forest as a fight between two worldviews and knowledge systems: one western and modern and the other tribal. The modern western system relies on scientific knowledge and market forces for the exploitation of forests. Therefore, most scientific forestry is seen as the tool of the large industry that primarily uses the forest for timber and is largely oriented towards protecting large trees of high commercial value. In colonial times, such value was determined not only by the price at which this timber would sell to capitalist enterprises and in the open market but also how useful it was to the colonial state. Thus the beginning of the agenda of scientific forestry was integrally linked to the building of railways that required timber for sleepers.

Neo-Gandhian environmental movement have opposed the official conservation programme by arguing that tribal communities have conserved their forests and lived in harmony with their surroundings for many centuries now. Their code of conduct, cultural systems and prudent use-patterns themselves are an antidote of deforestation and are the best methods of conservation. According to many scholars and environmental groups, the term "forest" is defined not only in terms of large trees and timber but also comprises of other vegetations and non-timber forest produce used by local people to fulfill their daily needs. The sustainable use of this habitat needs both the local knowledge and skill that local tribes possess, and which were

marginalized by foresters of both colonial and post colonial times. Thus activists, scholars and administrators of this persuasion have often demanded that regulation of forest use and conservation should be handed over to local community institutions and state should merely play a supervisory role, thus withdrawing from the everyday management of the forests.²

In fact, forest produce was classified into major and minor produce in the mid- nineteenth century after the formation of the Forest Department. The Indian Forest Act defined fuel wood and timber as “major” produce whereas all grasses and non-timber forest produce were classed as “minor produce”. But by the early twentieth century, it was made clear that the state was interested in the regulation of non-timber or minor forest produce so it could maximize its revenue from the Forest Department.

In the 1960’s, the Government of Madhya Pradesh enacted laws that control the trade of minor forest produce.

The Madhya Pradesh Tendu Patta (Vyapar Viniyam) Adhiniyam of 1964 created a monopoly over the trade of tendu leaves and the state decided who should be the agents for affecting this role. These agents paid a royalty to the government and gave dues to the primary collectors, who they exploited thoroughly.

Another Act titled Madhya Pradesh Vanupaj (Vyapar Viniyam) Adhiniyam (1969) gave the government the right to collect royalty and

² Le Roy, A. *The Religion of the Primitives*, (New York, The Mac Millan Company, 1922), p. 45.

determine the agents for sale and distribution of minor forest produce to industry.

Similar laws were enacted in the 1970s in Bihar such as the Bihar Tendu Leaf (Regulation of Trade) Act, 1973, and Bihar Forest Produce Act 1984. Produce was brought from the tribals by the traders, who only paid minimal royalty to the state and did not even give a living wage to the primary collectors.

One of the major problems with these acts was that they did not take the tribe's own knowledge or skills into account. Neither did it ensure the development and expansion of the local economy in a way that would benefit tribal peasants and landless laborers. They lacked year round employment which in turn led to further displacement for livelihood security amongst the tribals and compelled them to enter into exploitative relations with big landholders, traders and money lenders. The problems of survival that emanated from these processes prevented the people from co-operating with the department to save the forests as argued by many agencies and studies.

Therefore the state instituted the Social Forestry Programme in the early 1980's in order to get the consent of the local communities to manage the forests. But in effect the Social Forestry Project was one where local people were used as laborers to implement the plans of the foresters. Apart from this, the farm forestry projects that were started to arrest deforestation and increase the forest cover also yielded few results as farmers started following the logic

of the market by raising plantations of industrially important species. Thus the Social Forestry Programme was nothing more than an effort to create employment opportunities of the local people and did not attempt to change the structure of the relationship between the state and landless people.³

In recent years there has been a growing interest among the planners and policy makers to relate the forestry with the development process of the rural poor. The role of forestry in providing income and employment, particularly in rural areas where there is often serious unemployment and poverty, is an important consideration. There is no doubt that development of forests can go a long way in raising the level of living of the poor and vulnerable sections of the country in various ways. But in the development paradigm of our time, there are those who do not find a place. Their interests are not merely ignored but they are deeply wounded. Among them are the eco-system that nurtures life on earth and also the aboriginal inhabitants of this planet, the adivasis. The relentless juggernaut of rapacious consumption destroys forests, mines, groundwater, pollutes rivers and also the air we breathe. The well being of communities who are weak and without a voice gets trampled over in the process. Their situation has worsened rather than improving. Systematic “eviction drives” have been conducted all over the country by the forest department to remove the so-called “encroaches” from forestland. These eviction drives were triggered by an order dated May 3, 2002 whereby the Inspector General of Forest instructed state governments “to evict the ineligible

³ Radcliffe-Brown, A.R., *Structure and Function in Primitive Society*, (Glencoe, The Free Press, , 1952), p. 71.

encroachers and all post-1980 encroachers from forest lands in a time bound manner. "Diverse coercive means were employed from setting fire to houses or destroying standing crops to molesting women, trampling people's dwellings with elephants and even firing. These atrocities are a grim reminder of similar agonies that have been the lot of the tribals in India for the last two hundred years. History—ruthless and unrepentant seems to be only repeating itself.⁴

The demography of adivasi India displays a striking singularity-high density coupled with minority status. Adivasi pockets are surrounded by large masses of non-adivasis. Their "enslavement" is a result of a long drawn out historical encounter involving the subjugation of adviasis by stronger and better-endowed communities. They are driven over centuries, further and further away from alluvial plains and fertile river basins into "refuge zones"—hills, forests and dry lands in successive waves, by communities armed with superior military technology.

