

IMPACT OF RESERVATION POLICY ON COMMUNITY  
IDENTITY: A STUDY OF GUJJARS AND PAHARIS OF  
JAMMU AND KASHMIR

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**DECLARATION**

This is to certify that the dissertation titled "Impact of Reservation Policy on Community Identity: A Study of Gujjars and Paharis of Jammu and Kashmir" submitted by me under the guidance of Dr. Tanweer Fazal, in partial fulfillment of the requirements for the award of the degree of Master of Philosophy is my original work and has not been previously submitted in part or full for any other degree or diploma of this university or another university.

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We recommend that this dissertation may be placed before the examiners for evaluation.

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AHC:	AUTONOMOUS HILL COUNCIL
ALC:	ACTUAL LINE OF CONTROL
GDCT:	GURJAR DESH CHARITABLE TRUST
GWF:	GUJJAR WELFARE FORUM
IAJK:	INDIAN ADMINISTRED JAMMU AND KASHMIR
ILO:	INTERNATIONAL LABOUR ORGANIZATION
JKPCF:	JAMMU AND KASHMIR PAHARI CULTURAL FORUM
JKPPM:	JAMMU AND KASHMIR PAHARI PEOPLE'S MOVEMENT
LoC:	LINE of CONTROL
NGO:	NON-GOVERNMENT ORGANIZATION
OBC:	OTHER BACKWARD CLASS
PAJK:	PAKISTAN ADMINISTRED JAMMU AND KASHMIR
PSP:	PAHARI SPEAKING PEOPLE
SC:	SCHEDULED CASTE
ST:	SCHEDULED TRIBE
WUCN:	WORTHINESS, UNITY, NUMBERS, AND COMMITMENT

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# CHAPTER 1

## INTRODUCTION

This research makes an attempt to study the state constructed social categories<sup>1</sup> for the purpose of reservation and its impact on the identity of marginalized communities in India. It focuses particularly on the politics concerning the state policy of reservation appropriated by the tribes (here in specific, as discussed in the dissertation hereafter) in India. It studies, how the essence and constituents of the state policies are being framed for the target group that are made for implementing reservation. In the second stage, this study enquires into the nature and motives of social movements for Scheduled Tribe status launched by the non-reserved communities. The non-reserved communities, who now in the domain of assertive politics claim the legitimacy of their new political identities formed for gaining reservation. The study encapsulates the emergence of tribal category as ‘positive discrimination’<sup>2</sup> in India and the politics revolving around it till so far.

Affirmative action policies in India are aimed at ensuring social justice, development, and empowerment of certain sections of society. It has provided the tools for socio-economic development and entitlement rights. However, it has become a contentious issue as it was targeted to certain sections leaving aside the rest. The impact of reservation on community identity will be analyzed through cross-community boundary relationships among them. It is believed that the ‘state is a resource and a distributor of resources’ (Brass 1985:3) in itself which has failed to deliver adequate material resources; in an equalitarian manner among the communities. Hence, the state deliberately constructs the formal categories for certain sections of the society to be known as ‘Deprived Communities’ (i.e. tribal, backward, minority etc.) which could help the given communities to access state resources. The articulation of deprivation in the longer run more or less leads to a particular identity construction.

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<sup>1</sup> All those different set of formal categories produced by the state, like; Scheduled Tribe, Scheduled Castes, Other Backward classes, Below Poverty Line groups etc.

<sup>2</sup> The terms; positive discrimination, affirmative actions and reservation are used synonymously in the research work.



### **(1.1) The Gujjars and Paharis of Jammu and Kashmir**

The research focuses on Gujjar and Pahari communities of Jammu & Kashmir, the former have been included as scheduled tribe. While compared with Gujjars, Paharis are not being privileged to the same. The study makes a comparative understanding of the impact of reservation on both these communities. This has led Paharis to launch socio-political movement for gaining Scheduled Tribe status. Accordingly, the research tries to examine how Paharis are articulating new community identity for gaining reservation. In doing so, the study investigates the processes which are prior to community identity formation for the sake of tribal recognition. Puri (2001) describes that the Pahari and Gujjar community had been predominantly the biggest community of Jammu and Kashmir (J&K) before partition. The partition resulted in mass migration of Paharis and Gujjars (who largely profess Islam religion) to Pakistan Administred J&K (PAJ&K). Now only two districts (Poonch and Rajouri) of Indian Administered Jammu and Kashmir (IAJ&K) are occupied by Gujjar and Pahari community. The “Gujjars trace their ancestry to Prithvi Raj Chouhan, Kanishka and other rulers of Kushan and Han dynasties who ruled over north India” (ibid 2001). They had migrated from the Rajasthan and Gujarat area of contemporary India to Jammu and then scattered in most parts of the state. A few sections among them are nomads (Bakarwal). The homogeneity in the Gujjar community is due to their isolation from the rest of the society, and which has enabled them to retain a remarkably distinct identity. Whereas, the Pahari community residing on both sides of the Pir Panchal and LoC is predominantly Muslim. On the Indian side it is concentrated in Kupwara and Uri parts of the Kashmir region and in the Rajouri and Poonch districts of the Jammu region. It includes people living in Poonch, Muzzafrabad, and Mirpur (the latter two on the Pakistan side of LoC) who, despite slight differences in their dialects belong to the common language, i.e. Pahari (Vaid 2014: 15)

According to K.D. Maini (2011) there are large many similarities and just few dissimilarities between the Gujjar and Pahari communities in J&K. The geographical similarities like the common mountain habitations with similar kind of problems and crisis (flood, earthquake, militancy, etc.), and the cultural resemblance enable them to easily speak and understand each other’s dialects and enabled them to share their economy, polity and culture. On the other hand, the historical accounts of conflict and social differences between Gujjars and Paharis has been highlighted by Bhat (2012), on the basis of how Gujjars used to labour as tillers in the fields of Rajput Paharis. He also traced the causes of status inferiority

experienced by Gujjars. The development of Gujjar and Pahari community identities were formed only after 1974, when the then Prime Minister Indira Gandhi granted eight crore rupees for Gujjar community and also asked the state to take steps for the development of Gujjars and Paharis of J&K. Later, the Gujjars were recognised as Scheduled Tribes (ST) under the Eighth Constitution Scheduled Tribes Order, 1989 issued by the President under clause (1) of article 342 of the Constitution of India. After the classification of Gujjars as Scheduled tribe, Paharis launched a movement for ST status, which is still continuing in the state.

Furthermore, the research interrogates, the colonial account of 'Tribe' in order to understand the advent and usage of the category of Schedule tribe. The category of Tribe was introduced in the 1901 census of India, wherein many of the tribes of the Indian sub-continent were identified. Although, the term Schedule Tribe (ST) was introduced and defined in the 1931 Census and used in Government of India Act, 1935. After independence, the Constitutions of India, defined the provisions of Scheduled Tribes under Article 342. The general criterion followed for specification of a community as Scheduled Tribe are; primitive traits, distinctive culture, geographical isolation, backwardness and shyness of contact with the other communities. There were flaws in the enumeration of SCs and STs in the censuses done before 1971. Enumerators were given a set of synonyms or local names for castes and tribes that had given space for masses to choose any name in order to get notified in the list, even though, these names did not necessarily indicate towards their caste or tribe status. However, in 1971 census and onwards, enumeration is done strictly according to the already defined caste and tribe list supplied to the enumerators by the state. In the case of Jammu and Kashmir, the Census Report of 2011 enumerated that the total Scheduled Tribe population in the state is 11.9% comprising of a total number of twelve Scheduled Tribe communities<sup>3</sup> till so far. It was Eight Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989 which granted the ST status to Gujjars, Bakarwals, Gaddis and Sippis. The state has granted ST to one major community (Gujjars) and left the non-Gujjar peoples (Paharis) of Rajouri and Poonch out. The discontent was only between the Gujjars and Paharis, and not with the Bakarwals, though in 1991 the Bakarwals, a sister community of Gujjars also got Scheduled Tribe status. It is due to the fact that Bakarwals are still practicing Nomadic life styles and are

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<sup>3</sup> These are: 1. Balti, 2. Beda, 3. Boto, 4. Brokpa, Drokpa, Dard, Shin 5. Changpa, 6. Garra, 7. Mon, 8. Purigpa, 9. Gujjar, 10. Bakarwal, 11. Gaddi, 12. Sippi. The last four communities were added in 1991 on the basis of central government cabinet decision no. 159 dated 08-08-1989 and under the 'Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.

not permanently settled, the issue of sharing resources is only between Gujjars and Paharis. It has contributed a sharp divide between these community, though there have been enough religious affinity between the two communities, as both are Muslim majority communities.

### **(1.2) Reservation Policy and Community Identity Politics**

The social, economic, and political equality for every state citizen is the essence of the democratic state (Dahl 2006). In a modern state there are certain policies which are meant to influence the public resources in order to distribute them on a level playing field, yet the distribution of state held resources within the population has never been equal. The limiting factor is the persisting gap between the state's ideological framework and its practical framework examined in the field. Historically, There were profound changes observed since the inception of democratic state in late eighteenth century. In other words, in a modern state, democracy and the political equality is directly proportional to each other, that is to say, if a state start to practice the democracy as a goal, it has to achieve the political equality as a goal too (Dahl 2006: 37). Rose (1999) examines a number of governmental strategies, which he terms 'the social', liberal, democratic etc. in order to defend the state's government and its administration, these policies form a historical series over a length of time, as these strategies are usually continued also by the succeeding governments in the state. Rose uses the Foucauldian concept of 'Governmentality'<sup>4</sup>, which is explained by the quote "the conduct of the conduct". By government he means, all those public institutions which produce, guide, shape and direct the conduct of subject population through the policies it makes. He argued that the limitations and weaknesses of the state on order to address the socio-political demands of different sections of the society can be investigated in the state's political practice and the role of it on the on-going social movements.

It is argued that, the state creates institutions to make policies meant to categorize some particular sections of the society. Such policies have a sole purpose to distribute the state held resources accordingly, which in turn become a source of power for the communities which

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<sup>4</sup> The association of different institutions, procedures which analyzes and reflects in order to do calculations for the formation of various tactics which enables the state to exercise power over population in a very specific and complex form of knowledge (Ciccarelli 2008: 309).

receive it. The State, its institutions, policies and resources then become the catalyst which further leads to group differences and conflict.

Henri Tajfel's study that extensively reads on the contributive aspects of state categorization in inter-community conflicts, firstly talks about the impact of different categories, featuring the notion of 'minimal group' in which every person produces 'in-group bias'. And this in-group bias is followed by the tendency to favour the individuals of one's own category, even in the conflict free situation. The second aspect of social categorisation is its tendency to produce 'accentuation effects'. Individuals tend to exaggerate both; the commonness among the group and differences between the groups, which more or less turns out to be a conflict or part of it (Wimmer 2008). Hence, it is argued that, the perception of belonging to different groups because of *state categorization, is sufficient to produce inter-group differences, discrimination and conflict*. It is maintained that, state produces categories presupposes administrative power to categorize different sections of societies as per state's decision. The state also emphasises to make space for interaction with the communities and its leaders within the social boundaries produced by the state itself and hence has the power of identifying and classifying the communities as per se. The State accumulated the power through the access of 'Knowledge' gained through counting and differentiating different groups within state prescribed boundaries. This has followed either with new identity formation or more or less with the decline of the persisting identity of the community (Brass 1991: 241-242). It is therefore no doubt that, the modern welfare states select certain depressed sections of population under specific categories that ought to be favoured, protected and given special treatment in order to prohibit inequalities, distribute resources equally and finally to achieve the equalitarian goals for inclusive growth in the state (Brass 1985: 7). It is evident then, if not the practice, at least the theories that talk about the special treatment given by the State to these depressed communities are being explained in the logic of "common good" or the "public-welfare". It is assumed that two major state governmental flaws or limitations have become the base and logic of every conflict in the society. First, the persisting gap between the policy formation and its implementation, has become the logic of every social contention whether between the state and community or inter-community conflict in the society. Second, the categorization and identification accordingly for certain sections of the society by the state has either mis-recognized or non-recognized the demands of other communities, which has produced enough conflict in the society. Geertz (1996) essay on 'Primordial Ties' in the book Ethnicity talked about the demands which the

community groups in the modern welfare state, seeks from the state itself. He deduced, there are at least two major demands that every community group seeks, the first being the 'community identity recognition'; that is the search of an identity to be acknowledged and accepted publicly. Second, the community assertive practices and redistribution demands, that to be made by the community as a whole for the purpose of equalitarian development in the standard of living, socio-political order and justice.

Anthony Cohen (2013) put forth the argument that community is symbolically constructed, through the system of values, norms, moral codes and conducts which bestows a sense of recognition and identity, specific to the community members only. For him, the cultural sense of community and their oneness bounded by symbolic meanings is something which is omnipresent in the very type of society, be it a industrial or non-industrial one. Cohen tries to conclude that the major problem to be studied is not whether the community structure have resisted the incursion of social change, but to understand whether its members are able to suffuse its cultural traits and finally construct a symbolic community which provides recognition, identity and meaning.

Benedict Anderson (2006) also talks about the concept of community. He took 'language' as determinant community symbol based on which a national community is 'imagined' as the members of it do not have face to face communication with each other. That is to say, the advent of 'print-capitalism' and specifically the translations of large many legal and religious manuscripts has helped every person of a nation to imagine its social, economic, political and geographical boundaries.

Throughout the research, the 'community identity formation' has been looked as a socio-political process, through which some community groups adopt certain strategies to appropriate the State resources in the domain of assertive politics. Thereby, the community identity formation is understood as a process that entails three set of struggle processes, the first being the composition of community "group itself for control over its material and symbolic resources," that in turn requires a community to elucidate the community's social boundaries for the sake of inclusion and exclusion of membership. The second, explicates the inter-community conflict between different groups as a competition for material and non-material resources and privileges available in the society. The last process talks about the conflict persisting between the state and different communities. It expounds that the state's resources are of immense significance, control and domination overt it becomes the main

reason of conflicts. These three struggle processes intersect in a number of ways at different times, but it is significant to understand each of the conflictual processes, the role of community and state in each of it, and finally the consequences which led to the formation of new community identities and political mobilization. (Brass 1985: 1)

In India, the pre-modern communities were characterized by ‘fuzziness’ because each of the community carries multiple identities like; the caste, class, regional, religious, linguistic and many more identities simultaneously (Kaviraj 2010). But the advent of colonial rule, started defining these communities as according to their prescribed categories, which had defined and shaped every community identity within certain legal and official boundaries. However, the community identity formation in a multicultural democratic state or society is always a ‘dialogical process’, in which the self-recognition and the recognition by ‘significant Others’<sup>5</sup> are important (Taylor 1994: 32). The dialogue between the community groups in relation to their identities ought to be conflict free, if there is any kind of conflict, the identity formation gets conflictual and problematic. Therefore, it leads to the politics of community identity and its mobilization.

The sole focus of the research is not just on the politics of community identity and its mobilisation, but also on the fact that how state as a structural organization uses certain measures in the name of protective and progressive provisions, for its own sustenance and functioning. That is to say, that when the state categorizes a group for special treatment, that group in reaction starts legitimizing the authority of the state itself. As a result of that, the study encapsulates a brief outlook of all those socio-political theories which talks about the interrelationship between the state and communities. It is pertinent to understand that these theories are limited in order to understand the role of the state in controlling and channelizing the inter-community conflict within a society. The recurring issue is that, it is difficult to understand whether the state is to be understood as an instrument of a class, caste, ethnic or community groups or as a proportionately autonomous institution. It is also ambiguous to describe, whether state is to be observed as a distributor of privileges and recognition or as a upholder of justice and equality across different communities, finally it is also inconclusive to resolve how wholly or partially a state intervenes in societal conflicts. The sole problem is not just the state itself but also the problematic categories created by the State for different

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<sup>5</sup> It was exactly propounded by the sociologist George Herbert Mead, who in the process of identity formation talks about the concept of ‘Significant Others’.

purposes. It sometimes understands the whole group as one and same, irrespective of the intra differences it may have. The foremost problem in studying the conflict relationship between state and community rests on the issue that most of the socio-political theories discuss state and community as 'givens' rather than proceeding with the theoretical fact that these are also objects of examination in themselves. The more often neglected issue is, how the community identity and cohesion are constructed and maintained and how socio-political mobilization occurs and finally, why sometimes the socio-political identity perish away with the passing time and community ceases to mobilize socio-politically. The community identity formation and the state's role in handling community conflicts is to be studied. Brass(1985) maintained that, during inter-community conflicts, 'the state plays differentiating role'<sup>6</sup> wherein it distributes material and non-material recognition and privileges among communities.

It is being argued that, every state functions in a manner which is either less-transparent or more opaque. The advent of democracy has no doubt enabled for a state citizen to ask for the transparency from the state, like for example, the "Right to Information Act, 2005" in India has empowered the Indian citizen to ask and seek information from the governmental departments, although its limited to the civil departments only. It has put the confidential, defence and other related issues out of the purview. Therefore still at large, one has no idea, about how's, what's and why's of the state? Philip Abrams (1977) explored the genesis that why 'state' is secretive in its functioning and also why it is difficult to study the state or its institutions at large. He maintained that the state is a political mask itself which prevents the subjects of the state to understand its practices and functions. For him,

"There is a state-system: a palpable nexus of practice and institutional structure centred in government and more or less extensive, unified and dominant in any given society. There is, too, a state-idea, projected, purveyed and variously believed in different societies at different times"

(Abrams 1977: 58)

Abrams persistently said that, if anyone tries to unwrap the state practices, the state hides and protects it on the call of 'nation's public-interest' which is always undefined. He quoted the book 'The German Ideology' to bring up the notion that State is constituted on the fact that it

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<sup>6</sup> State differentiate society into different sections in order to distribute state resources, such as; education, employment, health services etc.

entails, the “illusionary common interest of a society” (ibid 1977: 64). Dahl (2006) also explained the notion of “common-good,” or “the public good,” propounded by the modern democratic and welfare state. He argued that in the modern state the positive discrimination policies meant for the common good has to blend in order to serve and maintain the powers held by the state (Dahl 2006: 03). However, Abrams goes further to conclude that state as a ‘system’ is an abstract formal object which is not a real entity, though it is obvious that state as an ‘idea’ has a consequential political reality, as if state as structural system is absent in a society, still there remains more or less an ideology which functions like a state in itself. He draws the existence and propagation of the process of the ‘state-idea’ through political socialization, as a necessary tool of it (Abrams 1977: 68-70). In this research work, it is thus maintained that the latent motives of the state, which are behind its process of categorization are difficult to explore, but it is quite simple and trouble-free to find out the impact of such categorization policies (i.e. reservation policy as one of them) on the community identity and inter-community relationship.