This entrapment of adviasis has provided the objective basis for resource emasculation of adivasi areas through a process of "internal colonialism". Over time in the refuge zones the adivasis came to develop a relationship of symbiosis with their immediate environment. They revered and protected the forest which provided their basic needs. This relationship was canonized in the form of customary rights over forest produce. With the advent of colonial rule, especially over the last century, this bond was ruptured. Even after

⁴ Radin, Paul, *Primitive Man as A Philosopher*, (London, D. Appleton and Co., New York, (1927), p.22.

independence, adivasi areas have not received their fair share of potential benefits from mainstream development. The states perspective on forests has been of an irreconcilable opposition between national objectives and needs of the local people. As the pressure of forest based people's movements mounted all over the country a gradual shift away from viewing forests as revenue earning assets became evident in the 1970's and 1980's. However after the Forest Conservation Act 1980, the conflict has come to be seen as between environmental protection and needs of local adivasi communities. The adivasi response has been illegal felling of trees and grazing of forest grasslands. A wedge appears to have been driven between people and forests.⁵

The National Forest Policy of 1988 did for the first time explicitly recognize that domestic requirement of local people should be the first charge on forest resources. It also emphasized safeguarding their customary rights and closely associating adivasis in the protection of forests. But movement towards a people oriented perspective has not been matched by reality on the ground. Even after the much-touted Joint Forest Management, it is the writ of the forest guards that rules the forest. Corruption is institutionalized and destruction of forest by all proceeds apace. Deforestation has ruined original adivasi habitats and forced them to move out. Having first been driven over centuries to treat into refuge zones, the adivasis are now being forcefully pushed out of ambiances with which they had gradually developed a close relationship. After independence this has happened in the name of "development". No attempt has

⁵ Pandey, Ajit Kumar, Tribal Society: The Changing Scenario, *Eastern Anthropologist*, Vol. 17, No. 5, Oct-Dec. 2002, pp.372-74.

ever been made to secure the consent of those being adversely affected by these projects, to involve them in devising humane and appropriate strategies of rehabilitation or make them a party to the benefits of this development. A vast majority of the displaced have been adivasis, either because the only sites remaining for location of these mega projects, such as Narmada are in the adivasi hinterland or because adivasi homelands such as Jharkhand are extremely bountiful in mineral resources.⁶

Following the breakdown of their relationship with the forest, adivasis in most areas have made a hesitant and faltering entry into agriculture. Census figures show that over 93% of adivasis are employed in agriculture. The stereotype of adivasi living in isolated, self-contained “hunter-gatherer” communities is no longer accurate. These adivasi farmers are subject to myriad forms of exploitation by the highly interlocked non-advivasi axis of power that dominates the land, land-lease, labour, credit and input markets. Often adivasis lose control over their land since they cannot repay their debts. Thousands of hectares of land have been lost in this manner. In an all-India study of the 1990s, Sundaram and Tendulkar (2003) found that, among all social groups, adivasi households are the sites most vulnerable to poverty: This is why many adivasis movements have responded in the idiom of violence, which appears to them to be the only language an insensitive state and civil society are willing to listen to. Especially when there are new challenges on the horizon—unprecedented pressures to open up adivasi hinterlands for commercial

⁶ Hardiman, David., Adivasis on Their Own Terms, *Economic and Political Weekly*, Vol. 56, No. 1, 15-21 July, 2000, pp. 2520-22.

exploitation, abrogating many of the special provisions for their protection enshrined in the Indian constitution.⁷

It is stories such as these that make up the “historical injustice” referred in the prelude of the Forest Rights Bill, 2005, which it seeks to correct. There have been many layers of such injustices that have befallen the adivasis, like yet another blow of an axe on a tree. Adivasis have attempted to fight this in their own ways in their everyday life. They have attempted to cope even by migrating to far-off places, not to speak about the many who were shot or hung by the colonial rulers for fighting for their rights. Every tribal district of the country has its “heroes” who have become a part of their folklore. Adivasis often begin to describe their present by relating stories of these past rebels, as though like stories of all agonies this one too needs to be told from the beginning.⁸

Thus this chapter focuses on the need to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes who have been residing in such forests for generations but whose rights could not have been recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

⁷ Mohanty, Bisvaranjan, Displacement and Rehabilitation of Tribals, *Economic and Political Weekly*, Vol.40, No. 13, 26 March-1 April, 2005, pp. 1318-20.

⁸ Prasad, Archana., Ecological Romanticism and Environmental History: The Contemporary Relevance of Varrier Elurin, *Alpjan Quarterly*, Vol. 4, No. 1, Oct-Dec 2003, pp. 25-32

FOREST RIGHTS BILL, 2005

It is against this background that a promise was made in the Common Minimum Programme of the United Progressive Alliance government, "Eviction of tribal communities and other forest dwelling communities from forest areas will be discontinued." In pursuance of this commitment the Ministry of Tribal Affairs (MoTA) prepared legislation to "protect" the tribals from forced evictions.

The aim of the bill is to give legal entitlements to forestland that the tribals may have been cultivating for long as well as over forest rights such as grazing rights and access to minor forest produce. For instance, the bill will give tribal titles to forestland they have been cultivating since 1980's, up to 2.5 hectares per nuclear family. Similarly the bill will give the tribals secure entitlements to minor forest produce such as fuel wood, bamboo, honey, gum, mahua, tendu patta, roots and tubers. Other forest rights covered by the bill included the right to nistar (collection of forest products for subsistence needs), the rights to conversion of forest villages "into revenue villages", the right to settlement of old habitations, community rights of intellectual property related to forest biodiversity and cultural diversity and any other traditional right customarily enjoyed by the forest dwelling scheduled tribes excluding the right to hunting.

A unique feature of the bill is that the rights of the tribals go with responsibilities of conserving the forest and protection of wildlife. The bill also

seeks to end the exploitative hold of the forest department over the tribals by recognizing the Gram Sabha as the authority to recognize and verify claims.⁹

OBJECTS AND REASONS

Forest dwelling tribal people and forest are inseparable. One cannot survive without the other. The conservation of ecological resources by forest dwelling tribal communities have been referred to an ancient manuscripts and scriptures. The colonial rule somehow ignored this reality for greater economic gains and probably for good reasons prevalent at that time. After independence, in our enthusiasm to protect natural resources, we continued with colonial legislation and adopted more internationally accepted notions of conservation rather than learning from the country's rich traditions where conservation is embedded in the ethos of tribal life. The reservation processes for creating wilderness and forest areas for production forestry somehow ignored the bona fide interests of the tribal community from legislative framework in the regions where tribal communities primarily inhabit. The simplicity of tribals and their general ignorance of modern regulatory frameworks precluded them from asserting their genuine claims to resources in areas where they belong and depended upon. The modern conservation approaches also advocate exclusion rather than integration. It is only recently that forest management regimes have in their policy processes realized that integration of tribal communities who depend primarily on the forest resource can not but be integrated in their

⁹ Rangarajan, Mahesh, Fire in the Forest, *Economic and Political Weekly*, Vol. 63, 19, November 2005 p. 4888.

designed management processes. It underlines that forests have the best chance to survive if communities participate in its conservation and regeneration measures. Insecurity of tenure and fear of eviction from these lands where they have lived and thrived for generations are perhaps the biggest reasons why tribal communities feel emotionally as well as physically alienated from forests and forest lands.¹⁰

This historical injustice now needs correction before it is too late to save our forest from becoming abode of undesirable elements.

It is therefore a proposal to enact a law laying down a procedure for recognition and vesting of forest rights in forest dwelling tribes. The recognition of forest rights enjoyed by the forest dwelling Scheduled Tribes on all kinds of forest lands for generations and which includes both bona fide needs of the forest land for sustenance and usufructs from forest based resources are the fundamental basis on which the proposed legislation stands.

It reinforces and utilizes the rich conservation ethos that tribal communities have traditionally shown and cautions against any form of unsustainable or destructive practices.

It lays down a simple procedure for recognition and vesting of forest rights in the forest dwelling Scheduled Tribes so that rights which stand vested in forest dwelling tribal communities become legally enforceable through corrective measures in the formal recording system of the executive machinery.

¹⁰ Ritambhara Hebbar, From Resistance to Governance, *Seminar*, No. 524, April 2003, pp. 45-50.

It provides for adequate safeguards to avoid any further encroachment of forests and seeks to involve the democratic institutions at the grassroots level in the process of recognition and vesting of forest rights.

It addresses the long standing and genuine need of granting a secure and inalienable right to those communities whose right to life depends on right to forest and thereby strengthening the entire conservation regime by giving a permanent stake to Scheduled Tribes dwelling in the forests for generations in symbiotic relationship with the entire ecosystem.¹¹

The Bill seeks to achieve the above objects.

The Forest Rights Bill, if passed, would be a big step towards democratizing the forest department and would create a genuine political process around forest management and rights in tribal areas. It seeks to legally recognize the existing rights of Scheduled Tribes in forests and to change the way the forest are managed in their areas. If passed the Bill will mark a landmark change in the way our legal system treats forests and forest communities. Moreover, it contains institutional prototypes that may well be a model for other areas as well.