The type of identity is ‘tribal identity’ around which the research tries to build up the argument entailing the consequences of assertive politics. It proceeds with the argument that, in India, ‘Tribe as political category’ is a colonial construction (Cohn 1996), which with the passing time transformed into many types, i.e. initially, from the category of ‘Criminal Tribes’ (Ghurye 1959) identified for the purpose of law and order in the colonial state to the category of ‘Indigenous tribes’ in the post-colonial period to fulfil the functions of redistribution and recognition for these downtrodden tribes. The category of ‘Tribe’ is no more seen as a group of criminals or savages, but as a group of peoples who were historically isolated, backward and exploited during the colonial rule at large. Thereby, in the post-colonial democratic state, tribal peoples have to be given affirmative actions and policies, for their upliftment and progress. The Indian state made constitutional safeguards and also they were given 7.5 percent relaxation in the public employment sectors and in the educational institutions, for the betterment of tribal communities as a whole. The scheduling of groups in the Scheduled Tribe status, fosters the politics over tribal identity. Tribal status appropriation is demanded by many groups, including on one hand those which are dominant in the state government and its institutions and on the other those which make a genuine demand to be recognized as such. The research has thoroughly studied the case of Gujjar-Pahari conflict over listing as a group with tribal identity. Gujjars have succeeded to get the tribal status whereas, Paharis are thriving for it, and have launched a social movement for the same.



The idea of reservation has been analysed theoretically placing it in the framework of 'redistribution-recognition' debate. For this, the research work borrows from Nancy Frazer (2003). It presupposes that the whole debate of reservation revolves around the redistribution-recognition dialogue – i.e. whether material equality<sup>7</sup> is more important or the cultural recognition<sup>8</sup> and assertions has more value. It concludes that the 'politics for recognition' has been a paradigmatic shift from the 'politics of redistribution' in the post-colonial countries. The politics of recognition demands for 'recognition of difference' on the basis of nationality, ethnicity, race, gender, caste and so on. This new form of politics has taken the cultural domain superior to material domain of redistributive politics. However, finally she called for a model of reservation where both the 'recognitive and redistributive' (i.e. cultural recognition and social equality) approaches are to be applied. In the case of this research work, Pahari demand for Scheduled Tribe status, more on the redistributive claims, on the basis of similar economic practices (semi-nomadic agriculturist) with Gujjars. But socially, both the Gujjar and Pahari communities are different, though not strikingly different. Their dressing, eating, and language do not differ radically. It is also significant to draw that, Gujjars claim to have successfully authenticated their tribal history with the migration from the Gujristaan area of ancient India. But due to prolong habitation with the non-Gujjar groups, there are a lot of cultural resemblances with the Pahari community of Poonch and Rajouri districts of Jammu and Kashmir. That is to say that, the Gujjars and Paharis can speak and understand each other's language. The political theorist, Rekha Chowdhary maintained that, the reason behind the easy accessibility between the languages (Gojri, Pahari, Dogri, Panjabi) of Jammu region is due to their common linguistic base. Therefore, the sharing of common socio-economic resources have inflicted the Paharis to launch the movement for Scheduled Tribe status.

Finally, the research work encapsulates the framework of social movement prescribed by Charles Tilly (2005). He analyzed the emergence of different types of social movements<sup>9</sup>, and the prerequisite elements required for launching social movement. History has been significant in understanding the nuances of a Social Movement. He maintained that since the

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<sup>7</sup> The equality in the domain physical objects and spaces shared by the peoples in a society. It includes homes, cities, offices, schools, factories, lifestyle goods and products and so on.

<sup>8</sup> It refers to the nonphysical things, like; traditions, ideas, beliefs, values, norms, language, and so on.

<sup>9</sup> Broadly there are three types of social movements; revolutionary, reformative and redemptive social movements. The research work talks about the reformative social movements which are focussed on the reforms related to bring the equitable sharing of resources, be it material (physical) or non-material resources.

inception of the process of 'social movement' it has never been a solo performance, but as a collective and interactive campaign. While towards a historical explanation of a social movement, he traced four interdependent aspects of it. First, the origin and the transformation of demands of a claimant group into a social movement, in which how campaign, repertoires and WUCN<sup>10</sup> displays. Second, to unveil the social and political processes that either encourage or discourage the social movements. Third, it is also necessary to understand the relationship of the Claimant group with the other groups and the State. Finally, the changes in the relationship can be studied by tracing that how variably the relationship has transformed and have taken different shapes over the years. The social movement as a process is a combination of three kinds of claims: program, identity and standing. The Program is a claim either in support for or in against of the proposed actions by the claimant group. Identity claims consist of actions and demonstration by the campaign of the claimant group committed to bring assertion and progress. Finally the Standing claims explain the backup or sympathy of other similar groups or like minded political leaders. In the case of Pahari Social Movement for Scheduled tribe, which is still going on, it has to be observed that what kind of community is 'Pahari'? What kind of Identity they are talking about? How they are articulating the community identity? Why they have failed to achieve their goal till so far? These all above questions are to be analyzed in Tilly's framework of social movements.

### **(1.3) Research Objectives**

- (a) The research tries to understand 'the state as an idea', which is politically socialized among the population. On the basis of which, the state makes certain categories which are rendered legitimate among the population and entails the power to create new identity groups.
- (b) To make an account on the formation of new identity groups, which; more or less obliterates the existing identities. It will lead to conflict, either of the community with the state or among the communities in the society.

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<sup>10</sup> The WUNC stands for: Worthiness, Unity, Numbers, and Commitment. The Worthiness includes presence of each and every section of the claimant group. The Unity element required banners, headbands and group costumes, marching in ranks while singing and chanting. The Numbers includes the strength in numbers, signatures on petitions or messages from the claimant group. The Commitment asked for absolute participation of every possible person from the old to the handicapped volunteers resisting all the repressions and standing by their demands (Tilly 2005).

- (c) The research studies the category of reservation and explores its impact on inter-community relationship. It persistently investigates the inter-community social boundary negotiations in order to examine the impact of reservation on community identity.
- (d) To analyze the significance of state constructed social categories leading to the politicization of community identities, which encourages the non-beneficiary communities to launch social movements in order to achieve social, political and economic goals.
- (e) The research investigates the community identity politics particularly in matters of ‘tribal identity’ due to the incorporation of tribes in the list of reserved groups.

#### **(1.4) Research Questions**

- (a) How does the state and its policies shape community groups and their identities?
- (b) How does state categorization challenges the nature of existing community boundary relationships?
- (c) What is State’s role in the inter-community conflict of Gujjars and Paharis?
- (d) Under what circumstances the Paharis mobilize around new political claims in the domain of assertive politics?
- (e) Whether the prevailing inter-community conflict (in case of Gujjars and Paharis) that shape political competition over resources emerge naturally from social differences or whether state shapes (or even create)the line of division.
- (f) What limits Pahari social movement to achieve Sceduled Tribe reservation?

#### **(1.5) Limitations of the Study**

This research work is limited to the case study of Gujjar and Pahari communities of Jammu and Kashmir. Since, these communities are living in Pir-Panchal border backward block of Jammu and Kashmir, and are poorly focused with negligible representation in mainstream media, due to that the available secondary data is insufficient. There are very less government

reports prepared on these communities. There had been scholarships to study the Gujjar community of Jammu and Kashmir, because of the fact that it continues maintain its traditional social structure. But the Pahari community, has negligible amount of social science research on it. As a result, the insufficient amount of secondary data has been a major limitation of the study.

### **(1.6) Methodology**

The methodological orientation of this study, started from a particular historical event, i.e. from 1974-2014. It was due to the event of the then Prime Minister of India, Shrimati Indira Gandhi visited Pir-Panchal belt and specifically examined the socio-economic condition of Gujjars and Bakarwals. She took note of the Pir-Panchal's poverty and backwardness and mainly of the Gujjar and Bakarwal community demands. It was followed by the Indira-Sheikh accord (1975)<sup>11</sup>, after which the demands of Gujjars got recognition by the State and the policies and strategies were made as to facilitate the scheduling of Gujjars in Scheduled Tribe list. (Vaid 2014: 19) When the demands of the Gujjars and Bakrawals started picking pace, the Paharis, also undertook assertive actions and expressed their grievances to attract the State attention. Therefore, the Pahari community launched movement for Scheduled Tribe status which is still in action across the State of Jammu and Kashmir.

The research has used Comparative method in order to explore the genesis of state policy of reservation and its impact on inter-community relationship within a society. The comparative study will enquire into the relationship between the state community on the one hand , on the other it will study the reservation led conflict relationship between two communities of Jammu and Kashmir, the Gujjars and the Paharis. The study will focus only on the Pir-Panchal districts of Rajouri and Poonch owing to the dominant presence of both the communities in these areas.

The research work has gathered data based on secondary resources. It entails documents like census reports, state reports, archives, newspaper reports and articles; and reviewing books

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<sup>11</sup> The Indira-Sheikh accord of 1975, between Sheikh Abdullah and the then Indian Prime Minister Indira Gandhi. This accord is famous for the negotiations held between the India and the State Jammu and Kashmir and allowed the Sheikh to become the Chief Minister of J&K again after 11 years. This accord also talked about the backward condition of Gujjars and different socio-economic issues faced by them in the State of Jammu and Kashmir (Vaid 2014).

and internet sites related to the research work. Despite, reviewing secondary data, the research also encapsulates primary data resources. It is due to the insufficient secondary data that led the researcher to conduct some short duration interviews in the field.

### **(1.7) Chapterization**

There are three main sections beside the Introduction and Conclusion to explain the impact of state policies on community identity. Chapter First, 'The Introduction', it shall provide the in-depth background of the topic of my research by mentioning existing literature review after each and every concept with their theoretical location. It also interpolates the basics conceptual framework and the methods necessary for the research. The second chapter will explore the process of community identity formation, particularly the articulation of the political Identity in the domain of assertive politics. The state has been expressed as a resource and the distributor of resources itself. The community is understood as a mere accumulation of symbols, those symbols carry meaning in itself, and the recognition by the state of such symbols and meanings leads to the community identity formation. The third chapter is 'Tribes and the Category of Reservation in India'. It is argued that the State necessarily categorizes the different sections of society, on which the downtrodden, marginalised and exploited groups of society are given recognition in certain legal ways. The State recognition tries to place each and every group of society on a level-playing field for the equitable development. In order to understand the nature of state categorization, the policy of reservation has been discussed thoroughly. The research on tribes has been covered in two sub-sections; one, taking up the genesis of tribalism in colonial and post-colonial times; two, the transformation of tribes in India. The fourth chapter titled, 'the Jammu and Kashmir Pahari Movement for Reservation'. It explores the underneath issues on the basis of which the Paharis are demanding reservation. It seeks to understand why Paharis are claiming the Scheduled Tribe status, though it is a linguistic community in itself. The pros and cons of the movement have been highlighted in the social movement framework offered by Charles Tilly. The chapter further tries to analyse the claims of Gujjars and Paharis. Finally, it also observes the state role in conducting, containing and channelizing the inter-community conflict. The conclusion part of the research tries to make sense of the articulation of Pahari identity through the Pahari movement for scheduled tribe status.

## CHAPTER 2

### **POLITICS OF COMMUNITY IDENTITY FORMATION: AN INTRODUCTION TO THE GUJJAR AND PAHARI COMMUNITIES**

#### **(2.1) The Argument**

The research comprehends community as a ‘relational process’<sup>12</sup>, which in everyday usage usually imbibed two associated propositions; (a) a group of people having something in common among each other, which marked them as a community, and (b) and other groups who are outsiders and do not share any common material or non-material things. The community, as a result, seems to indicate similarity and differences simultaneously among the members of the society (Cohen 2013: 12). In this research, the community identity formation is taken as a two stage process, first; the community identity formation through the inter-community relationship within a society, and second; the community identity construction which is rendered as the legitimate state categorization. The state is observed as a resource in itself, which has a sole purpose to distribute material and non-material resources among the different communities in a society (Brass 1985).

The inter-community relationships are the kernels of the first type of identity construction (Cohen 2013). It is wholly based on dichotomization of community identities, which are more or less conflictual in the political practices. It can be said that the recognition of similarity and difference could be produced by the community membership within a society. If he/she is sharing the resources that are common to the community, particularly the non-material cultural resources (common history, language, traditions, values, norms, folk tails etc.), then he/she is recognized as the community member, otherwise understood as an outsider to a community within a society. What is being shared within a community is of utmost significance, as it also defines the intra-community relationship within a society. On

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<sup>12</sup> Community delivers a relational idea, which more or less relies on a relationship, competition and opposition of one community group to another.

the other hand, the inter-community relationship relies on the community boundary negotiations which the two or more communities does with each other. What are these community boundary negotiations? How do these negotiations work between different communities? And finally, how often are these negotiations successful in curbing out the inter-community conflict. The first two questions will be studied in the section of 'Community Identity Formation' wherein the community is understood as symbolic construction rather than any mere collection of structural elements<sup>13</sup>. It further elaborates on two propositions, first; the Anthony Cohen's understanding of community symbolism and its meanings, second; the Frederik Barth's analysis of community, which more or less draws the community understanding through its social boundaries, not the core cultural elements it engulfs. Whereas, the last question is dealt in the section of the 'community socio-political mobilization'. It draws from the Taylor's (1994) analysis of the politics of community recognition. For him, the identity construction is dialogical<sup>14</sup> and this research work maintains that if every section of the society gets the equality to represent and assert in the dialogue pertaining to the identity formation, the inter-community conflicts can be curbed.

## **(2.2) Understanding Community**

At the most basic, the term community refers to a group of people in a common territory who used to share basic things like; a particular kind of social structure, in that structure all the group members share a common sense of belonging and all the activities whether cultural or economic will take place for the common welfare of the community itself. Thereby, the common territory, close and informal relationships, common values and beliefs, mutuality, Strong group feeling, cultural similarity, organized interactions can be listed out as the major characteristics of a community. Besides talking about the features of a community, it is logical to submit that, every community is different, i.e. any of the above community feature (like; territorial similarity or cultural similarity) may prevail while others features may not be of much significance. It is because, the community characteristic which is being socialized

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<sup>13</sup> It refers to the geographical (territory, artefacts, buildings etc.) and demographical (mere collection of people) elements of a community.

<sup>14</sup> It means that the community identity formation relies on the inter-community relationship through debates, which in fact encourages recognition, misrecognition or non-recognition to a community in a society.

more in the community members, have a larger impact on community identity formation and so on.

The membership of most of the communities can be ascribed, however, the community attitudes, feelings, and consciousness has to be learned, which is only possible through socialization. Since the human learning and its socialization process never gets completed, so it is a life-long process. It is only due to this, that it is called community formation<sup>15</sup>, where the identity construction always remains dynamic (Boudan & Bourricaud 2003: 74). Therefore, it is necessary to study how the community consciousness is constituted and maintained over time in a society. The community as an institution plays a primary and fundamental role which comes after familial level to an individual in the society. Besides the specific socialization done at home, it is only the community that is responsible for socializing the aspects of 'common good'<sup>16</sup> to every individual in a community. That is to say, it helps every person to acquire culture, economic and political aspects of a community which could lead every person to learn to be 'social'<sup>17</sup> (Cohen 2013: 15).

The community socialization over the course of time doubtlessly becomes the strongest element in a community member's life. The community identity can intersect other identities, like the identity of personal self, family, the civil society and also the state. Thereby, community members situate the community identity at the core and responsibly contest the social, economic and political issues of their community (McBride 2005).

Community formation entails a coherent structure of unconscious or sometimes conscious identity on the basis of social, political and economic, shared as common and understood above the individual's interests (Nisbet 1962: 73). Since the focus of the research is to explain community's socio-political identity formed in the domain of community symbolism, it is also significant to review the structural theories of the community. There are many scholars who have tried to define the term 'community' through the structures it engulfs, like; Talcott Parsons who defined community as a group of individuals who share a common territory and operate their daily livelihood activities together (Ritzer 1996: 187). According to Tonnies

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<sup>15</sup> Though the word used was communalization, due to the multiple perceptions of this term, the 'communalization' word is ignored, and community formation has been used throughout the research.

<sup>16</sup> It means the social, economic and political traits that are necessary for the benefit of the community as a whole. This kind of socialization also fosters brotherhood and fraternity among the community members.