THE NEW LAW

The resulting bill has two main principles. The first is that currently existing rights to land under occupation to minor forest produce, to traditional

¹¹ Singh, Bhupinder, Governance and Development: The Tribal Context, *Indian Journal of Public Administration*, Vol. 50, Jan-Mar 2004, pp. 128-37.

forest uses and so on are vested with forest dwelling Scheduled Tribes in the area where they are scheduled. The Gram Sabha in these areas is responsible for verifying these rights. Two higher committees then prepare a record of rights based on Gram Sabha resolutions and hear appeals against the Gram Sabha. Here is a separate provision for appeals by state authorities.

The second principle is that scheduled Tribes communities must protect forests. They are prohibited from felling existing trees, harming wildlife or biodiversity or engaging in “unsustainable use”. Under the Act, rights holders lose their rights if they commit any of these offenses more than once. In addition, the community is given the right to protect forests and in some versions was given powers to participate in the identification and punishment of forest offenders. The law thus legally requires community involvement in forest conservation. This twin combination if passed in a fully meaningful form would be a huge step towards democratizing the forest department. It would make possible a genuine political process around forest management and rights in tribal areas. The law also contains several potentialities that could be expanded through political struggle, including recognition of shifting cultivation, collective ownership and so on.¹²

THE RUN-UP TO THE LAW

There have been a few attempts to address this situation. Many state governments issued orders for regularization of cultivated lands, but these were

¹²Sharma, Sudhirendra, Primitive National Policy, *Himal*, Vol. 17, No. 5, May 2004, pp. 28-29.

rarely implemented. The Forest (Conservation) Act, 1980, which required central government approval for de-reservation of forestland ended such state-level efforts but in 1990 the Union Ministry of Environment and Forests issued five circulars for similar purposes. Only Maharashtra and Madhya Pradesh have made even token attempts at implementing them-both after a Supreme Court order. Meanwhile Joint Forest Management (JFM) schemes tried to involve communities in conservation.

But every one of these efforts stayed within the existing structure. Some regularization orders even required proof that the claimant had earlier been booked for encroachment. Joint Forest Management (JFM) committees typically function under the de facto control of the local forest guard. Thus the schemes did not challenge the absolute authority of the Forest Department and very little changed on the ground.

The consequences of this failure became very apparent in May 2002 when the Ministry of Environment and the Forest directed the states to evict all “encroachers” in the wake of a Supreme Court ban on regularization. The years since have witnessed unprecedented eviction drives which have primarily targeted forest communities, 40,000 families were evicted in Assam alone and the countrywide total is estimated to run into lakhs. These drives are continuing to this day: an estimated 10,000 families have been evicted in Madhya Pradesh since April 2, 2005.¹³

¹³Fernandes, Walter, Shifting Cultivation and Tribal Agriculture, *AISSI Quarterly*, July-Dec 1994, pp. 131-39.

It was these mass evictions that triggered the first real step forward. In Maharashtra after a demonstration by more than one lakh tribals in Mumbai on October 10, 2002, the government announced a government resolution (GR) for regularizations. The new government resolution (GR) recognized that government records could not be the method of determining rights. It made oral evidence admissible and required that verification should take place by an elected committee before the Gram Sabha. This was the landmark move. It acknowledged that communities too had knowledge and rights in forest and thus struck a blow at the forest departments colonial foundations. Mass movements used the space created by this government resolution (GR) to effectively push for recognition of tribal's land rights.¹⁴

But evictions continued elsewhere. The campaign for survival and dignity, a federation of tribal and forest community organization from 10 states, came together against these evictions. Subsequently the National Democratic Alliance (NDA) government used two new circulars (which were stayed by the Supreme Court) and the United Progressive Alliance (UPA) government's Common Minimum Programme called for a halt to evictions. Forest issues had found their way into national politics.

In July 2004, in its response to Supreme Court stay, the Ministry of Environment and Forest filed an affidavit in which it admitted that forest communities had suffered a "historical injustice" and that the "rural poor

¹⁴ Debnath, Debashis, Tribal Encroachments on Forest Lands: A Case Study, *Eastern Anthropologist*, Apr-Jun 2004, pp. 225-34.

especially tribals had been deprived of their livelihood rights". The Ministry did nothing to follow up on this admission but in January following pressure from the Campaign, the Prime Minister directed the Ministry of Tribal Affairs to draft a law for forest rights.

COMMON MISCONCEPTIONS

There has been intense debate about the bill in recent months. This debate however, is clouded by several misconceptions.¹⁵

I. Land distribution: Some opponents of the bill claim that it intends to distribute 2.5 hectares of land to each tribal nuclear family in the country. This creates a fear that entire forest will then get wiped out. In reality, the bill only seeks to recognize what is already there that is to give land rights to people who have been cultivating forest land for generations (before 1980), often in circumstances where the forest was "reserved" without due settlement of traditional land rights. Even this recognition is subject to a maximum of 2.5 hectares per nuclear family.

According to the Ministry of Environment and Forests, the total area of the forestland under "encroachment" (whether by adivasi or other communities) is 13 lakh hectares. This is less than 2% of the recorded forest area in the country. Seen in this light, the potential adverse impact of the bill on the forest cover is quite limited.

¹⁵ Kumar, Niray, Tribal and Forests: Emerging Symbiosis, *IASSI Quarterly*, Vol. 37, No.2, Oct 2004, pp. 92-106

II. Old Rights vs. New Rights: A related misconception is that new rights are being conferred on the forest dwelling scheduled tribes through the proposed bill. In fact, the entitlements to be created under the bill are consistent with the existing policy framework in particular the “1990 guidelines” formulated by the Ministry of Environment and Forests (and partially implemented). These guidelines put in place a procedure for the regularization of so called “encroachments” that occurred prior to the cut-off date of 1980. The basic purpose of the bill is similar and the same cut off date is being used.

III. Tigers vs. The Tribals: Another misconception is that the bill takes the side of adivasis at the expense of India’s dwindling tiger population. This is quite misleading. For one thing, this issue arises only in certain “protected areas” (national parks and sanctuaries) that account for about 22% of the total forest land. For another, even in those sanctuaries an accommodations is often possible between the interests (and rights) of the adivasis and the protection of tigers as the recent report of the Tiger Task Force recognizes. This is not to deny that special provisions may be required to protect the interests of wild-life in these sanctuaries.

The specter of vanishing tigers has been actively used to create opposition to the bill. The tiger issue is a serious one, but has been somewhat exaggerated in the recent debate. Contrary to the notion that tigers are rapidly vanishing in India, figures from the tiger censuses indicate that India’s tiger population remained fairly stable during the 10 years preceding the last census,

in 2001-02. Perhaps there was some decline after 2002. But if that is the case, the post 2002 decline can not be attributed to “encroachments”, since very few encroachments must have happened during this period of active “eviction drives”. As the case of the Sariksha Tiger Reserve in Rajasthan illustrates, other factors (such as commercial poaching, often with the complicity of the reserve staff) are often more important.¹⁶

CRITICAL APPRAISAL

The above-mentioned misconceptions have overshadowed other important aspects of the bill that require discussion. This section briefly highlights this dimension.¹⁷

I. Non-tribal forest dwellers: One major flaw of this bill is that it is restricted to the tribals and does not apply to other forest dwellers. Life in the forest is harsh for tribals and non-tribals alike and there is no reason to discriminate between the two. The real distinction that needs to be made is between those who are in the forest for survival and livelihood reasons and those who are there for commercial purpose and for making profit. It is the latter category that needs to be prevented from gaining access to forests. This is the real fight.

II. Non-scheduled tribal communities: There is also an issue of fairness amongst adivasi communities. Some adivasi communities do not figure in the

¹⁶ Madhusudan, M.D., Of Rights and wrongs, *Economic and Political Weekly*, Vol. 63, November 19, 2005, pp. 4893-4894.

¹⁷ Prasad, Archana, Tribal in Indian Democracy, *Alpjon Quarterly*, Vol. 17, No. 5, Jan-Jun 2005, pp. 12-24

list of scheduled tribes in particular states. For example, Lambadas are considered a scheduled tribe in Andhra Pradesh but not in Maharashtra. There is no reason why the forest right bill should give different treatment to the same adivasi community in two different states simply because it figures in the list of scheduled tribes in one state and not the other.

III. Adivasis in the “Diaspora”: In order to cope with their distress, the tribals have often migrated to and even settled in far off places. Oroans of Jharkhand for example can be found today labouring in the tea gardens of Assam where they have been for the last many decades. These “dispersed” tribals ought to be eligible for rights to the land, which they have traditionally inhabited and cultivated. However there is no provision for this in the bill.

IV. Treatment of non-eligible persons: The bill gives little protection to the tribals and other forest dwellers that started cultivating after the 1980 cut off date. All it says is “save as otherwise provided, no member of a forest dwelling scheduled tribes shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is complete in such a manner as may be prescribed”. Aside from failing to clarify the conditions under which people may be displaced, this provides no guarantee that displaced persons will get an adequate resettlement package and be treated in a fair and human manner.

V. The land question: The bill prescribes 2.5 hectares as the upper limit of forestland that a tribal nuclear family may be given. This ceiling is much below

the existing land ceiling in most states. It is not clear why adivasis should be subject to a lower ceiling. It would make better sense to lift the present ceiling of 2.5 hectares and instead stipulate that tribal nuclear family can own land (forest land revenue) up to the prescribed ceiling in the particular state.

There are other land related gaps in the bill. For instance there is no provision for the restoration of the tribal land acquired through illegal and unfair means. This type of land alienation has occurred on a large scale in many parts of the country including in the schedule areas in spite of various laws and policies aimed at protecting the tribals from such exploitation. In order for such provisions to be effective an important supporting stipulation that the bill needs to make is that all land records in the scheduled areas should be set up to date and transparent. This will be necessary to monitor future misappropriations as well as help in restoring tribal land that has already been alienated. Similarly there are no special provisions for tribal communities with a tradition of collective ownership of land.