<sup>17</sup> Social here means that every community members should responsibly participate in the community welfare works even if he/she has no personal benefit from it.



pre-modern community is defined as an organic social group whose members are bound together by the sense of common belonging, created out of intimate relationships and called *Gemeinschaft*. Whereas, the modern ideal-typical pictures of the forms of social associations contrasting the solidarity nature of the social relations in the community with the large scale and impersonal relations thought to characterize industrializing societies called as *Gesellschaft* (Tonnie 2001: 13). Durkheim (2014) characterized the social evolution on the basis of division of labor, he proposed two kinds of social structures, each of it symbolizing distinctive sets of beliefs and values, which are particular in themselves. He deduced how the shift from a traditional to a modern community is brought up by the level of division of labour. For him, there are two types of solidarities in the society, first; the mechanical<sup>18</sup> solidarity where individual identity or personality is preoccupied with the community's collective identity, that is to say the collective consciousness becomes the core element of analysis. Moreover, dependence is constituted by the intimate personal relationships with a simple or negligible division of labour (Durkheim 2014: 84). Second, the organic solidarity is the outcome of the complex industrial division of labour. It explains that the community becomes impersonal and works in a loose solidarity as compared with the traditional mechanical solidarity. And that loose solidarity is only because of the dependency of each structure of the society with another to work and function as a whole. In Durkheim's own words:

"In fact, each organ has its own special characteristics and autonomy, yet the greater the unity of the organism, the more marked the individualisation of the parts. Using this analogy, we propose to call 'organic' the solidarity that is due to the division of labour"

(Durkheim 2014: 85)

The sociologists of the late 19th century have noticed and studied the changes brought up by the process of industrialization within the communities. They focused on the atomization of the primary relationships. Tonnie specified the atomization as continuous breaking down of the *Gemeinschaft*'s communal ties as the villages transform into towns. Similarly, Simmel dealt far-reaching depersonalizing influence of modern societies upon the traditional values,

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<sup>18</sup> Use of the term mechanical, Durkheim means that the cohesion that peoples used to have with raw materials of the environment and the cohesion they have with the other living members were synonymous, both were equally attached to the consciousness of the peoples.

morals and social patterns because of the spread of the money as a powerful and influential means of exchange. It has negative impact on the process of community formation, which has more or less become impersonal in the light of atomization, mechanisation and commercializes. Durkheim pointed out the process of atomization through technology, individualism and the division of labour. The mechanization has slowly destroyed the communal solidarity of the traditional society and transformed it into the organic society based on dependency over one another. The concept of "self-sufficiency" has become a myth in the organic industrial society (Simmel 1887 Quoted in Nisbet 1962: 78).

All these sociological studies on the community were fundamentally focused on explaining the universal common elements of community structure, which can be used to define community in every aspect. Like; Tonnies relied on the relationships, Durkheim focused on solidarity and consciousness and so on. But, it failed to recognize the underneath cultural symbols and its meaning, which are substances of diversity from place to place. The explanation of community is problematic if it is made in terms of institutions, structures and of its components only. Therefore, it is admitted in research that, the differences in the interpretation of community's cultural symbols is more significant. The essence of a community relied on the mental imagination of its members and must never be confused with geographic demarcation. By and large, the community; its consciousness, limitation, cultural boundaries and its meanings lie in the mind of the members, not in the structural forms of the community. So the community is made, maintained and expressed symbolically (Cohen 2013: 98). That is the ideological systems, member's attachment with the culture of its community is central when it comes to defining the community as a distinctive group within a society (ibid: 74-75). It is also necessary to argue on the ideal in which the community culture is to be understood. Cohen tried to apprehend the community member's experiences and the distinct meanings that they linked with the community symbols. Therefore, he moved away from the popular emphasis on sociological understanding of community structure towards interpreting it:

"as a phenomenon of culture: as one, therefore, which is meaningfully constructed by people through their symbolic prowess and resources"

(Cohen 2013: 38)

The culture and its different symbols are not seen as primary or definitive elements but observed as things which are used to differentiate the community groups' membership (e.g.

insiders and outsiders), that too in a Barthian<sup>19</sup> model of community understanding (Barth 1969: 12).

Frederik Barth studied ethnic groups as another type of community, which is a form of social organization. The element of ascription becomes the base of ethnic group identity. The cardinal feature becomes recognition; that is, the characteristics of self-ascription and ascription by others. On the basis of ascription, the ethnic community members can categorize themselves and the others for the purpose of interaction, and therefore the ethnic community group can be deduced in an organizational sense. Thus, he tries to conceptualize that the community groups are perceived as categories of ascription and recognition by the community members themselves that ultimately enables them to interact with other groups as a community group in itself. Barth specifically studied the processes which are involved in constructing and maintaining ethnic community groups. To understand these processes he shifted the research by not examining the internal cultural contents and the history of the ethnic group but to understand the emergence and the maintenance of the negotiations held through social boundaries in an inter-group communication within a society (Barth 1969: 14-15).

The boundary can be defined as the social dimension which marks the beginning and end of any given community in the society. The community boundaries are predominantly symbolic, which propound different meanings for different groups or its individuals. This is problematic in the sense that, it also proposes that social boundaries taken for granted by some individuals or groups may be entirely indiscernible to others in a society. So, it is prerequisite for a community to acknowledge their community boundary, which can be done only through socializing the community consciousness among the members of its community. The boundary consciousness assists the member of a community in ascertaining the basic elements like; culture, religion, language, region etc. This will lead the community to

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<sup>19</sup> The ethnic groups are usually defined on the base of culture that it entails. By understanding the cultural traits as the definitional characteristics and central to an ethnic group is problematic, because the cultural traits are supposed to change from place to place with time, and the context and situational factors determine the forms of cultural traits. Paradoxically, the community tries to include the culture of past as in the form of tradition, but due to changes brought over time, it fails to implement it in the absolute form. Therefore, it should study the elements which decide the community identity, viz, community relationship. The relationship between the communities can be studied the community through boundary on which the two communities come close and interact with each other.

encapsulate their boundary, and manage it to be identified by other during inter-community interactions through boundaries (Cohen 2013: 13).

The community boundaries persist regardless of the community switching and mobility across the boundaries by the people. The boundaries are not affected by the ongoing social transformation and communication, they in turn, become coherent and strengthen themselves, whenever they are challenged. Therefore, it provides the individuals with the process of community inclusion or exclusion. Secondly, it functions through dichotomized statuses, as the outsider to a community group is understood as an opposite in structure and function (Barth 1969: 9). The Taylor's (1994) description of community identity, specifically the political identity is based on 'dialogical processes' which amounts for equal participation in order to form an identity, whereas, Cohen's perspective of 'reflexivity' and Boon's notion of 'relational identity' entailing the significance of 'Others' perception in identity formation and also the Barthian understanding of 'dichotomization of ethnic statuses' talk more or less the same. It is evident to notice that community identity formation is not possible in isolation, it demands the presence of 'significant other' and for a conflict free identity construction, it altogether needs to build a cordial relationship with other communities across the cultural boundaries.

For T. K. Oommen, the community boundaries are where one encounters other community groups, therefore the boundaries are contested and remains dynamic within the society. Through the inter-community encounters ones constructs the perception of 'others' and recognize their specificity and autonomy synonymously perceived and realized of one's own community identity. It is necessary for a community to demarcate and maintain the boundaries in order to sustain the distinctive identity it claims. The state led formal categorization of a collectivity can obliterate the existing identity of a community, whereas, the informal socio-cultural categorization usually help the communities to retain their identities. It is because, the former categorization in the name of assertion and upliftment usually provides the developmental policies to provide equality to the downtrodden and weak communities, but during these processes, their existing identity gets declined. That is to say that, the category formation is processed through the government people, who does not belong from the target group and thus, provides 'Other's Perspective' (Gergen 1995). Therefore, the policies meant for development of the undeveloped and poor sections of the society are more or less inadequate to deal with the identity of those communities (Oommen

2002: 23). In order to avoid such categorization, it is firstly pertinent to understand the relationship between the community and its identity.

The characterization of a community also leads to study the community-identity relationship which it prescribes within the society. The relationship between the community and its identity is intimate in character and can be called as 'cultural totemism'.

"Cultural totemism is not only a form of ethnic recognition and categorization, it is an ethnicizing process, a mechanism of cultural speciation"

(Schwartz 1995: 59)

The cultural totemism accepts that community identity relationship emphasized through cultural traits and characteristics that are symptomatic of the community's cohesion and of its distinctive identity and relationship, specifically, when it draws a comparison with the other communities in the society (Schwartz 1975: 108). Referring to this, the research work argues that such comparative markings of 'we-community' and 'other-communities' by different groups within a society can be outlined through the notion of 'socio-cultural boundaries', which are central to understanding the concept of community. Cooley's concept of 'looking glass self' refers to, how the individual constructs his/her own identity on the basis of other's perception made about him/her. This analysis can be extended to a community's identity as well. The community group while being within its cultural boundaries tries to look outwards and negotiates with other community groups, in order to place itself within a society. Therefore, reflexivity and equal reflexivity is vital in community identity construction. It can be called as the 'culture playing vis-a-vis' (Boon 1982: 177). That is to say, that when one community group interacts with the other communities, they encounter with other traditions and cultures. It makes them aware of 'we-culture' and 'other-culture' in the society. The recognition of the differentiation between the culture and group consciousness occurred when they stand at their social boundaries and communicate with others. It is significant for every community group to recognize the perception of 'others' in the construction of community identity. The boundary negotiations itself defined the community norms, which is supposed to be recognized and respected by the members of both the negotiating communities (Cohen 2013: 69). Therefore, in the society, the symbolization of a community identity solely relied on its oppositional character, which is reinforced through the boundaries it engulfs. These boundaries are not absolute in nature but always defined in a relational aspect (Boon 1982; Cohen 2013: 58).

Charles Taylor (1994) also talks about community identity formation in relational perspective. He maintains that, in a multicultural state or society, identity formation is always 'dialogical'. That is, the freedom and access to equal dialogue for every community within a society<sup>20</sup> is a prerequisite. He traced the process of community formation from the traditional to the modern States and tries to locate how identity politics has transformed from traditional to the modern states. In traditional societies, the people or their groups didn't demand equal identity and recognition. That is not to say, that pre-modern society was identity free, but because the identity formation was not problematic. The individual's or its group identity was usually fixed by its position in the social structure. Whatever is attached and supposed to be done on a social position within the society has to be played accordingly. In modern democratic societies, socially or communally derived identification were eclipsed by the 'idea of authenticity'. It questions the authenticity of the identity imposed on an individual or a group by a society as a whole. The whole demand of equal identity has been connected with the idea of equal recognition in the today's democratic State. It used the perspective that, Identity is always 'dialogical' in character rather than being monological in the course of identity formation in the society. The communication of individuals or groups with each other has led them to understand each other which in a way or other becomes base in the formation of the Identity. It was exactly propounded by the interactionist George Herbert Mead, who in the process of identity formation talks about the concept of "Significant Others" (Taylor 1994: 32). The recognition by "significant others" has always been important for the individual or a group that is in contact. Therefore, the whole debate of recognition can be deduced to two levels. First, where the community members are engaged in inter-community interaction with the groups known as "significant-others" and keeps struggling to formulate and specify its own identity. Second, in the broader sphere identity politics, where the demands of equal recognition are being contested among the different communities within the society (Taylor 1994: 37).

The idea of community identity can, thus, be concluded with reference to Cohen's analysis that, whether the geographical and structural boundaries remain coherent or not, the existence of community identity lies in its members' realization of the vitality and authenticity of its tradition and culture. Therefore, individuals construct community identity symbolically,

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<sup>20</sup> The word State and Society are used synonymously, and particularly by the word society, the research means 'political society', which is also a definitive element of a state itself.

making it an asset and reservoir of meaning, which is the referent of their identity within the society (Cohen 2013: 118).

With the advent of modernity (it particularly explains the shift when the society transforms from the agrarian to the urban with the emergence of the industrial economy and political democracy as opposite to the feudal economy with autocratic states.) the small autocratic states eclipsed and the bigger democratic nation states emerged. Anderson (1983) called the emergence of the nation as a mass cultural shift with the emergence of print capitalism. Since the day a nation is made, it is always 'imagined' that is to say, the relationships between the members of a nation are always impersonal. Thereupon, the citizens of even the smallest nation will never meet and know most of their fellow-citizens, yet they imagine themselves as a 'nation'. The census is a definitive element, which helps to recognize similar nation's membership of fellow members. The imagined nation's community is limited by the fact that, every nation, big or small has territorial limitations understood through 'maps', beyond which the other nations exist. Within its limited territory, the nation is imagined as sovereign in itself, which has a sole purpose of legitimizing the state and eradicating, what is conflictual in the functioning of a nation. Therefore, it is an imagined community, which ignores despite the prevailing differences, inequalities, and exploitation, and conceive the nation as one and same (Anderson 1983: 6-7). Therefore, he explains the shift in the domain of imagination from the pre-modern communities which were historically specific and concrete with the membership of few persons who used to communicate through face-to-face relationship. But in modern communities like a 'nation' is an imagined community which relied upon the abstract coexistence and becomes possible by sharing the common ideas propagated in a common language through print journalism. These imagined communities carry impersonal relationships, but still, they imagine themselves as a community. The question to be studied is not, whether the traditional concrete pre-modern communities or the advanced abstract modern communities are real or not, but to understand the logic that both at a specific time, enjoyed the imagined basis reinforced by the cultural values, beliefs, and practices propagated by the society at large (McBride 2005: 13).

McBride articulated the concept of 'community imagining' by its members into two perspectives, the nostalgic model of community imagining and the utopian model of community imagining. The first is grounded on the imaginary historical experiences which are being socialized, whereas the utopian model of community imagining refers to futuristic goals which are to be achieved in order to form a community in itself. Both the models have

practical problems, as in nostalgia ideal, it is very rare within a community when all of its group members share the same meaning of their common historical roots. And, also the utopian goals are not equally believed by all the members of a community, either the lack of authenticity or the futuristic goals are critical to the contemporary situation. Therefore, imagining a community as a nostalgic or utopian model is hard to achieve and always will be (McBride 2005: 11).

In Indian context the community identity conceptualization has always been a matter of ambiguity, it shifts paradoxically into a complex multi-identities framework. There are many kinds of identities attached with a person in Indian societies, like; the caste, class, race, tribe, region, religion, ethnicity, language and much more. In India, village community is one of the most dominant community. Anthropologist like Redfield and Homans have studied the village community and its relationship with 'others'. Redfield borrowed the concept of community from Tonnies and Durkheimian theories of Community-Society, where both the scholars defined community, which is dominated by the face-to-face relationships and solidarity among the community members. His notion of 'little community' has been used frequently to study the characteristics of Indian villages (Atal 2009: 121). By using the concept of 'little community' he also tries to study the historical transition and change happening in the village community due to its culture being exposed to and diffused by the imperialism. Ethnographer, Homans ignored the common territory (village) and customs to define village as a community, instead, he maintained that village is a community 'because all its members were brought up to consent and act together as a group'. It can be seen easily that how 'every villager followed the same traditional rotation of crops and sent his cattle to run in a common herd' (Nisbet 1962: 83).

Upadhya (1998) talks about the inter-mixing of common categories applied to understand community by the political activists and leaders with those by the socio-political scholar. There is an ongoing dissimilarity between both the sections of the society when it comes to conceptualizing community. She identified two major perspectives on the community; 'substantivist' (who relied more on historical identity and are formed on the rationale of tradition and culture) and 'constructivist' (Constructivist or instrumentalist community identity formed on the grounds of state's administrative or political categories). It is being argued here that, the substantivist community is more like a model of 'Gemeinschaft' talked by Tonnies and the community with mechanical solidarity expounded by Durkheim. In the substantivist perspective, a community is observed analogous to the traditional means of



social organisations like; village, jati, religious sects etc. which are formed on the basis of collectivity. In substantivist perspective, the community is the reservoir of tradition and cultural values. The modern state and capitalism construct a new system of values threatening the authenticity of the existing traditional value system. The power of new categories by the state and politics has always shaped the communities to stand for social movements based on community's cultural identity. The constructivist approach underpins that the Indian communities based on various identities like; caste, tribe, language and religion are not adopted from pre-colonial times but are constructed through processes initiated during colonialism. These political and administrative categories of the colonial rule differentiated the Indian society into different section through Census and other administrative and disciplining practices for better governance. This may be understood as, 'Foucauldian Governmentality'<sup>21</sup> which talks about the modern state and its disciplining procedures (like; census, municipality, etc.) for better governance of the population, as the foremost reason of such identities prescribed to communities.

### **(3) Idea of State**

In this section, it is stated that the modern state governs the population through categorizing social groups. The modern state's categorization processes resulted in the construction of new community identities, which are either the recognition or the obliteration of their existing identities. The modern states were believed to be the real manifestation of territory, its history and the society (Cohn 1996: 3). It is necessary to understand, why population legitimizes the state authority? Therefore, it also raises the situation that, what is a state? The research particularly admits that state is problematic to understand in term of structure, it is more necessary to decipher the idea of the state, because if there is any state-less society present on the globe, it still perceives some idea of the state, according to which it works (Abrams 1977). It is also doubtless that, the significant reason for the state's existence in any society is

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<sup>21</sup> The Foucault's brief lecture on governmentality, stressed on the concept of "Conduct of Conduct", which describes the modern type of State structure and its institutions meant to produce knowledge which used to shape, guide and direct the conduct of the citizen subjects. It thus, infer that rather than understanding the State or its Institutions, it is more productive to delve into the policy formation, its proposal and execution, the strategies to conduct the consequences raised by the citizens. This new form of rational practices by the State is different from the traditional political rule, which was based on the despotic power of the autocrat. The modern form is even more lethal as it based its authority on the 'elements of thought, intention and calculation' of the citizen subjects. "Practices of government are deliberate attempts to shape conduct in certain ways in relation to certain objectives (Governmentality 1991; Rose 1999: 3-20).

due to its political ideology through which it captures the imagination of its communities (Kaviraj 2010). So, the idea of the state is always central to every society, be it a traditional or a neoliberal. Then, it is said that wherever the group of peoples lived there has always been a political structure, known as 'State'. "That is to say, there has been some association or corporation, larger than the family, and acknowledging no power superior to itself" (Bosanquet, 2001; 19). The idea of the state, transformed through three stages (from the family to community to State) expounded by Aristotle's scheme of evolution of State (Nisbet 1962: 99). Though the Idea of State does not rely on a general structure, it has to be coherent with a specific political ideology in which the every individual member of it finds a place in it, and can experience it as a Community in itself. The significance of the 'Idea of State' is also expounded by Partha Chatterjee in his book 'Nation and Its Fragments' where he criticized Anderson's model of 'imagined communities'. Usually, the objectivity displayed by an Imagined community is a historical objectivity produced by the census, maps, and museum at large. It is the history which becomes a tool of imagination for a community. Moreover, Imagined communities are based on fictive thoughts which are legitimized by the community itself and therefore, can also place their community boundaries anywhere in time and space (Kaviraj 2010). Partha Chatterjee criticized Anderson's model of 'Imagined community' and asked 'whose imagined community is this'? Chatterjee was against the analysis of Anderson's historical 'modular forms' of nationalism, where the three models; Western Europe, American, and Russian are basics to Asia and Africa. If these are the only modular forms of imagination to any nationalism then what is left for others (Indian and African states) to imagine. What has actually to be imagined is the 'idea of state' altogether. Then it is significant to understand that how communities produced this 'idea of state' and transcend it to the different sections of society through print-capitalism which becomes the essence of nationalism (Chatterjee 1993: 5).