IV. Women's land rights: The bill also needs improvement from the point of view of gender equity in land rights. The bill does not define the term "nuclear family". It seems to endorse the standard definition of nuclear family as husband, wife and their children. Accordingly the bill states that land titles "shall be registered jointly in the name of male member and his spouse." Thus at present, the land rights of single headed households have gone acknowledged. Since the bill explicitly mentions the male member it can be

assured that even if he does not have a spouse, his land rights may still be protected. But the converse may not be true. The rights of the households headed by single women (for example widows) are unclear. Further it is not clear how a widow living with her married son and his nuclear family would be treated under the bill—whether the household would be counted as including two nuclear families or as a single nuclear family.

VII. Role of Gram Sabha: The bill states (section 6) that the “Gram Sabha shall be the authority to initiate any action for determining the extent of forest rights that may be given to the forest dwelling scheduled tribes within the local limits of its jurisdiction.” However it is not clear from the bill where the actual decision for “determining the extent of forest rights” actually resides. Section 6 essentially states that a sub-divisional level committee “shall examine the decision by the Gram Sabha” and that a district level committee shall give final approval to the record of forest rights prepared by the sub-divisional level committee. Further the composition of these committees is left to be the prescribed by the government in the rules. In short, the actual powers of the Gram Sabha and the relations of the Gram Sabha to other authorities are far from clear.¹⁸

Negative response to the draft law can be divided into two camps: criticism by those who share the Bill’s basic goals and opposition mainly from groups who are either misinformed or fundamentally opposed to demonstrating

¹⁸ Krishnaswamy, Madhuri, One Step Forward, Two Steps Back, *Economic and Political Weekly*, Vol. 63, 19, November 2005, pp. 4899-4900.

forest policy.

The most disturbing aspect of the draft bill is the secretive manner in which the whole drafting process took place. No public meeting/hearing, no consultation, no attempt to reach a consensus on an issue of such vital national concern. It is unfortunate that human rights groups who have been at the forefront in demanding people's participation and right to information choose to act diametrically opposite and remain silent on what they have been vigorously campaigning for.

Even more surprisingly, though the subject matter of the bill concerns forests, the task of drafting it was entrusted to the Ministry of Tribal Affairs, a Ministry with limited capacity to deal with an issue that concerns over 22% of India's land mass. It is therefore no surprise that the draft bill assumes that there are no other environmental laws at all. Not even at one place does it mention the Forest Conservation Act, 1980, the Wildlife (Protection) Act 1972 and so on. It does mention "wildlife" and "biodiversity" but without defining them.

The first criticism is the exclusion of non-tribal forest dwelling communities, who are at present in significant numbers in states such as Tamil Nadu and Jharkhand. The original draft had included a section that required a public verification process based on the Maharashtra model for non-tribal forest dwellers. This approach recognized that these communities were as repressed as tribals while accepting that they may not share tribal communities

collective relationship with the forest. This imperfect compromise (based on a generalization about tribal and non tribal differences that is only partially true) was dropped by the government in later drafts, which now only apply to forest dwelling Scheduled Tribes. This is major blow to the legislation and an injustice to communities who are either non-tribal or are wrongly excluded from the Scheduled Tribes list.

The second criticism voiced by environmentalists like Ashish Kothari and Neema Pathak is that the Bill is unclear on its relationship with existing forest laws and more broadly on how conflicts between rights and conservation will be handled. They have suggested that Gram Sabha can be required to place conservation above rights, an approach that could make it possible to sabotage the recognition of rights but could also be a clearer statement of community powers in forest conservation.

The third criticism is that the Bill's reliance on Gram Sabha ignores the fact that these institutions either do not function or can be dominated by powerful interests. But this criticism applies to any democratic institution. By granting powers to Gram Sabhas, this law creates the space for political mobilization and in those institutions; no law can substitute for political action on its own.

Over all despite these criticism the main organization backing the law- the Campaign for Survival and Dignity- is still calling for the law to be passed immediately even in its current form. These problems can be addressed either

in the Rules or in later amendments. But to call for amendments now would open the floodgates to those who are opposed to the Bill in its entirety resulting in either its dilution or its cancellation.

CONCLUDING REMARKS

The forest rights bill is a useful attempt to correct the relationship of the tribals and other forest dwelling communities with the state. However, it has to be viewed in the light of the larger political economy. In this respect, the bill and the debate that it has aroused is silent in several crucial respects. Its most glaring silence is about the commercial interests and powerful lobbies (the timber lobby, the land mafia, the tusk business) who are in the forests for profit.

Besides, the bill and the subsequent act shall be born in a climate of economic liberalization globalization and growing power of the corporate sector. The tribals know more than others, the havoc that new economic policies have caused them and the environment. These policies allow not only the government but also multinationals and private companies to operate in tribal areas, even Vth schedule areas and give them access to natural resources be they land, water or minerals. In the name of "public purpose" (as with uranium mining) or "development" (as with dams and mines), sanctions have been given to such projects without the prior knowledge, leave alone consent of the local people. In many cases approval of these projects is an open violation of existing laws and constitutional safeguards. These projects have also been

sites of serious transgressions of human rights for when people have protected, the state has often responded in the language of coercion and violence.