As this research specifically studied the advent of the modern state in India, which was synonymous with the emergence of colonial rule in India. It is because, the study of the process of Categorization formally started from colonial anthropology, where the colonial government used different formal categories to effectively administer and control the Indian societies.

### **(a) The Traditional Indian State**

The pre-colonial idea of the state was fundamentally different from the state instituted by colonialism. G. F. W. Hegel explained the socio-political structure of Indian State. For Him, India is an advanced state in comparison with China on the scale of civilization. First, China with an autocratic rule may be regarded as nothing but a 'state' where one can find 'moral despotism, but in India, due to the break occurred between the State and Society produced by the Caste, the political life in India is despotism without any rule of morality, legality and religion. For Hegel, this meant that in India the whole of society was not absorbed under the despotism of the ruler, as was the case in China (Tibebu 2011: 254-262). Thus, it is clear that the religious and the secular thread were always distorted by the reality that caste is the prime principle of authority. He also criticized the caste and admitted it as the basic cause which failed the Indian State to produce any coherent relationship with its history and thereby benefitted the British to easily plunder and colonize the former. (Dirks, 2014; 52). Political scientist, Kaviraj (2005: 3-8) explored the evolution of Indian state into three steps; First, the pre-modern conception of the state, where the ideology from Hindu traditional antiquity and an Islamic medieval one associated with the Mughal rule are seen fundamentally similar. Both the types of state encompassed with the fact that rules (danda/sharia) are super-ordinate to the ruler. Manusmriti, explains the relation between the political ruler and the caste order of social practice. The ruler's power is executive or administrative; it cannot make fundamental rules of social conduct or change them. To conclude, in terms of their external relations with other kingdoms, the state was shown to be sovereign over its territory; but in their internal relation to its masses, the state failed to exercise the complete sovereignty, and somehow, the state works in marginality in comparison with the informal socio-religious institutions within the state. Therefore, the pre-colonial states in India either have a very less or negligible participation in the formation of community identity. Second, the colonial state, where British conquered a series of independent kingdoms which became 'political India' only during the freedom movement with the rise of nationalism. By contrast, when colonialism started operating modern style of state in India, Indian society could not draw upon itself a body of conceptual and theoretical resources to make sense of, describe and evaluate the new institutional and practical forms of political power (Kaviraj 2005: 9).

## **(b) The Colonial Indian State**

The process of social categorization in India formally started from colonial anthropology, where the colonial governments used different formal categories to effectively administer and control the colonial society (Cohn 1996: 3). But in post-colonial India, there were a large number of studies done about the system of classification and process of categorization to demonstrate that it was the colonial state which started establishing fixed territories, introduced census practices and produced new categories. George Lackoff said, "there is nothing more basic than categorisation to our thought, perception, action, and speech". Society employs categories to every kind of social processes to make reason for a orderly management. Categories are central to seeing, thinking, and acting (Bravbaker, Lovaman & Stamaton 2004). This may be understood as, the formation of new groups on the basis of colonial categorization brought up many changes in the political structure of India.

Eric Stokes argues that there was a huge shift in the political structure when the British occupied India. Initially, the British applied pragmatic and defensive strategies of the medieval political period, which merely cast around wrenching out the Indian wealth through the help of colonial policies itself (Rose 1999: 108). Therefore, Colonial State before 1857 was chiefly an agrarian State that exercised 'Oriental Despotism' to justify its legitimacy over the occupied territories. The ultimate focus was on the regulation of landed properties and its revenues. The East India Company started as a mercantilist trading company which had nothing to do with the socio-political structure of India. It was all about commerce. Later on, when East India Company in the late 18th century came under the control of British Monarch, it had to change its nature to deal with the double legitimating responsibility— in both England and India. To deal with the problem of 'State Security' as well as to legitimate the 'State Sovereignty' the Colonial State took the "Anthropological idea that caste could be seen as the colonized form of civil society that would substitute for and explain away the problem of political sovereignty" (Dirks 2014: 123). Hence, Ethnography became the necessary colonial modality where Census observed as a primary tool of it.

Bernard Cohn has extensively explored the strategies of the Colonial rule that included a whole series of pre-disciplinary rituals to display the authenticity of the colonial rule in India. For him, it was not a political project but was a cultural project in India. There were few modalities exercised by the colonial rule in India, these are; historiographic modality (the interpretation of different historical manuscripts of India), observation/Travel modality

(touring across Indian mainland and observing Indian societies), survey modality, museological modality (creating museum) and, enumerative modality (includes the census practices), surveillance modality (creating records on, and investigative modality (it encapsulates the ethnographic field works). The sole purpose of all these modalities was to produce documents (documentation), on the basis of which it classifies (classification) the Indian societies and finally to legitimate (Legitimation) their rule over India (Cohn 1996: 5-15). The information about Indian societies was gathered, ordered and classified in the process of documentation. It was a power-knowledge process, as the knowledge of India enabled the colonial rulers to classify and categorize the Indian societies. The museological works by Colin Mackenzie, who collected different archeological manuscripts, specimens, and oral history and second; James Fergusson's study of Indian history and evolution of art and architecture had produced significant knowledge for colonialism in India. There was also 'Human Relations Area File' (HRAF), which had studied the cultures across the world and particularly studied the questions of categorizing the groups into sub-groups in the domain of taxonomy. It had assisted the colonial rule to map the different sections of Indian societies into different cultural groups. Therefore, British notables toured India and sought to recruit Indian rulers to their cause by ceremonial displays and the dispensation of honors; public ceremonies were staged to mark occasions such as the laying of foundation stones for public buildings to display the power and legitimacy of the British sovereign. So it is how, the cultural project of colonial rule in India objectified the social, cultural, regional, religious and linguistic differences among the peoples of Indian societies (Cohen 1996: 4-15).

Finally, anthropology during the mid of 19th century started supplanting "history as the colonial modality of knowledge and rule", thereby characterizing the nature of Indian state as an "ethnographic state"(Dirks, 2014; 43- 44) Thus, this ethnographic colonial state had created many social categories, which had ultimately created the new community identities, either with the consent or enforced on the community by the state itself.

### **(c) The Post-Colonial Indian State**

The modern welfare state has depended upon two major complex set of relationships: the relation between State and Non-State authorities and the control of population in the light of Knowledge/Power tactics (Pierson 2004: 54). Rose (1999) talks what is relationship between 'state and society'? First, the state has actively engaged itself with the non-state/informal

actors to execute the policies and to control its consequences. This new structural transformation within the state has evolved a type a 'governance' which is 'reflexive in nature'. Second, to legitimize the authority, it is imminent that the modern state rules in the light of the knowledge of every general and specific characteristic of its population. The knowledge of its territory with its peculiar geography, fertility, climate; of a population with its rates of birth, illness, death; of a society with its classes, interests, conflicts; of an economy with its laws of circulation, of supply and demand; of individuals with their passions, interests and propensities to good and evil. In the same process, ruling becomes a 'reflexive' activity: those who would rule must ask themselves who should govern, what is the justification for government, what or who should be governed and how. Hence 'modern' governmental rationalities, modern ways of exercising rule, inescapably entail a certain investment of thought, however, attenuated, and a certain form of reason, however, much it may be obscured (Rose 1999: 7-15).

It is nowadays understood partly that government in the modern state continually seeks to give itself a form of truth establishing a kind of ethical basis for its actions. (Rose 1999: 18) The democratic and republic nature of the modern state is seen as a promoter of equality and distributive justice among the multi-cultural societies. The state has a prime role in addressing the public issues related to development and conflict among different regions, castes, religions, classes, and other community groups. The preamble and the Directive Principles of State Policy in the Constitution of India demonstrate the nature of Indian State as that of a Welfare State. The Constitution inclusively pledged to treat and raise each and every citizen equally before the law. The State shall provide the democratic and republic environment for a better social, economic, and political standard of living. The State shall provide better public health services, educational institutions, employment schemes so as to promote the interests of 'the weaker and backward sections of the people'. It is however within the nature of Welfare State to look into the grievances of all workers, labourers or otherwise of every person to ensure a life full of freedom of social and cultural opportunities. It has to protect the social order in which justice shall prevail in all the institution of the nation. These all public responsibilities on the modern democratic states, have conditionally or unconditionally divided the population into many sub-groups (Castes, Classes, regions, religions, ethnic, linguistic etc.) which are now observed as different types of communities in itself.

#### **(2.4) Community Identity Politics**

The 'community identity politics' are tools for constructing the new identities and mobilisation of the existing identity of the communities within the political sphere of modern democratic states. Since the research studies the community identity politics critically, it is maintained that the framework grounded in the concept of this 'political constructivism' highlights the role of state and political agencies to legitimize the state's authority for its population. Brass (1985) has highlighted more or less on a similar perspective, he deduced that the state policies in the name of assertion, has an underneath reality, which talks about the benefits that the state gains from categorizing few groups into certain categories. This has led the state to function in the framework of Foucauldian governmentality. It particularly functions on the perspective of Power/Knowledge discourse to benefit the state, by including the forms of social control exercised through the policies it made and forms of knowledge given in disciplinary institutions like; hospitals, Prisons, schools, psychiatric institutions, etc. (Sharma, 2009 ). It is submitted that, within a multi-cultural state, the state introduces the population with a set of categories which directly or indirectly benefits the state itself. The categorization of certain communities for acquiring resources led other communities to start community identity assertion for the same.

The identity of an individual or its group is certainly shaped because of the recognition or sometimes misrecognition by other groups in the society. The politics in multicultural societies are wholly based on the objectification of the identity that one perceives from other groups or the State. Democracy has introduced the politics of equal recognition, which over the years have accommodated certain kinds of problems, from the voting rights of every individual to the nowadays demands for the equal status and recognition to gender, cultures, and minority communities. The community politics also talked about how through certain affirmative action policies, the oppressed, the misrecognised, and exploited groups can be given privileges to compete and stand in level playing field to appropriate resources within the society (Taylor 1994), this has led the non-recognized groups to launch demonstration and social movements to demand the same. The relationship between community, identity and political recognition in a modern democratic state is exemplified in debates over 'multiculturalism', and the politics pertaining the implications of 'pluralism' – of caste, class, ethnicity, religion, sexuality, ability and disability – and the recognition to be accorded to the 'rights' and 'values' of different communities. This has doubtlessly produced the

multiplication of the forms of political subjectivity which is linked to new practices of identity formation (Rose 1999).

The politics pertaining to community identity formation demands equal recognition of representation and assertion within the society. Three types of political frameworks are being reviewed here, which according to Taylor (1994) are prevalent in the politics of modern democratic states. The first two are 'the politics of difference'<sup>22</sup> and the politics of equal dignity<sup>23</sup>. For both, the politics drive on the notion that all the individuals or groups are equal despite differences and should be treated with an equal worth of respect. But both the political frameworks carry limitations and are not able to execute inclusively for all the sections of the society. In the 'politics of difference', to make away from the conflict, one of any common feature has to be given a central position to foster the concept of politics of difference, which has actually limited effect on the notion of non-discrimination. That is, there are always something that have to be adopted commonly in order to fulfill for the politics of difference. Whereas, in the 'politics of dignity' it used to identify the oppressed and non-recognised group on the same socio-economic and political level and foster it to assimilate into the mainstream society, for better dignity and lifestyle. During this process, it enforces the people to walk them out of their differences from the rest of the society in order to achieve the goal of assimilation as a whole. Understanding the limitation of both the political frameworks, he refers the 'politics of equal respect'<sup>24</sup> which could possibly benefit all sections of a society. The politics of equal respect, which can be exercised in a liberal state, can produce the hospitable results based demand that let the "cultures defend themselves, within reasonable bounds". So, what is accommodated the most is the explicit demand of 'recognition' (Taylor 1994: 40-73).

India has always been home to a diversity of religious, ethnic, linguistic and cultural communities. It is due to this, the identity formation depends on a number of co-related cultural elements. This according to Kaviraj (2014), led to two main problems: first; each community has multiple identities (religious, caste, ethnic, linguistic and so on), which are not bound to any defined region. Moreover, each caste has an endless number of sub-castes,

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<sup>22</sup> The idea of equal respect in accepting the differences among the ideologies of different section is a blind fashion.

<sup>23</sup> The idea is that all human are equally worthy of respect. Whatever is the background, situation, and the context, every person has a right to equal dignity.

<sup>24</sup> It refers to the 'Rousseau's perspective of a political situation' where to achieve the common purpose, 'We' can be called as 'I' and 'I' can be called 'We', simultaneously, in order to achieve equality.



in which their boundaries were mobile and liable to change over time and space. So the boundaries between different communities had not always been clear in the past. Second, in pre-colonial India, there was no social mapping and enumeration of the population within prescribed categories, as it was done later in the colonial and post-colonial times. Therefore, Kaviraj characterized pre-modern society as a society of 'fuzzy communities' which were never defined categorically and failed to launch any type of community's political assertion (Kaviraj 2014: 51-56).

The inception of Colonial rule in India started to define geographical and social boundaries of different communities through census enumeration, specifically the objectification of caste categories (Cohen 2013). Thereby, according to Dirks, Caste is the most important identity of Indian people together with religion. And the conceptualisation and objectification of caste stratification in the censuses by British affected the way caste was practiced. The objectification of caste had introduced some new relations between jatis (castes) which were earlier ceased to be (Dirks 2001). That led to producing new community identities, earlier which were either non-recognized or do not exist at all.

Carol Upadhyia has talked about the politics of community identity in India. Before understanding the identity politics in India, she referred to Dumont's views on Indian community and stated that Indian community is not only different as an institution but also carry an altogether set of particular value system. The value system of the Indian communities rests on kinship structures, cultural (caste), and religious categories. These given categories determine the relationship patterns across the communities in India. For instance, the Indian jajmani system is not solely an economic system but also a representation of specific cultural values. Moreover, it is necessary to understand the relationship between the two jati communities who forms a social organisation based on traditional kinship elements. This relationship can be studied for the purpose to comprehend the political identity. It is to be understood that, politics doesn't penetrate into social units like family, kin groups, jati etc, but affects the relationship occurring between different communities. Therefore, the inter-community relationship patterns are decisive, when it comes to conceptualizing the community identity politics in India.

## **(2.5) Gujjars Of Jammu and Kashmir**

The Gujjar is a tribal ethnic community of Indian sub-continent. In India, the Gujjars are found in north-western states like; Jammu and Kashmir, Himachal Pradesh, Uttaranchal, Uttar Pradesh, Haryana, Rajasthan, Gujarat, Madhya Pradesh and Delhi. They are also largely concentrated along the fertile Indo-Gangetic plains and the isolated hilly terrains of lower Himalayas. Traditionally, the Gujjars were a nomadic pastoral community, but nowadays except few nomadic sections of Himachal Pradesh and Jammu and Kashmir, all other are practising sedentary life. Most of the settled Gujjars across India have been engaged in marginal farming and cattle rearing. The Gujjars are mostly Hindus except the Gujjars of Jammu and Kashmir, which is a hundred percent Muslim community.

The Indian sociologist G. S. Ghurye argues that the term Gujjar was derived from the primary identity of the group itself. The Gujjar community has largely been as animal rearers and herders in India. He listed that, the word Gujjar has a Sanskrit origin. The Sanskrit word for cow is Gau and the traditional Hindi word for sheep is Gadar (Ghurye 1969: 31-33). The Sanskrit Dictionary word for Gujjar is "Gurjar", which has two parts, "Gur" means enemy and "jar" means destroyer. So the Community in literature is seen as a warrior (Som 2005). Moreover, Khatana (1974) also reported on the origin of the word 'Gujjar' from the book 'Harishcharitra' of Banabhat. And also, the word 'Gujjar' is also believed to be a derivative of a Sanskrit word 'Gurujar' which means valiant (Lidhoo 1988: 54). Whereas, the Anthropological Survey of India, in its project 'The People of India', 2004 noted that:

"The Gurjars/Gujjars were no doubt a remarkable people spread from Kashmir to Gujarat and Maharashtra, who gave an identity to Gujarat, established kingdoms, entered the Rajput groups as the dominant lineage of Badgujar, and survive today as a pastoral and a tribal group with both Hindu and Muslim segments."

(Singh & Bhanu 2004)

### **(a) Demography**

In Jammu and Kashmir State of India, numerically, Gujjars are the third largest community after Kashmiris and Dogras. According to the Census report of 2011, the Jammu and Kashmir has a significant 1493299 Scheduled Tribe population which amounts to 11.9% of the total population. The Scheduled tribe population is mostly concentrated in the districts of Leh (Ladakh), Rajouri and Poonch, Reasi followed by, Anantnag, Udhampur and Doda

districts (The scheduled Tribe Data analysis, Census, 2001). The Poonch (36.9%) and Rajouri (36.2%) together have 16.76% of state's total Scheduled Tribe population, which predominantly consists of Gujjar community. There are only five districts in the State of Jammu and Kashmir, where the Scheduled Tribe population is more than 25% of their total population.

DISTRICT	TOTAL POPULATION	SCHEDULED TRIBE POPULATION	SCHEDULED TRIBE PERCENTAGE
Kargil	1,40,802	1,22,236	86.9%
Leh(Ladakh)	1,33,487	95,857	71.8%
Poonch	4,76,835	17,610	36.9%
Rajouri	6,42,415	2,32,815	36.2%
Reasi	3,14,667	88,365	28.1%
Ganderbal	2,97,446	61,070	20.5%
Bandipore	3,92,232	75,374	19.2%
Kishtwar	2,30,696	38,149	16.5%
Ramban	2,83,713	39,772	14%
Anantnag	10,78,692	1,16,006	10.8%
Udhampur	5,54,985	56,309	10.1%
Doda	4,09,936	39,216	9.6%
Kathua	6,16,435	53,307	8.6%
Shupiyan	2,66,215	21,820	8.2%
Kupwara	8,70,354	70,352	8.1%
Kulgam	4,24,483	26,525	6.2%
Samba	3,18,898	17,573	5.5%
Jammu	15,29,958	69,193	4.5%
Pulwama	5,60,440	22,607	4%
Baramulla	10,08,039	37,705	3.7%
Badgam	7,53,745	23,912	3.2%

DISTRICT	TOTAL POPULATION	SCHEDULED TRIBE POPULATION	SCHEDULED TRIBE PERCENTAGE
Srinagar	12,36,829	8,935	0.7%
Jammu and Kashmir	1,2,541,302	14,93,299	11.9%

Table (1.1) District wise Scheduled Tribe Population of J&K (Source: Census of India, 2011)

### (b) History of Gujjars

The origin and migration of Gujjar ethnic community to Indian sub-continent is uncertain (Census, 1941) and it has been a matter of debate and contention among the scholars. In matters of tracing the background and history of Gujjar community of Jammu and Kashmir, there are two prevalent standpoints; first, that the Gujjar is one of the oldest native tribe of India, second, they are foreigners, who migrated from Central Asia to the north-western states of India.

The first perspective was substantiated by Fauq (1941) and Puri (1968). This view supports that natively, Gujjar tribe is an ancient Hindu tribe of India, who have been chiefs and Kings of north-western parts of India, and they later on migrated to Himachal Pradesh and Jammu and Kashmir, in search of good pasture lands. Whereas, Puri (1968) carries the same perception that, Gujjars are the native inhabitants of Indian sub-continent, and specifically belonged to the areas near to the Mount Abu of today's Rajasthan (Lidhoo 1988: 51-52). The second perspective of Gujjar's origin and migration to India is broadly divided into two theories; the Turkish origin and the Georgian origin of Gujjars.

The first theory is not celebrated much and is propagated by the Gujjar Scholar, Javid Rahi, who claimed that the word "Gojar" has a Central Asian "Turkic" origin, which in the roman script is written as 'Gocer'. In 2009 the NGO, Tribal Research and Cultural Foundation under the leadership of Rahi talked about the evolution of Gujjars from the 'Central Asian belt'<sup>25</sup> in BC era and its migration to the north-western part of India. After reaching the today's India, the Gujjar Community ruled for many times and again. It thus claimed that Gujjars in Jammu & Kashmir have a 5000-year history, descending links from the Turkish land to the present

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<sup>25</sup> The Central Asian belt stretches from the Caspian Sea in the west to China in the east and from Afghanistan in the South to Russia in the north.

J&K. They also stressed on 'anthropometric'<sup>26</sup> similarities between the Gujjar and Turkish Tribes on the basis of racial features and facial expressions (Daily Excelsior, 2009).

The theory of Georgian origin appears to be more researched and studied. This theory of origin and migration of Gujjars in Indian sub-continent leads to the today's Turkish land. It is maintained that, before migrating to Indian sub-continent, they were the natives of "Gurjistan (Georgia) a territory situated between the Black sea and the Caspian sea and Caucasus mountain range in the north. The reasons behind migration are not clear but due to some unknown push or pull factors, the Gujjars have migrated mostly to Gujarat and Rajasthan States of India from Georgia (Warikoo 2000: 43). Dr. Huthi also maintained on the same perspective. He paid a visit to India in 1967 to study the Gujjars living in northern India. He stated that there are significant similarities between the Georgian tribes and the Indian Gujjars, because their accent, their dress, and their bullock carts resemble those of Georgians. Oral traditions of the tribe and some archaeological evidence (particularly cultural and phonetic) suggest that the word Gujjar is a derivation of Gurjara and sounds like 'Gurjiya/Georgia' (Gurjiya or Gurjistan being the Persian name for Georgia) indicating that the Gujjars tribe is partially of Caucasian, Central Asian origin (Georgia-Chechnya etc) (Tufail 2013: 15). The history of Gujjars has been studied extensively by the census data during colonial times. So, it is evident to elaborate on the details prescribed by the censuses. In Jammu and Kashmir, the research on Gujjars was commenced in census reports.

The Jammu and Kashmir Census of 1941 traced the history of the Gujjars in J&K. The Census was ambiguous of the theories given in support of the origin and first appearance of Gujjars in the State. The Gujjars living in Jammu and Kashmir are seen as the result of consecutive migrations. The initial migration of Gujjars to the area of J&K was seen part of the outbreak of a serious famine in the native parts of the region inhabited by the tribe now known as Rajputana, Gujarat and Kathiawar. The exact period of famine was not clear but it is known as the 'Satahsiya Famine'. Whereas, the latter migration was seen as part of the search for better habitats, they choose J&K over the Punjab to supply basic resources for their livelihood.

The Census (1941) also talked about the history of Gujjars in Poonch Jagir.<sup>27</sup> The Gujjar tribe migrated from Punjab and Rajasthan areas of India to Poonch estate of Jammu and Kashmir,

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<sup>26</sup> It includes the systematic measurement of the physical properties of the human body parts, primarily dimensional descriptors of body size and shape

where with the passing time, Gujjars managed to settle down permanently as agriculturalists. The census noted that there were also few noted Gujjar landlord groups of Lohar-Kot (Loran), who in the 17th century acquired the high official status in the reign of Raja Khan Bahadur in Poonch. The most influential leader of that time was Ruh-ullah Khan, who on the murder of the Raja at the end of the 18th century took control of the Poonch jagir. The dynasty started by Ruh-Ullah Khan was known as the Sango dynasty. With the elimination of his predecessor, Mir Baz Khan the period of Sango dynasty power came to an end. After this, the status and influence of the Gujjars in the Poonch jagir gradually started to deteriorate.

It is therefore observed that the Gujjars in Jammu and Kashmir were studied extensively as an ethnic tribe, whose historical records and migrational patterns were prioritized in the censuses during colonial rule. In the conclusion, it can be said that there are two hypothesis supporting different assumptions regarding the Gujjars migration to Jammu and Kashmir from Gujarat and Rajasthan states of today India. First, it is believed that it was 11th Century A. D. when the Gurjara Pratihara dynasty dominated all of the north-western India. Later, they were attacked by the Arabs (11th and 12th century) in the Gurjara Desa (Gujarat and Rajasthan) after which they started migrating towards the northwestern sides. Few of them reached to Punjab and Jammu and Kashmir (Warikoo 2000).

R. P. Khatana (1974) also concluded on the history of migration of Gujjars from different parts of Indian sub-continent to Jammu and Kashmir. He observed that specifically Gujjars were a minority in the areas of Punjab, and were exploited by the Rajput and Sikh communities at large. In search of relief and peace, the Gujjar community started settling in the isolated hilly areas of Jammu and Kashmir. Therefore, the theories of Gujjars migration within the Indian sub-continent were supported by the reasons like; persistent drought, insufficient grazing facilities in their original lands, increase in their population, political or religious persecution in the plains of Punjab by invaders from the west.

### **(c) Social Structure**

The physical characteristics, cultural practices, language and economic activities of Gujjars are dissimilar from the rest of the non-Gujjar society of Jammu and Kashmir. To maintain

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It includes the Poonch and Rajouri districts of today's Jammu and Kashmir State of India

their separate ethno-cultural identity they have adopted a different lifestyle by dressing themselves with Salwar-Kameez and on the head with a big turban among males and round ethnic caps among females. Most of the Gujjars used to grow a long beard. The Gujjar community in Jammu and Kashmir is predominantly Muslim community, though they also claim to share a common collateral ancestry with the rest of Gujjars of Indian sub-continent (Warikoo 2000: 7).

It is the traditional representation and the isolation from the mainstream society of the Gujjar community, which has attracted Historians and Anthropologists to study them with great ethnographic interest. The Census Report of 1911, observed Gujjars are semi-nomadic agricultural and pastoral groups in the hilly tracts of Jammu Province, north and north-western parts of Kashmir. Most of them practice transhumance, that includes the seasonal movements from the valley to the mountain tops of Pir-Panchal range. This upward and downward movement continued from year to year and formed the sum total of the semi-nomadic life of Gujjars. Except Jammu and Kashmir, the Gujjars living elsewhere in the whole Indian sub-continent have been in contact for long now with the mainstream society, now practising sedentary lifestyles. It was only the Gujjar Community of Jammu and Kashmir, especially in the higher altitudes of Pir-Panchal who remained isolated and had retained the traditional identity (J&K Census 1911: 209).

Gujjars are classified into three major groups on the basis of their socio-economic practices. First, the nomadic Gujjars, they constitute around 20% of the total population of the Gujjars. They are further divided into two types: (a) Bakkarwals, who continuously keeps migrating from plains to the mountains tops and keeps large herds of goat and sheep; (b) Baniharas, live near forests and keeps a large number of buffaloes for the purpose of selling milk and butter. Second, the settled Gujjars, they have been doing agriculture and living a settled life like any other non-tribal groups. Third, semi-nomadic, this group is larger than the other former types of Gujjars. They predominantly practice transhumance and are mostly concentrate in the Pir-Panchal mountain belt of Jammu and Kashmir (Behera 2000:233). Warikoo (2000) and Lidhoo (1988) has also classified the Gujjars of Jammu and Kashmir into three major groups on the basis of their occupation and settlement. First are the Muqami (Cultivators) Gujjars who is a settled community and predominantly doing agriculture for livelihood. In second place are Banihara or Dodhi (Milkman) Gujjars who used to rear cattle to sell milk for livelihood. Lastly, the Bakarwal Gujjars, who practice transhumance and most of them rear sheep and goats.

The social system of the Gujjars is stratified into three levels, all of which are primary to their kinship groups. The basic is 'Dera' (Household), the intermediate is 'Dada-Potra' (lineage) and topmost is 'Jat or Gotra' (Clan).

There is a prevalent "we-ness" or a strong community consciousness among all Gujjar communities of India. 'The Muslim, Sikh and Hindu Gujjars of mountains and plains consider themselves as the sons of a common ancestor and think like brothers'<sup>28</sup>. Usually, the economic status of Gujjar is assessed on the basis of buffaloes, cattle, sheep and goats one had. They were practicing semi-nomadism by doing the difficult job of cultivating land at an altitude well beyond the limits of ordinary village lands. The main occupation of Gujjars in Jammu and Kashmir is agriculture, labour, and semi-skilled works, horse and cattle rearing. However, majority of them have very small land holdings, due to that besides doing agriculture they also need to labour themselves in semi-skilled works. The dietary habits of the Gujjars are very simple and traditional. Maize is their staple food, which they consume with the milk and butter (Lidhoo 1988: 59). Whereas, their fellow group members, Bakarwals are still practising a total nomadic life.

#### **(d) Gojri Language**

Gojri is the mother tongue of all the Gujjars. It is only the Gujjars of Jammu and Kashmir who have managed to retain their language. The Gojri language, in the book 'The India We Served' (1929) by Walter Lawrence is referred to as a part of Hindi or Parimu. Grierson who did a language survey in Jammu and Kashmir in 1901, proposed that 'Gojri' the language of the Gujjars which is spoken in the areas of Punjab and Jammu and Kashmir could be considered as a dialect of (or an allied language too) the Rajasthani (a language spoken in Rajasthan, India) language under the Indo-Aryan languages at large. He also argued that the second major language after Kashmiri is Gojri in the State of Jammu and Kashmir. On the basis of phonetic resemblance, it is also closer to Mewati (a language spoken in Rajasthan and Sind Provinces). First, the Census of 1941, enumerated the Gojri language under the Rajasthani and later in 1942 was recognised by the central government as the same. (Behera 2000: 233). The foremost limitation of the 1941 census was that, it did not categorize the 'Gojri' and 'Pahari' language separately. But it was corrected in the next Census report of

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<sup>28</sup> Interview with Gujjar Scholar, Javaid Rahi on 13-12-2016.



1961. However, the Gujjars noted the Census report of 1971 as a strategy of the State to denotify the tribal nature of the language and include it as a part of the national language of India, i.e. Hindi. It was followed by a series of criticism, which was considered by the State of Jammu and Kashmir, it conducted a special Census for Scheduled Tribes in 1987, which counted the Gujjars and Bakarwals as 5,47,149 and 34,899 respectively (Warikoo 2000: 46).

The Gujjars also protested against Jammu and Kashmir State for not recognizing Gojri language as one of the State languages. Thereby, Gojri was not listed in the sixth schedule of the Jammu and Kashmir State Constitution till 1999. All through the last decade of the late 20th century, they have been demanding their proper enumeration and categorization. It was only in 2001 that, Gojri was added as an official language of the J&K State (Warikoo 2000 and Behera 2000). Gojri was finally added as regional language in the sixth schedule list by the Twenty-Sixth constitutional Amendment of the Constitution of Jammu and Kashmir, 1999.

#### **(e) Socio-Political Mobilization**

This section provides the history of socio-political demonstrations by the Gujjars of Jammu and Kashmir. It is observed that, during the colonial rule, the Gujjars were documented for the first, during the Sepoy Rebellion of 1857 in India. They were identified as a rebellious community who waged war against the British along with the Rajput Muslims of the northern India. The British administrator, Elliot observed 'the Goojars' during the agitation of 1857. The British government observed their aggression as part of their political and economic reasons, i.e. backwardness and marginalization (Dirks 2014: 176). It is understood that Gujjars were initially tried as a criminal and rebellious group in India.

In Jammu and Kashmir, the Gujjar Community has been raising their voice against the discrimination by the Kashmiris. They have a feeling of under-representation in the educational institutions and the government services.

Throughout the Dogra Raj (Rule) the political mobilization among the Gujjar Community can be observed. Their famous leaders like; "Ch. Ghulam Hussain Lissanvi, Mian Nizam Din Larvi, Haji Mohd. Israil Khatana, Ch. Buland Khan Rasom and others were quite active at the socio-political level". Moreover, the rule of Maharaja Hari Singh inducted few Gujjar leaders in his Praja Sabha (State Assembly). The Maharaja's army had also recruited few famous

Gujjar personalities; Ch. Khuda Baksh and Ch. Wali Mohammed of that time on the rank of Brigadier and Colonel. After Independence from the Dogra Raj, the introduction of free basic education in the State of Jammu and Kashmir has helped the Gujjar community to study and participate further in the administration and the politics of the State, thereby getting a chance to get rid of their social and economic backwardness (Warikoo 2000). Also, in the midst of movement for the formation of 'Pakistan', it was observed during the 1941 Census that a large portion of Muslim Gujjar population of Jammu and Kashmir had migrated to Muzaffarabad, Bagh, Mirpur, Sudhnuti and Bagh, which are now under the control of Pakistan (Behera 2000: 233) This decreased the numeric strength of Gujjars in the State of Jammu and Kashmir.

Initially, the Gujjar identity was promoted by the state through art, literature, culture and music. In 1975, Gojri radio programmes started broadcasting along with forthright programmes aired on Doordarshan television channel. It encouraged the morale of Gojri community and its writers (Behera 2000: 234). It was followed by the induction of some vibrant private Gujjar organizations (like; Gojri Adabi Board, Anjuman Taraqqi Gojri Adab etc.) and publications of Gojri journals and magazines (such as Gujjar Desh, Nawai Qoum and Gujjar Gunj). These programmes, organizations and publications have focused on social, economic and political problems of the Gujjar community. Moreover, the Gujjar and Bakkarwal Welfare Board was established in 1975, to set aside funds for development and progress of Gujjars and Bakkarwals. Steps such as; opening of mobile schools, granting scholarships (pre-metric and post metric), building hostels and dispensaries in Poonch and Rajouri were helpful to the youth population of these communities.

In 1987, the Gojri section started functioning in the Jammu and Kashmir Academy of Art, Culture and Languages. It has played a vital role in preserving Gujjar's traditional folklore and supporting all those writers in matters of publication and seminars, who are working for the progress of Gojri language. They have made a comprehensive Gojri dictionary and are quarterly publishing 'Sheeraza magazine', which usually contains Gojri songs, poems, short stories and research papers on the Gujjar community(Behera 2000: 235).

But the major base of their assertion was provided by the 1991 Presidential Order, which had included the Gujjar and Bakrwals in the tribal list of India. They were given the benefits of Scheduled Tribe Status. It provided 10 percent reservation in direct recruitment to the services and 11 percent share in the admission to State professional colleges. The reservation

extended to the Gujjars, torched the conflict between Gujjar and non-Gujjar in Jammu and Kashmir. The major areas of conflict are Rajouri and Poonch districts of J&K. It was the 'Pahari Speaking People' who under the banner of 'Paharis' started demanding the same privilege as given to the fellow Gujjar community of the same areas. Their demand for reservation is still going on (Warikoo 2000).

The voluntary organisation, Gurjar Desh Charitable Trust, was set up in 1992. The prime focus of the Organisation is to spread the awareness for 'education among the Gujjars, so as to make them aware of their rights and privileges. The Organisation has been working to provide basic education to each and every Gujjar and Bakarwal of the State. The establishment of Gojri library at the Gojri Research Institute and publication of Awaz-e-Gurjar a monthly magazine were few major steps taken by the Gurjar Desh Charitable Trust in this direction. (Behera 2000: 235) By organising seminars and conducting workshops from time to time, the organization has been pressing the central government to start a tribal university in J&K State in line with the Tribal University, Amarkantak in Madhya Pradesh'<sup>29</sup>.