It is ironical that even as negotiations on the forest right bill are under way sanctions to destructive projects continue. According to the Ministry of Environment and Forests, close to 10 lakh hectares of forestland have already been released for various projects such as mining and industrial development. This area is almost as large as the same Ministry's estimate of the total forestland area under "encroachment".

This inconsistency is a reflection of the character of the Indian state. When the choice is between protecting the interest of the propertied sections versus the property or even life of the poor, the state often chooses the former. Likewise in Vth Schedule areas the interests of these classes are maintained even if this is in contradiction to the interest of the tribals and other forest dwelling communities.

For the bill to achieve its aim without compromising conservation, it is necessary that conservationists are serious about creating inviolate space for wildlife and the responsible government agencies independently push for a well reasoned implementation of the Wildlife Act, in letter and spirit. While it is all very well to recognize rights of adivasis in wildlife reserves as well, it would still not fully address the issues of residence and resource use by non-tribal communities, which is a serious conservation issue, in parks. This again will need to be done under the purview of the Wildlife Act. Given the government's

inaction in this regard over the last three decades it is unreasonable to suppose that the government by it has the motivation skills, sensitivity and urgency to propose, negotiate and implement schemes of voluntary relocation from protected areas. There is need to build in a larger and more constructive role for civil society groups representing the interests of both humans and wildlife in this important process.

Even as academics and activists on both sides debate the issues, one thing is becoming increasingly clear. Whether there will be a law that recognizes the forest rights of the tribals and whether it will apply to wildlife reserves is a question that will ultimately be answered in the political arena and not in seminar rooms. Given the government's serious commitments to the bill and support to it from every major political party, the bill would seem well on its way to becoming law. Still it is important for political parties to devise their stand on the bill, being fully aware not only of the injustice against tribals that the bill seeks to correct but also of the potential fallout for wildlife in correcting injustice in the manner proposed by the bill.

Finally as the recent loss of jewels rights off the state's crown — the estimation of tigers from Sarishka and Kailadevi reserves — has shown government agencies and wildlife conservationists as the only privileged custodians of our wildlife does not come with assured conservation success. For wildlife conservation to remain a serious priority in our democratic set up, there is no option but for conservationists to start building a wider political

base, this will not happen until we move beyond the shallow but rigid view that conservation problems — be it poaching, livestock grazing or fuel wood extraction are merely acts of felony and start grappling with their deeper social and political roots. To do this we must shed our blinkers, understand not only the needs of wildlife but also with the competing livelihood needs of people and engage more intelligently with the way politics will ultimately reconcile the two.

CONCLUSION

To conclude, we can say that social structure is not the outcome of recent inventory but it has developed from the ancient times. Now a days, it is almost well known that wherever there are forests, there are tribes. Wherever there is less communicated and less facilitated area over the world, it may be any region or any corner of our globe due to thick, huge or large forest covering existing over the world and main domain of forests in the form of hill, plateau and gorge, there are tribes. Whenever we find such people who are very closely and keenly linked with natural objects like forests and other out-puts of nature, tribes must be existing there. This affinity with nature of theirs helps them keeping themselves off from fantasies, ecstasies, utopian imagination and bundles of baseless beliefs and hence wherever we happen to meet such people we easily conclude that they may be tribal people.

If an overwhelming majority of the tribal people depend on and derive sustenance from cultivation of land whether it is shifting cultivation or settled agriculture, all the scheduled tribes without exception depend on the forest either exclusively or in a large measure. Invariably shifting cultivation takes place only in forest. Customary rights over forest areas through millennia thus have been a matter of life and death for the tribal groups.

In this context the tribal customary rights over forest may continue

to function to the extent and till the time the state represented by chief or king depends on the tribal people's support for political survival and integrity. Nevertheless it is worthwhile to recount the customary rights over the forest, the tribals enjoyed till the dawn of the independence. That does not mean the residual customary rights, which tribal people enjoyed after the colonial state had whittled down more and more.

As most of the hill tribes of India are shifting cultivators the state policy of control and containment of shifting cultivation has been the most pervasive and powerful instrument for interfering in the traditional ways of life of the tribal people.

Paradoxically the value of forest has increased manifold with men living farther away from the forest. Civilization may have emerged at the cost of the forest but it can be sustained today only because of the forest resources. This is in addition to the land to be cleared of the forest to feed the growing population. The state, which is co-terminus with civilization in many senses, has literally forced its way into the forest, so that the tribal traditional utilization modes of forest resources give place to the new modes for its replenishment. Hence there is the primordial and eternal conflict between the state and the tribal people over the forest.