In 2007, the Gujjars protested in J&K State to consider their mother tongue 'Gojri' to be included in the list of minority languages, and thus provide the required constitutional safeguards for its development. They tried to impress the State government to take further steps to recommend the 'Gojri' language in the list of official languages of India (Kashmir Watch 2009).

Gujjars have always agitated their misrepresentation in the Census reports. The censuses from 1961-1981 in India have categorized Gujjars into various linguistic groups: Gojri, Bakkarwali, Punjabi, Hindi, Rajasthani, Urdu and Parimu. They were enumerated in different linguistics categories on the pretext that, few Gujjar groups have been living with other non-Gujjar communities for long enough, to assimilate and diffuse with them. The same is the case of bilingual Gujjars, who are living in Kashmir and Dogri dominated areas. (Behera 2000: 234) The NGO, Tribal Research and Cultural Foundation in J&K also talked about the misrepresentation of Gujjar Community in Census due to many reasons like, many sections of Gujjars who still practice transhumance are not always accessible to the census authorities. The NGO believed that the J&K state constitutes the Gujjar population more than 20% (The Hindu29-03-2010)

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<sup>29</sup> Gurjar Desh Trust website: <http://gurjardesh.org> on 15-03-2016.

## **(2.6) Paharis of Jammu and Kashmir**

The Paharis of Jammu and Kashmir is a political identity constructed by the Pahari speaking peoples of Jammu and Kashmir, who felt ignored, neglected and marginalized by the state on matter of their development. The 'Pahaad' in Urdu lexicon denotes mountain and 'Pahadi' means the one who is a mountain dweller or who lives in the hills. Their language is known as Pahadi or Pahari and they identify themselves as the Pahadi Speaking People' (Shah 2014). The Pahari language is spoken in many north-western States of India. The Jammu and Kashmir, Himachal and Utrakhnad have the most concentration of Pahari Speaking People. The Muslims are dominant Pahari speaking people in Jammu and Kashmir. Nevertheless, there are considerable sections of Hindus and Sikhs whose mother tongue is Pahari.

The definition of Pahari used in the first Socio-economic Survey of Pahari Speaking People (1993) was used in a narrow sense and covers only those groups of the population whose mother tongue is the Pahari. Similarly, the Pahari Speaking People (PSP) Board of J&K also defined the Paharis as a group of a socio-cultural and linguistic minority who speak Pahari as their mother tongue in the State. They are scattered across the whole State with the majority of their population concentration in areas of Poonch, Rajouri, Kupwara and Baramulla Districts. The Pahari status is issued to the communities who speak the dialects included in 'Pahari language' recognised by the State as part of the sixth schedule of the Constitution.

The political definition of Paharis is very extensive, as it engulfs geographical as well as linguistic backgrounds. It is a linguistic community, comprised of all those who speak different Pahari dialects. Moreover, it is also claimed that all the pahari speaking people excluding the Gujjars and the Harijans (Scheduled Castes) are Paharis in the areas of Poonch, Rajouri, Keran and Karnah (Behera 2000: 237).

### **(a) Demography**

The Pahari community constitutes a vast majority in the districts of Poonch and Rajouri to an extent of 59.11% of the population of these districts. According to 2011 Census statistics, out of a total populace of 1,119,250 the number of Paharis is 661,621. Similarly, of the population of Uri, Bonier, Keran, and Karnah tehsils aggregating at 1, 82,656 the number of Paharis is 1, 52,122 that comes to 83.28%. The table (1.2) illustrates the comparative number

of population, where the Paharis are understood as all those persons who are not Scheduled Tribes and Scheduled Castes in the districts of Poonch and Rajouri.

<b>DISTRICT</b>	<b>SCHEDULED TRIBE</b>	<b>SCHEDULED CASTE</b>	<b>PAHARI SPEAKING PEOPLE</b>	<b>PAHARI SPEAKING PEOPLE PERCENTAGE</b>
Poonch	1,76,101	556	3,00,178	62.95%
Rajouri	2,32,815	48,157	3,61,443	56.26%
Total	4,08,916	48713	661621	59.11%

Table (1.2) Population of Pahari Speaking People in Poonch and Rajouri (Source: Census of India, 2011)

The total population of the Paharis in the State of Jammu and Kashmir is about 0.96 million. This constitutes nearly 8% of the total population of the State. Notably, of the total population of Paharis in the State, 74% reside in Poonch and Rajouri districts alone. Nearly 16% reside in compact geographic territories of Uri, Bonier, Keran and Karnah except for members of the Gujjar and Bakarwal Communities. Only 10% are a fragmented portion not identified with the compact territorial unit. In many cases, they reside side by side with Gujjars in their respective habitations.

Before the partition of Jammu and Kashmir, the Pahari speaking peoples were numerically dominant. According to the 1931 Census, the population of Paharis were 7, 75,000 and in later 1941 they were 8, 90,000. During the surfacing of consequential Ceasefire Line, the unified Pir-Panchal Pahari area, bifurcated into two parts, the Mirpur-Muzaffarabad areas with the Pakistan, and Poonch-Rajouri districts with India. Initially the partition of Jammu and Kashmir (1947) and later the sketching the Ceasefire Line bifurcated all the Pahari-speaking areas. It had resulted in a rapid decline in the numeric strength of Pahari community. In the Census 1961, the Paharis were 2.32 lakh whereas the numbers increase to 5.6 lakh in the community Census of 1987. Paharis have blamed the censuses for misrepresentation of the population figures, they claimed to estimate their numeric strength around 10-12 lakh (Behera 2000: 236).

## **(b) Social Structure**

The Pir-Panchal mountain belt dissects the Poonch and Rajouri from the Kashmir valley. During olden times, Pir-Panchal mountain belt was known as 'Ilaqa Khoistan' and was commonly mentioned as 'Pahari area' and belonging inhabitants were called Paharis (Vaid 2014: 21). According to the Census report of India, 1891, in Jammu and Kashmir, 'The outer hill region was mostly occupied by Dogras and Chibbalis, a well-featured race of rather slight built and the middle mountains are held by the Paharis, a stouter race' (J&K Census 1891: 4).

Demographically unlike Gujjars, the Pahari speaking peoples are not confined to just one religious community, it includes Muslims, Hindus, and Sikhs considerably (Vaid 2014: 178). Within each religion, there are different castes like Qureshi, Khan, Malik, Sheikhs, Mirza, Bukhari etc. among Muslims. Among Hindus, all the four castes i.e. Brahmins, Kshatriyas, Vaishyas and Shudras and many other sub-castes come under Pahari. Among Sikhs, Sasan, Soodan, Bakshi, Raina etc. are included in the Pahari community.

There are many similarities between the Gujjars and the Paharis of Jammu and Kashmir. About the dwellings, like, Gujjars, the Pahari community lives in Kaccha (non-concrete) houses made up of mud and stone. Paharis also carry out labour work on daily wager basis and a majority of them do agriculture. Both the communities wear their traditional dress called as 'Salwar-Kameez'<sup>30</sup>. In case of the folklores, the connecting bridge between the Gujjar and Pahari communities is 'Saif-ul-Mulook' which is a 'Sufiana Kalam'<sup>31</sup> written by Hazrat Mian Mohd Baksh in 1897.

## **(c) History of Paharis**

The Pahari community identity formed on the framework of sharing a common language, i.e. 'Pahari', which is spoken by many castes and religious groups in the State of Jammu and Kashmir. Thereby, it is difficult to trace a common history of different groups sharing a common linguistic identity. It is said that racially the Pahari community is Aryan (Vaid 2014,

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<sup>30</sup> It is a piece of cloth, which is tailored very loose on the body and usually made up of cheap fabric like khadi (handspun cotton cloth).

<sup>31</sup> It means Sufism, which talks about the glorification of the inner self of a person through the spiritual teachings of Prophets.

Behera 2000). When one tries to demonstrate on the history of Paharis, many elements like; caste, religion, language, territory intersect with each other. The Census report of Jammu and Kashmir, 1911 had studied the major Pahari speaking groups on the basis of their native places or their original land before their movement/migration, and demarcated them as per se. These groups are Poonchies (from Poonch estate), Hazarwies (from Hazara, Pakistan) and Kanganies (from Kangan area of Pakistan) (Vaid 2014: 33). Though these groups were popularly enumerated and recognized on the basis of their territory, but their dialect is more helpful when it comes to defining themselves. Since the Pahari community itself is a linguistic community, the history of its language is significant in understanding the history of its community at large.

The language Pahari is observed as an ancient language. It belongs to the Indo-Aryan family of languages, which evolved in Jammu and Kashmir around 2,500 years ago in the Ashoka period. But however due to the insufficient translation of its literature into the mainstream languages such as Hindi, Urdu, English etc, the representation has been negligible. The Indo-Aryan linguistic family comprised of three major sub-groups; Nepali or Khas-Khura of Eastern Pahari, 'Kumauni' and 'Garhwali' of Central Pahari, and Western Pahari spoken in Kullu, Chamba, Shimla, and Western parts of Jammu and Kashmir, i.e. Rajouri, Poonch, Karnah, Keran, Baramullah, Mirpur, Mazaffarabad and few others Kandi parts of Kashmir valley. Walter Lawrence in his famous work 'The Valley of Kashmir' has used the word 'Hindco' for all Pahari languages which were being spoken in the hilly tracts of Jammu and Kashmir, Himachal, Uttarakhand. The Persian word 'Hindco' is derived from 'Hind' and 'Koh' means Indian mountains. (Vaid 2014: 21-22)

It was during the Ashoka's reign and with the rise of Buddhism, Pahari was developed as lingua-franca (i.e. the language used to disperse message meant for common people) to spread Buddhism among inhabitants of Jammu and Kashmir, since Sanskrit was spoken and understood by the educated and intellectuals. And, to promote the Pahari language, the intellectuals, started writing Pahari in the Punjabi word script 'Lahanda', which was invented by Sharda Peetham of Kashmir valley. (Vaid 2014: 24-26) (Sharda is a Sanskrit word which means both Goddess "Saraswati" and "Durga". The Sharda Peetham, the ancient seat of learning in Kashmir, as it was a Buddhist seat of advanced learning) When Buddhism was exterminated by the resurrection of Hinduism, the followers of the faith were driven to the Pahari areas. Although they embraced, first Hinduism and then Islam, their language

survived. Thus, while the Pahari speaking people are mostly confined to the hillsides, there are a few sizeable concentrations in the valley also.

Western Pahari language was firstly subjected to enumeration during the Census operations of 1891. There were 17,10,029 numbers of peoples speaking Western Pahari language, it includes Jaunnsar, Bhawar, Bhadarwai, Sirmauri, Keonthli, Chamyali, Kuluhi, Kangri, Pothohari, Mirपुरi, and PUNCHII languages (Vaid 2014: 22).

In the Census report of 1901 by Sir George Abraham Grierson, the first extensive scientific classification of languages of India was done. The data of 1901 Census was time and again revised by the succeeding Censuses of 1911, 1921, 1931 and onwards. This scheme of classification broadly divides the Indo-European family of languages into three branches; (a) Iranian Branch, (b) Dardic Branch, (c) Indo-Aryan Branch. The Census report of 1911 classified Gojari (i.e. the language of Gujjars) under Pahari language, but it was later on negated by the succeeding censuses and generally assumed to be a Rajasthani dialect (Vaid 2014: 26-31).

Pahari leader, M. A. Bukhari<sup>32</sup> stated that, historically, Paharis were closely connected with the plains of Punjab in view of their geo-cultural proximity. It was also due to the fact that "Paharis" because of the negligible resources of their areas, they had been going to the Punjab region to fulfill the needs of employment and trade. He further quoted, the Censuses of 1901 and 1941 that described and enumerated the Paharis as a linguistic group. They were largely found in the western foothills of the Pir Panchal range of mountains rolling down to Pothohar plateau. They also reside, in significant numbers in the hills of Shamsbari mountain range in northern Kashmir. It is the Census of 1901, enumerated the different linguistic groups of Jammu and Kashmir. The Census under the Category of "Northern Group or Pahari" language enumerated the group of people whose languages fall "between the Dogri and Punjabi on the one hand, and Tibetan or semi-Tibetan family of languages on the other". These languages were, 'Gujri, Bhadarwahi, Kishtwari, Padri, Pogli, Rambani, and Bambagi in vogue, mostly in Udhampur District, are all more or less akin to each other in pronunciation or vocabulary or both and distinct from those of other groups' (Census 1901: 61-66). However, the Census of 1961, unlike the earlier censuses, explored the information

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<sup>32</sup> Based on personal interview with Pahari leader, M. A. Bukhari of Surankote (Poonch) on 14-02-2016.



related to Pahari linguistic group. It enumerated and clubbed the different dialects of Pahari language under the general category of Hindi language (Census 1961).

The Pahari language script is known as Shahmukhi. The Hindko, Kaghani, Karnahi, Pothohari, Hazarvi, Mirpuri, Chhibalvi and Poonchi are various dialects of Pahari. (Behera 2000: 236) Historically, the fountainhead of Pahari language is Sharda-lipi developed as an easier means of spreading Buddhism and was different from the comparatively tough Sanskrit.

The partition of India and Pakistan affected the development of Pahari and Punjabi language. Both of them suffered as their written form also got divided into two shapes, one is 'Shah-Mukhi' of Pakistan and 'Gurmukhi' of India. It is important to note that, the Punjabi language has made so much progress but Pahari lost its essence and now is on the verge of decline (Vaid 2014: 55).

#### **(d) Socio-Political Mobilization**

The Pahari identity formation took place following the consciousness of relative deprivation when the Indian state started pampering the Gujjars. Since, the Pir-Panchal belt is constituted by Gujjar and Pahari speaking peoples predominantly, so the recognition of Gujjar community prompted the Paharis to frame their specific identity on the basis of language. It was followed by the intensive research by collecting literature and holding mushairas (convention of poets), dramas and meetings to mobilize the Pahari masses (Behera, 2000: 236).

In 1969, the Jammu and Kashmir Pahari Cultural Forum was formed in response to the demands made by the Gujjar Welfare Forum. In 1977, the Paharis started articulating their community identity and took the Pahari language as the definitive characteristic. They demanded a welfare board and also asked the state to deliver the same privileges, which were being appropriated by the fellow Gujjars. By 1983-1984, they started agitating for the Scheduled Tribe status. The demand of Welfare Board was accepted and implemented by the state in 1992 but their demand for Scheduled Tribe status is still pending. The Paharis are not only demanding the Scheduled Tribe status for themselves but also asking the State government for the creation of the Poonch-Rajouri district as an Autonomous Hill Council (AHC), exactly on the pattern of the existing Leh Autonomous Hill Council. Since the area of

Rajouri and Poonch are already recognized as Border Backward Block by the Indian State, as these areas are suffering from the backwardness, illiteracy, isolation, connectivity, infiltration, and militancy (Behera, 2000: 237).

The Pahari speaking people of Jammu and Kashmir (J&K) have been demanding Scheduled Tribe Status since last two decades. Paharis claim that both Gujjars and Paharis are living in the same area, have the same type of occupation, economic status, and face same problems, therefore, Paharis should also get the Scheduled Tribe (ST) Status on the similar grounds like that of Gujjars (Behera 2007).

Nowadays, there is witnessed a clear dichotomy and a sense of rivalry between Paharis and the Gujjars. Gujjar vs Pahari has been a successful political card played by the vested interests and has thus created a further divide between the two communities. There is huge resentment among Pahari speaking ethnic community after the Gujjars were given Scheduled Tribe status in Jammu and Kashmir (Oneindia: November 21, 2008).

In the J&K Academy of Art, Literature, and Languages, the Pahari section was established in the year 1978. It was a big success for the Pahari community for getting recognition of their language and culture. Following it, Pahari programmes also started being aired from the All India Radio Kashmir, Srinagar since 1979 onwards. It further provided a base for the print media and publications started coming out in the Pahari language. The 'Pahari Sheerza' was a major magazine, that started coming bi-annually, then quarterly and now in a gap of two months. Another such publication is Asta-Adab, which is an annual anthology. The trilingual publication, 'Shamsbari' is a quarterly magazine run by the Pahari Welfare Society. This magazine includes the Pahari prose, poetry and short stories. There are a lot of Pahari writers and intellectuals, who have continuously worked on the culture and cause of Paharis, like; Sh. Mian Mohd Baksh, Moulvi Abdus Sattar, Nazir Ahmed Masoodi, Moulvi Dil Pazir, Mohd Azeem Khan, Dr. Nazar Bonyari, Mirza Abdul Rashid, Dr. Mirza Farooq Anwar, Dr. Sabar Mirza, Krishan Dev Sethi, K. K. Kapoor and few others (Vaid 2014: 54).

To accommodate the demands of Pahari Community, the State government of Jammu and Kashmir in 1989<sup>33</sup> formed the State Advisory Board for the development of Pahari Speaking People. The activities include; to identify the Pahari Speaking People (PSP), to study the problems faced by the Pahari speaking community, to formulate the Pahari Sub-Plan exactly

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<sup>33</sup> Under the Govt. Order NO:1439-GAD State of Jammu and Kashmir

"on the pattern of Tribal Sub Plan<sup>34</sup> for filling up of critical infrastructural gaps, to uplift the Paharis by providing educational facilities like grant scholarships (Post/Pre-matric) to school going pahari speaking students; construct new hostels for Pahari students; looks into the matters related to the management of Pahari hostels; promote the Pahari language, literature and culture.<sup>35</sup>

## **(2.7) Comparative Note on Gujjars and Paharis**

The advent of colonialism marked the emergence of modern state in India. The process of categorization is observed as the basic method employed by the state to control and govern the population. In the case of Gujjars and Paharis, the formation of socio-political identity is illustrated on the basis of categorization of groups as tribal's. It is concluded that, Gujjar community was conclusively studied and enumerated in the censuses (Census 1901, 1911, 1921, 1931, 1941) under a distinctive tribal/caste category. The censuses studied almost every aspect, from the history to the social structure of Gujjars and observed them as a backward, isolated and distinctive community. It is also evident to note that, in some Censuses (1911, 1921) the Gujjars were also classified commonly with the non-Gujjar communities of Jammu and Kashmir. But those categories ceased to continue in the post-Colonial period. Whereas, Paharis as a distinctive community on the basis of culture was never enumerated, but the community was enumerated only on the basis of language (Western Pahari). There was no conclusive work done by the censuses in relation to their history and social structure.