In India after independence, the government implemented various schemes to encourage the tribal shifting cultivators to move from the hilltops and slopes to settle in permanent resettlement colonies carved out from the

forest in the valley. This policy was a continuation of the British Policy in many areas of central and eastern India. In northeastern states, the government had to respect the common property rights and free access to forest of the tribal people. Hence, for several decades after independence there was no interference by the government to restrain the shifting cultivators in northeastern India. The northeastern hill areas were granted autonomy in these matters, which was guaranteed by the Constitution in the Sixth Schedule. However in these hills the shifting cultivators in many areas have taken to terracing for settled agriculture on their own or on the sponsorship with government assistance.

As the land for resettlement was scarce in the eastern and central India hill areas, where shifting cultivation was widespread the policy focus shifted from resettlement to rehabilitation in the 1970s. This has been particularly so since the Seventh Five Year Plan. Even where land was given to hill shifting cultivators in the forest in the valleys and plateaus many of the resettled families found it difficult to give up shifting cultivation in the hills and settle down to permanent cultivation with single crop farming. Most often the promised infrastructure and irrigation facilities were not provided for years. Some of the resettled families returned to the hills to resume shifting cultivation.

As the democratic state of India is not in a position to force and physically stop the tribal people from practicing shifting cultivation and living

on hill slopes, it has chosen, unfortunately, almost to throttle them physically and resource-wise by declaring their traditional common property resource that is forest and land on the hills as “reserve forest” under the Forest Conservation Act 1980 and restricting their right of occupation to a few hundred meter around their habitation site, even through the villages within the forest were given the status of “revenue village”. In “revenue village” there is provision for ample space for cattle grazing, communications and other public purposes besides land for cultivation. All this was not available in sufficient quantity to enable them to survive in the hills without any consideration or preparation of technological change.

Thus after coming to the practical field for making positive experiments in converting the forest hunting primitive tribal people into agriculturalist it has been seen that in spite of all the efforts undertaken the concerned people become reluctant to accept the newly introduced economy despite its conspicuous prospects. Moreover a large section of them put resistance as they are not mutually ready to deviate from the traditional path shown by their forefathers and devised by the supernatural duties under whose constant vigil the safety and security of the people are maintained. This reflection of the tribal people is based on their own understanding-they behave in their own line of thinking.

In the perspective of this delicate circumstances it would be the duty of the planners, social workers and the development personnel not to challenge

their reflections of mind by saying that these are irrational and baseless as well as foolishness, rather these are needed to be accepted with due respect of the purpose of studying their psycho-philosophical stand point in relation to their traditional economy. The categorical analysis of the standpoint would help the personnel, in the different grades working in the development programme to acquaint themselves with the culture of the people amongst whom they work. It is inevitable to get the mental support and active participation of the people for whom this work of transformation is meant; otherwise the entire endeavour would cut a sorry figure. Though there exists a universal similarity in the nature of the problems thus faced by organizers of the development planning and its subsequent implementation yet there may be some conspicuous minor variations when the individual tribal group is taken into consideration.

The proposed *Scheduled Tribes (Recognition of Forest Rights) Bill, 2005* has sparked off an acrimonious debate between forest conservation and “tribal rights”. It has created a false opposition between these two equally important imperatives while obscuring several other crucial issues. Amidst the sound and furry raised by shrill urban wildlife protestors against the recognition of tribal rights what is being forgotten is that it is not the tribals but diverse industrial commercial interests and mega projects that are primarily responsible for the destruction of our forests. Surely it is difficult to deny that among all social groups in our country it is the tribals who have the best conservation record (despite the depredations caused to traditional conservation ethos by “modernization”) and today, it is generally in the tribal areas that there

are any forest left at all. It is primarily the urban rich who have gained from forest destruction while tribals are being made to carry the burden of conservation regimes. The question is who gains and who pays the cost? Meanwhile, no conservation of wildlife and forest is possible without the active involvement of forest-reliant communities and experience shows that this is possible only with the clear and unequivocal recognition of the rights of these communities.

However, both the bill as drafted by the Ministry of Tribal Affairs (MOTA), as well as the rather slipshod amendments proposed by the Ministry of Environment and Forest (MOEF) promise a great deal but delivers very little. The bill's recognition that a new law is necessary to correct the "historical injustice" caused by colonial laws to adivasis is a welcome step. However the bill in its current form is inadequate as it represents a case of one step forward, two steps back for adivasis. Meanwhile, it appears that rather than strengthening the bill there are plans to further dilute it under pressures from the Ministry of Environment and Forest (MOEF) and urban wild lifers.

Adivasis have been fighting for the past two centuries for what is promised in the "statement of objects and reasons" of the bill: freedom from unjust colonial laws and the recognition that their regime must be built into any conservation regime. We do urgently require a bill that will restore the rights that were snatched away by the British. The Common Minimum Programme

also binds the United Progressive Alliance (UPA) government to address the question of tribal rights. However, several serious lacunae in the bill are addressed and rectified and it is strengthened substantially to comprehensively and unequivocally recognize the rights of the forest communities. We are likely to see an exacerbation rather than the rectification of the “historical injustice” that these communities have suffered.

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