The Gujjars are stratified into sub-castes (Koli, Khatana, Bakarwal etc) but more or less there is equality in the sub-castes relationship among the Gujjars. Paharis are stratified into many caste occupational groups (i.e. teli, lohar, garati, muschwara, tarkhan, sayeds, rajputs, maliks etc). All these occupational groups perceive themselves as a single group which speaks the common Pahari language. Some of these groups are already identified as Other Backward Classes (OBCs). Therefore, it is observed that comparatively, the Paharis are facing problems in the articulation of these different occupational groups under common Pahari identity,

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<sup>34</sup> The Pahari Sub-Plan is based on Tribal Sub-Plan in order to accommodate grievances of the Pahari Speaking People, who are also demanding ST status.

<sup>35</sup> Content borrowed from <http://www.jkpahariboard.org> on 15-03-2016.

whereas, Gujjars have succeeded in socio-politically mobilizing themselves as one single community. Gujjars speak 'gojri' which was never recognized as part of State languages in the Constitution of Jammu and Kashmir till 1999. In the colonial and post-colonial census, the Gojri language was categorized under different linguistic categories, in the Census report of 1911, it was enumerated as a language under Western Pahari group of languages. The Census 1941, called Gojri as a dialect under Rajasthani language, and finally in the census of 1961 it was enumerated under the Hindi language category and perceived as part of it. The Gujjars of Jammu and Kashmir have always raised their voices against the erroneous categorization of their language. In 1999, when the Gojri was finally added in the Sixth Schedule of Jammu and Kashmir Constitution as one of the regional languages of the State, their linguistic identity got institutionalized. In the case of Pahari language, it was added much earlier as one of the regional languages under the J&K State Constitution. The history of Pahari language was recognized and documented well in the ancient manuscripts like Rajtarangini and in the colonial censuses. There were few dialects that were identified as part of Pahari language at large. And, also Paharis of J&K were enumerated in the category of Western Pahari language group, but in the Census report of 1961, the Pahari language was clubbed with the Hindi language, for which the Pahari community was agitated.

## CHAPTER 3

### SCHEDULED TRIBES: HISTORY, PROVISIONS AND PROBLEMS

#### (3.1) Introducing Tribe

India is a country of diverse communities, based on caste, class, race, ethnicity, territory etc. It is observed that, across the Indian mainland, the communities are stretched over different topographies, due to which they are not on the same level of development. That is to say, that every community has problems which are specific to them. Whereas, in a democratic state, every section of the society is supposed to be equal and has a remarkable worth for the state as whole, the tribes are defined as a group of people who are isolated and backward, function through their own socio-political system and commonly have nothing to do with the state. That does not mean that, tribal groups are not important for the state, conversely state has always showed a belief that tribes are equally significant to the diversity of Indian state. Tracing the historical status of tribal groups in India, it is argued that, tribes were never understood as an altogether different section of the society. Though, they live in isolation, but that so-called isolation was not an absolute one (Xaxa 1999: 3589). The scholars of history and anthropology have illustrated that, in ancient India tribes were not only recognised to exist but were given a definite designation: jana as against jati.

The historian Niharranjan Ray has observed two groups of 'Janas' within tribal groups, on the basis of social contact with the mainstream society. One, who is still isolated and has maintained its pure identity, and the other who has assimilated itself with the non-tribal culture up to some extent. So few of the sections of it have been Hinduized, whereas others might sustain more or less in their traditional standards of living (Beteille 1986: 297-318). The Hinduization of the tribes is an entirely different debate that will follow separately. It is evident to begin by recognizing the ancient divisions of the Indian society, so as to sort out the place of tribal people.

The mainstream Indian society does not recognize tribes as part of their 'caste-system'. But, there were no as such details surrounding the status of tribal people in the ancient India. They were more or less considered as Vanya-Jati (forest people), and were considered out-castes in the realm of caste-system. The material cultural traits like the house and property, had never

been the strong base for social stratification, when it was compared with the non-material cultural traits (dressing, language, food habits, religion, etc.) in ancient India. Though there were theoretical divisions like; the forest dwellers (atavikar) and the city dwellers (Nagarikar) in the country from very beginning of civilization but it was never part of social stratification in Indian society. Throughout the history, Indian society was strongly differentiated on the basis of gotras, varnas, jatis and so on. These all 'social-units', at different places and times were conceived within a framework of hierarchy accordingly. (Homo Heierarchicus, 1966: 2) Despite, all these loosely defined categorical divisions; the understanding of the tribes in the pre-colonial period is insufficient to provide any logical explanation. But, the advent of colonial rule in India introduced massive changes in every corner of Indian society, whether it is the caste-system of mainstream Hindu society, or the structural isolation exercised by the tribes. Before, exploring the colonial and post-colonial transformations that occurred in the tribal groups in India, it is also necessary to define what is meant by 'tribal-group'.

The term 'tribe' is derived from the latin word 'tribus' meaning three divisions in a community. In ancient times, the term 'tribe' designated the apolitical divisions in Rome, but in India, the term tribe has got a different expression. The tribe in India defines the highest politically autonomous unit composed of different clans which occupied a definite geographical area and exercised effective control over all the spheres of its people. (Verma 1990: 5) The Oxford online dictionary of Sociology also defines tribe as "a social division in a traditional society consisting of families or communities linked by social, economic, religious, or blood ties, with a common culture and dialect, typically having a recognized leader"<sup>36</sup>.

Regardless of all these academic and colonial ethnographic definitions, the Indian constitution itself explains the traits and boundaries of a tribal group. The Article 366 (25) of constitution of India described a group as 'Scheduled Tribe' in India as that category of people, who are declared 'scheduled' in accordance with Article 342 of the constitution. So, the administrative concept of tribe is the people who have been listed in the Constitution and mentioned in successive presidential orders are called Scheduled Tribes. The Indian state adds and deletes groups from the scheduled tribe list and also through the censuses it enumerated tribal population from time to time in accordance with the guidelines prescribed

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<sup>36</sup> Accessed from: <http://www.oxforddictionaries.com/definition/english/tribe> on 24-04-2016

by the Indian Constitution itself. The Census report of 2011, enumerated that, there are 705 tribal groups across Indian sub-continent, and are estimated 10.43 crore in numbers which form a significant 8.6 percent of the total population of India. The Scheduled tribes are mostly concentrated in the seven States of the country, viz. Madhya Pradesh (14.7%), Maharashtra (10.1%), Orissa (9.2%), Rajasthan (8.9%), Gujarat (8.6%), Jharkhand (8.3%) and Chhattisgarh (7.5%). There is no Scheduled Tribe notified till present in three States (Delhi NCR, Punjab and Haryana) and two union territories (Puducherry and Chandigarh)<sup>37</sup>. The tribal groups dwell all over the country from the coldest Himalayas to the hot and arid deserts of Rajasthan and from the plains of Gujarat to the plateaus of central India. These Tribal groups represent a diversity of culture across the mainland which is a symbol of traditional cultural mosaic of Indian civilization.

There are a few characteristics which are usually common to every tribal group in India. Wilson and Wilson (1945) after observing the synonyms used for a tribal society like “folk society”, “pre industrial society”, “simple society” argued that a characterization that is based on “forms” rather than “content” is more pertinent in explaining tribal societies. According to him the most important criteria in understanding tribes, is that of “scale”. Ideally, a tribal society is small in scale and is also restricted in their spatial and temporal range of their social, legal and political relations. Further, their religious, moral and world view is corresponding to such dimensions. Moreover, tribal societies are compact and are self sufficient unlike a modern society. Tribal societies have a unique language but generally they do not have a written script and as such the communication both in time and space is narrow. They are uniquely ethnocentric (Wilson and Wilson, 1945, quoted in Valvi 2015:13). Some of the most remarkable features of such societies are as follows:

(a) Definite common Topography: The tribe inhabits and remains within a definite and common topography. In the absence of common topography the tribe would also lose its characteristic features as community sentiments, common languages etc. For this reason a common habitat is essential for a tribe.

(b) Consciousness of community: A group of people living in a particular geographical area cannot be called a tribe as long as its members do not possess a consciousness of mutual unity. This psychological element is an invariable and essential characteristic of the tribe.

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<sup>37</sup> Data borrowed from the website of Ministry of Tribal Affairs: <http://tribal.nic.in> on 23-04-2016

(c) Common Language: The members of a tribe speak a common language. This also helps to generate and evoke a sense of communal unity among them.

(d) Endogamous Group: The members of a tribe generally marry into their own group but now due to the increased contact with other tribes, the consequence of an increase in the means of transportation, the system of marrying within the tribe is also changing.

(e) Ties of blood relationship: A major cause of the sense of communal unity in the tribe is the tie of blood relationships between its members. The members of the tribe have faith in their having descended from a common real or mythical ancestor. Hence they believe in blood relationships with other members. A tribe is constituted of many clans. There exist laws of mutual reciprocity among its members.

(f) Need for protection: The members of a tribe very much experience the need for protection. Keeping this need in view, a political organization in the tribe is established and all authority for administration is vested in one person. This leader employs his mental power and skill in protecting the entire tribe. Each tribe has its own political organization, which maintains harmony and avoids notes of discord among its members and protects them.

(g) Importance of Religion: Religion is of great importance in the tribe. The tribal political and social organization is based on religion because social and political laws become inviolable once they are granted religious sanctity and recognition. In the form of ancestor worship, tribal religion has rendered important service in developing the habits of obedience. The authority of a common religion is an important characteristic of the tribe.

There are also a lot many classifications of the Indian tribes on the basis of these characteristics. The tribes in India are classified under different categories like; race, language, economy, culture and religion. There are many differences from tribe to tribe, as it is already said that because each of the tribal group belongs to certain geographical areas and are also at different levels of isolation and socio-economic development. Sometimes, the tribe is considered as a socio-economic stage in itself, which is explained in terms of its mobility and change in relation to the non-tribal societies. The major classifications like; B. S. Guha's 'geographical' classification of Indian tribes. He has classified the tribes of sub-Indian continent into three Zones, (a) North and North-eastern zone; this region is comprised of the Sub-Himalayan mountain tracts of Jammu and Kashmir, Himachal Pradesh and Uttrakhand and the rainy hilly tracts of the north eastern region. (b) Central Zone; it contains the most



abundant concentration of tribal population. The states of M.P., U.P., Bihar, Southern Rajasthan, Orissa, and Southern Maharashtra fall under this zone. (c) Southern zone; the tribes of Andhra Pradesh, Karnataka, Tamil Nadu and Kerala come under this Zone. This classification has however missed the tribal's residing in the Islands of Andaman and Nicobar.

Another famous classification was done by N. K. Bose (1971:4-5) on the basis of "livelihood" of tribal's. He divided the tribal groups into five types: hunters and gatherers, animal herders, shifting cultivators, settled agriculturists and plantation and industrial workers. The solution to the problem of defining tribes can be extracted from the work of Bailey, where he suggested that Indian society must be seen as a continuum in which, 'tribe' is at one end and the 'caste' at the other. Xaxa, took Roy-Burman's (1972) categorization on tribes, on the basis of communication patterns. These are (a) those groups who are absorbed in Hindu society, (b) those who are positively oriented to Hindu society, (c) those who are negatively oriented and finally (d) those who are indifferent to Hindu society. Elwin, who always supported for the fact that Indian+ tribes were not backward Hindu, also came to accept that few of the tribal groups in India were diffused into outside Hindu society. He envisaged four tribal categories: (a) the most isolated tribal group, (b) groups in contact with the non-tribal groups but still retained their tribal features, (c) tribes which formed the lower bands of Hindu/non-tribal society, (d) tribes fully assimilated in the Hindu society and had adapted the Caste system (Elwin 1944; Xaxa 1999). Moreover, there are also some other prominent theorists like Andre Beiteille and L.P Vidyarthi who differentiated various tribal groups on the basis of their assimilation/diffusion into the mainstream Hindu society. But the main question is not that how many types of tribal groups are there in India, but the problem of classifying and categorizing tribal's in India. Second, how they are being transformed administratively through state and tribal politics over the years in India.

### **(3.2) Problem of Classifying Indian Tribes**

The problem of classifying Indian tribes is based on the debates of 'indigenous tribes'. V. Xaxa (1999) has explored the genesis of the usage and the relationship of the word 'indigenous' for Indian tribes. Following is a brief account of it. Historically, in India, tribes were called 'Adivasi'. In Hindi lexicon, the term 'Adivasi' is used to mention the

‘indigenous’. It was the colonial rule that for the first time identified tribes as a group of people who were traditional, backward with primitive simple style of living. The colonial rule continued the usage of the word ‘Adivasi’ for tribes to mark out differences from the mainstream Indian society. It was continuously used by ethnographers, administrators and leaders during the period. The term was in conjunction with other associated terms such as indigenous, aborigines, autochthonous etc. After the amalgamation of Censuses, it no longer takes time for the tribes in India to accept and internalize the adivasi identity propagated by the colonialism. It has further led to the formation of tribal identity as a significant mark of differentiation amidst the other Indian communities. There were no efforts made to distinguish between the concept of tribe and adivasi (indigenous).

In the post-colonial phase the efforts made by Roy-Burman (1957) who used the term ‘indigenous’ for the tribal’s on global level initiated the discourse of tribes and their relation with nativity (indigenous). The politics on Indigenous groups had initiated (1957), the general conference of International Labour Organization(ILO), who adopted commitments in concern with the protection, integration, and the development of the indigenous, tribal’s and semi-tribal groups across the globe. In the beginning, the concept ‘indigenous’ was coterminous with the tribes and semi-tribes across the world. It was later on, the concept was invariably marked out as a distinctive global entity on the advent of the first International Year of Indigenous People, 1993. It was followed by the critical studies on indigenous people. The central notion to define the group of indigenous people had been their nativity, but after 1993, it started focusing on the aspects of marginalisation. The indigenous peoples came to be seen as a subordinated group, who were always subjected to domination by the foreign groups. In Indian context, it is very hard to authenticate nativity of the most tribal groups. It is due to the complex historical migration and movements. The migrations led due to the plantation and industrial labour had dispersed many tribal sections across the Indian sub-continent.

Xaxa explored three aspects which are consequential in conceptualization of the indigenous people in India, these are:

“People or the groups who lived in the mainland to which they belong before the conquest or colonization of people from outside (e.g., Aryans) the geographical India. Over the passage of time, the dominant rule of the outsiders (Aryans) on the natives, have marginalised the later. Accordingly, marginalisation has become a dominant

factor attached with the Indigenous groups. Indigenous groups are supposed to exercise control over their social, economic and the political spheres, and are not dependent on the system and laws applied at the state at large”

(Xaxa 1999: 3592)

Finally, it could be concluded that, the Indian tribes have always been called as ‘indigenous’ in the general outlook, at which the scholars have not paid much attention. There are also other names given to the tribes in India. L. P. Vidyarthi (1977) has made account of it. He illustrated that the tribes living in forest lands, hills and plateau are known differently in India. There are paharia (hill man), vanyajati (forest caste), vanavasi (forest-inhabitants), atimajati (primitive caste), adivasi (original settlers), janjati (folk communities), and now known as unsucitjan jati (scheduled tribes). Among the given names, Adivasi is the most popular and used name, whereas, unsuchit Jati (Scheduled Tribe) is the constitutional name given by the State to the tribes in India.

### **(3.3) Tribal Hinduization**

Throughout the late 19th century, the colonial anthropology in India collected material related to caste and tribes. They focused on custom practices, rituals and beliefs, kinship structure, and so on, that were appropriated and formalized by the State for ethnographic description. In 1869, W. W. Hunter the director general of statistics to the Government of India, produced a series of gazetteers that officially started collaborating the in-depth knowledge about India, its caste and tribal societies. The other works like; H. H. Risley’s classic works, *The Tribes and Castes of Bengal* (1891) and *The People of India* (1901); M. A. Sherring’s *Hindu Tribes and Castes* (1872), J. H. Nelson’s *The Madura Country* and lot many more (Cohn&Guha 1987). These all major colonial works depicted the caste and tribes as two entirely different worlds, and if they are more or less in communication, that had nothing to do with their culture and traditions. They are absolute in their own. But with the beginning of the twentieth century, scholars like G. S. Ghurye came out with a different perspective. They started talking about the Hinduization of Indian tribes, due to their close affinity with the mainstream Hindu society.

The research on tribal group's "Hinduization" which was famously remembered after a furious debate between G. S. Ghurye and Verrier Elwin, was the dawn of tribal sociology in India. Though, the study of the tribe, 'Kamar' of today's Chattisgarh by S. C. Dube was the pioneering work in tribal sociology of India. The study of "Kumar" initiated the comparative ethnology (the study of the characteristics of different peoples and the differences and relationships between them) in India. G. S. Ghurye's most celebrated work, *The Scheduled Tribes*, described the tribal's as 'Backward Hindus' whereas, other prominent scholars like; R.K. Das and S.R. Das called the tribes as a group of 'Submerged Humanity', Herbert Risely, Grigson and other colonial scholars preferred the term 'Aborigines' for tribal people. Sir Baines referred to them as 'Hill Tribes'.

Initially, the colonial writings on Indian tribes used many perspectives like: in reference to a community who claims nativity, having a common ancestry, living in primitive/traditional conditions. There was no Caste/Tribe distinction in the early colonial records, the distinction (though obscure and confusing) was a later phenomena when the census enumerations started in colonial India. The Caste and Tribe have been used interchangeably, like the common census category enumerated few large groups like; rajput, ahir and jat, gujjar, and many other tribal, semi-tribal and non-tribal caste communities together. The famous work 'Caste and Tribes of Bengal' (1892) by the Colonial administrator Herbert Risley is a famous example of how Caste and tribe had been used cognately (Xaxa, 1999: 1521). The inter-mixing of 'Caste-Tribe continuum' was the outcome of the ambiguous understanding of the concept of tribe in British India. In order to explore, how the tribal groups are different from caste groups, there were studies in British India. It ended up in two types of perspectives; one, the tribe is an altogether different, isolated society, which has very less or either negligible impact of the common Hindu style of living and also of their caste system. This perspective was propagated under the leadership of Verrier Elwin. The Anthropologist, S. C Sinha also defined the tribe in term of its isolation from the social and communication structures of mainstream civilization. According to Sinha "in their isolation the tribal societies are sustained by relatively primitive subsistence technology such as 'shifting cultivation and, hunting and gathering and maintain an egalitarian segmentary social system guided entirely by non-literate ethnic tradition (Sinha 1982: 7)

Second, that the tribes due to their historical contact (may be limited in some cases) with the outside Hindu society, has changed their lifestyle significantly, that transformed them into

“Backward Hindus,” that is to say that, they exercise socio-religious practices affiliated with Hinduism at large. This viewpoint was propagated by the sociologist G. S. Ghurye who did not see the tribals as an altogether different group. The Scholar, N. K. Bose in his work 'The Hindu method of tribal absorption' also talked about the Hinduization of tribes of the interior hill and forest areas of northern and central India— the Bhil, Munda, Santal, Oraon, Saora, Juang and numerous others. He studied the economic relations between the tribal and non-tribal, and called it as an unequal symbiosis. He observed these economic relations as the root cause of 'hinduization of tribals'. Among these anthropologists<sup>38</sup>, the established perspective about tribal's social change is that when a tribe starts communicating and integrating with the outside society, sooner or later it may become a caste<sup>39</sup> (Xaxa 1999: 1519). Max Weber commenting on the significance of territorial isolation in case of tribalism argued that once the tribal loses his territory in India, he assimilates himself into the caste structure. Therefore, there can be many characteristics to define and make a difference between the caste and tribe, but it is ambiguous to define in the context where caste and tribe are clubbed (Beteille 1986). Moreover, to make better understanding of tribe and how it is dissimilar from the caste, it is obvious to study the process of the emergence of 'Tribe as an administrative category' which has been transformed form time and again.

### **(3.4) The Category of Tribe**

There was no official documentation done by pre-colonial State in matter of studying Tribe and its Social Structure. In India, the tribal communities were never in absolute isolation, except the Tribes of Andaman and Nicobar. It was the colonial anthropology that for the first time studied tribes and posited questions related to their nativity, isolation, culture etc. The colonial anthropology had seen the tribal people as out of time and history, which in turn made them static and unchanged (Cohn 1990: 164-165). The first serious attempt made by the British in India to deal with the tribes to exercise the mobility and change, was linked with the Paharias or Malers of Rajmahal Hills. In 1782, to address the legal issues, the Rajmahal Hills tract was withdrawn from the jurisdiction of the ordinary courts. The British

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<sup>38</sup> Anthropology emerged as discipline that studies the primitive tribal societies where as Sociology as a discipline focus on the problems of modern industrial society. But in practice, may be because of administrative need the academic sociology in India or for that matter in all third world countries, it has always been mixed with the Social Anthropology.

<sup>39</sup> Though exceptions are always there, like the Oraon tribe which practices various religions, speak different languages and do both agricultural and non-agricultural occupations, but still they remain tribal in lot many significant contexts, and have not been absorbed by caste.

constituted the hereditary leaders of the tribe called 'Sardars' into a session court which was to meet twice a year and try all offences. The council came to be known as the Hill Assembly. None but the Hill Assembly had the power to inflict or rescind capital punishment of any tribal culprit. This whole tract came to be known as Daman-i-Koh. It was the result of outrageous Santhal rebellion of 1855 against the British, due to which Daman-i-Koh was formed as a separate non-regulated district under a legal regulation (Ghurye 1963: 99).

The tribal movements got pace against the interference of British in their occupied forest lands right after the Santhal rebellion. The tribal peoples were engaged in three primary activities, first; they were doing the Shifting cultivation, second; due to this, they used to change their habitat year after year. Third; most of the tribes were engaged in drinking homemade alcohol, which they see as part of religious activities also. The tribal's realized that it was the 'drinking habit' which was the primary source of their misery. To end up their drinking habit, they even co-operated with the British Government. Whereas, on other religious matters where British interfered they were always sceptical and resisted against them. For example, it was the Khond tribe who agitated against the Colonial government in reaction to their policy of stopping their custom of human sacrifice in 1846 (Ghurye 1963: 103).

To avoid troubles from violent tribes, the British Government adopted a policy of pacification through indirect rule with respect to tribal areas and treated them differently from the rest of the country. The very first major act made by British for the Tribals in India was The Scheduled Districts Act of 1874. Angul and Santhal Pragana were few first areas to be declared as Scheduled districts (Ibid: 79). It was after the Scheduled District Act, the British Government in India started surveying and collecting extensive information about the caste groups and tribal groups for the first time.

Perhaps, the first Census of India (1872) was a difficult task to produce and establish the general subject population into certain fixed categories, specifically to categorize the tribes, who were alien to the colonial rule. The Varna system of classification was used as a primary method to enumerate the population. There was no clear cut distinction between the tribe and caste categories. So, the Census came out as disfigured, overlapped categories and misrepresented communities and thereby did not attain "the status of the subsequent decennial censuses" (Dirks, 2014: 200).

The overlapping of Caste and Tribe, between different Castes in the case of hierarchy in different areas was not removed in the second census report of India, 1881. Though, It was seen as the first extensive all India census report. It had used the category 'forest tribe' instead of tribe and that too as a sub-part within the general category of 'agricultural and pastoral castes' (Xaxa 1999).

Under J. A. Bains, the third Indian Census of 1891 formally forsook Varna as the method for principle classification for enumeration. It favored the "Occupational" criterion based on 'Jati' system. The 1891 Census was based on the classification scheme proposed by Ethnographers, Nesfield and Ibbetson who successfully enumerated the caste groups of Punjab, the Northwest and Awadh on the basis of caste occupational criterion. The Census took six general occupational categories under which it broke out into sixty sub-categories. Still, the Caste and Tribe category was used synonymously and under the category of 'Agricultural and Pastoral castes', he created a subcategory called 'Forest Tribes' (Dirks 2014: 212).

The construction of the category of 'Scheduled Tribe' was added by the Colonial rule in the British India Act, 1935, though the concept of tribe was added much earlier in the Censuses of the 19th century. The tribal category is hence identified as a colonial construction (Beteille 1995). The successive censuses of 1901 and 1911 respectively added the category of 'so-called animists' to enumerate the tribal population. It was followed till 1921 census which changed the category name from 'animism' to 'tribal religion'. Thereafter, in the Census report of 1921, tribes were depicted as 'Hill and Forest tribes' and the Census of 1931 observed them as 'Primitive Tribes'. Finally, the decisive report on tribal's on the basis of 1931 Census, the Government of India Act, 1935 declared the tribal population as 'Backward Tribes', which is still in use (Cohn 1996: 63).

During these censuses, religion became the sole element to make distinction between the Caste and Tribe. Tribal population was thus enumerated under the category of 'animism/tribal religion'. The colonial ethnographers took religion as they were not able to demarcate between the caste and tribe in other contexts. This whole colonial distinction of caste and tribe was challenged by the native ethnography done by G. S. Ghurye (1963) who recognized the 'tribal religion' as part of Hinduism and described them as 'backward Hindus'. Therefore, it was the colonial rule, which for the first time identified tribes as being traditional, backward with primitive simple style of living. They were called 'adivasi'

(indigenous) groups to mark out differences from the general Indian society. This backward kind of identity was initially forced upon the tribal groups in the colonial rule. With the passage of time, the 'colonial rooted their notion of tribal identity' by introducing certain categories like the 'Hill Tribes', 'Backward Tribes' etc. in their anthropological surveys and the census reports. After the amalgamation of Censuses, it no longer takes time for the tribes in India to accept and internalized the adivasi identity propagated by the colonialism. It has further led to form the tribal identity as a significant mark of differentiation amidst the other Indian communities. The categorization of Indian tribes as isolated and backward communities has not only enabled them for identity assertion but also provide them to articulate it as an empowerment tool. Hence there has been substantial demand by the different communities and groups for their incorporation in the list of tribes of the constitution of India (Xaxa 1999: 1521-1522).

### **(3.5) Tribal Rebellions**

The expansion of the British Rule into the tribal mainland was followed by the Christian missionaries of Europe and America. Among the Christian missionaries, Roman Catholics were predominantly working in tribal areas, and tried to uproot the tribals from their traditional social, economic and religious setups. They tried to provide the exploited tribals with some sort of modernity, made socio-religious structures based on status of equality so as to challenge the caste structure and the process of Hinduization of tribes. The 'detrribalization',<sup>40</sup> by Christian missionaries had been the matter of contention among the tribals. The policies for separate territories and their own separate political representation were criticized by the politically conscious Indians and their leaders. They had observed these policies as part of divide and rule theme of British in India. Moreover, the Colonial Policy of isolating and privatizing the tracts of the tribes resulted in the misery and made the tribes more vulnerable. These policies enabled the zamindars, money lenders, and local chiefs to exploit the tribals. Even, the policy of conservation of forests ended up in curbing age old traditional practices of tribes. They were no more hunter and gatherers (Ghurye 1963).

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<sup>40</sup> The process of changing tribal people to abandon their traditions, customs and adopt the mainstream societal ways of living



There were many big rebellions that arose among different tribal communities during colonial rule in India. The Pahariyas rebellion in Bihar (1778), Koil movement in Maratha land (1784-85), Bhumij rebellion of Manbhumi (1795-1800), Kol insurrection (1832), Santhal rebellion (1855-56), Birsa movement (1895-1900) among the Munda tribe of Jharkhand, and so on. Initially, for the sake of Her Highness's supremacy, British Government applied the retaliation exercises through the quick military measures to crush the anti-colonial movements. But towards the end of 19th century, a couple of protective and affirmative policies had been made for the tribals. There were protective laws like: Santhal Parganas Regulation of 1873, the Chotanagpur Tenancy Act (1908), Land Alienation Act (1919) and so on (Sinha 1982: 21).

### **(3.6) Tribal Mobility and Transformation**

Xaxa in his article 'Transformation of Tribes in India: Terms of Discourse' (1999) discussed the question of mobility and transformation in tribal societies. It is argued that, since, the tribes have come into contact with the mainstream society, they have been stigmatized as backward, nomadic and illiterate people, who need transformation at their social, economic and political spheres in India. In the postmodern world, the tribes may or may not be territorially identified, but they still create socio-cultural boundaries with the non-tribal society (Oommen 2002: 23). Their socio-cultural identity and tribal traditions is the mainstay in their transformation and development.

The colonial ethnography defined tribes as a group of people that live in isolation and practice a distinct life style and tradition from the mainstream society. They were observed as natives of the land, who live in deep isolated places. Whereas, the post-colonial perspective maintains that tribes in India were never isolated, they were always in contact with non-tribal Hindu societies. The former perspective was dominated by Verrier Elwin, who also supported the isolation policies for tribals and the later perspective was supported by Ghurye's Backward Hindu<sup>41</sup> and Sinha's (1958) explanation of tribes as "little tradition"<sup>42</sup>

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<sup>41</sup> It means that, tribal peoples in India were never isolated and were always in contact with the mainstream Hindu society. Due to this, the tribes in India are partially immersed in Hindu tradition, so called as 'Backward Hindu' people.

<sup>42</sup> It explains that tribes are 'little tradition' which can be understood and perceived only in relation to the 'greater tradition' of mainstream Hindu society.

This study traces the transformation of tribes in India through two processes; sanskritization and Hinduization. These two processes have already been discussed thoroughly by Xaxa (1999).

Sanskritization is a process whereby a community emulates the lifestyle such as dressing, eating and language of the dominant community in order to shift up in the caste hierarchy. There have been large many examples where the lower castes (specifically the Scheduled Castes) through emulation have achieved the higher social position as part of the process of Sanskritization. The assimilation of tribals into outside non-tribal Hindu society is not possible through Sanskritization because that process itself demands that group already to be a part of Hindu caste system, which tribals are not at all. Xaxa further critiqued all those theorists who advocated the assimilation of tribes into castes through the very process of Sanskritization (Xaxa 1999: 1520). He furthermore talked about the problem of taking the reference group- how and which group in the mainstream society will become the reference group for the tribes to mobilize themselves. So it is an ambiguous process for tribal mobility and transformation into caste groups.

The other process is Hinduization, which grounds for the tribals to slowly accept the Hindu society and its caste system. It is understood that through the process of Hinduization, tribes are supposed to accept castes which are very low or even outside of the caste hierarchy. It is problematic to understand that what kind of tribal transformation or mobility is there in the name of these two given (viz. Sanskritization and Hinduization) broad processes. If the tribal groups are only allowed in the lower rungs of caste structure, why would they care about such mobility? It is rather observed that few sections of a tribal group in the name of social/religious mobility have accepted Hinduism, Islam and Christianity. But that does not mean that the whole tribal group has mobilized itself, which is even very rare. It is fascinating to know the fact that most of tribes or the few sections of it, who are totally assimilated into the Hindu society, called themselves not Hindus but 'Bhagats'. Finally Xaxa stated that, there have been the drives for Hinduization for the sake for assimilation, which on the whole is not an empirical actuality (Xaxa 1999: 1524).

In case of tribals, very often they have their own set of dialects, which may be less or altogether different from the outside non-tribal languages. For the sake of 'Hindu absorption of tribes' it is requisite for them to assimilate into the non-tribal regional language, such as Oriya, Bengali etc. Besides assimilating the regional language, it enables the tribals to a new

set of customs and beliefs, which are entirely part of absorption of tribes into various lower castes.

The colonial ethnographers had based the tribal and non-tribal distinction only on the basis of religion, which the post-colonial ethnographers critiqued. They have distinguished tribes from non-tribal groups on few major criteria, like language, religion, economy, isolation, etc. In case of tribal and non-tribal distinction, it has been admitted that religion is no more a problem for the Indian society as a whole. They instead focussed on linguistic acculturation, where the concepts of Sanskritization and Hinduization fall inadequate in support of 'hindu absorption of tribes'. But, in the process of transforming and developing the tribal groups, the Indian state policy focused on tribals in comparison with non-tribals. In this process, it is obliterated that besides studying tribes through comparative method, they are itself a type of community like any other Indian community. Instead, of putting the dichotomies like tribe and caste, tribe and peasants, it will be more empirical if the tribal people started doing agriculture and other peasantry works without losing their own social and cultural attributes. They will be no more challenged by the larger society, and moreover can keep their tribal identity alive (Xaxa 1999: 1522-1523).

### **(3.7) Tribal Safeguards in Colonial India**

To follow the history of British policy of tribal redressal and development, it is necessary to look into the results achieved through the policy of Scheduled Areas Act. In 1876, the British under the execution of Scheduled District Act of 1874, in Santhal Parganas forbade the sale and transfer of land to any of the other body. It has somehow benefitted the tribals to save their land and culture from outsiders and government both. To give the former policy more effect, Santhal and other Paharias leaders in the Parganas were given stipend to assist in the agriculture. The British did understand the value of forestlands and its resources, but the harm done by the tribals through shifting cultivation had made the British policy to administer in a specific manner. The British tried to settle down tribals permanently in such a manner as not to produce distress among them and slowly taking them to cattle rearing.

The British introduced the Chota Nagpur Tenancy (Amendment) Act of 1903, to prevent the tribals from being reduced to serfs due to indebtedness. In 1906 about one and a half lakh was distributed as loan by the Government to the tribals of Munda tribe for repayment of

mortgage debts. There were special courts made for tribals and the redressal was made accordingly by their community leaders since 1846, but excluding the civil rules all other criminal acts were given under the ordinary police and courts jurisdiction. The Land Alienation Act of 1916 was applied only to the backward and the tribals areas. It was a great deal for the tribals to save their land from the non-tribal land lords. Despite all these remedial policies, there were number of tribes who were still exploited by the zamindars. The Gonds of Balaghat agitated and refused to work for the landlords in the inhuman conditions. They later on joined the Forest-Satyagraha movement of 1930. Though there had been the safeguard policies like Scheduled district or a Backward Tract Act, none of it proved useful in delivering the positive results and protecting the tribal interests. The tribals were found at same barbaric social and miserable economic condition as they were a hundred or fifty years back at the time when British arrived in their areas. In the Montague and Lord Chelmsford reform of 1919 there was no special attention given to the tribe per se, but the section 52-A (2) of the Government of India Act, 1919 divided the backward areas into two classes: (a) 'Those wholly excluded', and (b) 'Those who are partially excluded and in which policies should be introduced with modifications'. The Indian Statuary Commission to India defined the grounds of the territories added in the "Excluded Areas", that the tribal stage of social and economic development is far behind from the mainstream scenario, so the people of tribal areas should be administered under the former category. The backward tribes were non-prepared for the ordinary administration. The Excluded group enabled the tribal to enjoy the isolation and freedom from the non-tribal societies. It also provided an atmosphere of self-determination, so that each and every tribal could enjoy their ancestral traditional culture. The Categorization of Excluded and Partly-Excluded remained functional in the Government of India Order, 1936. The addition is the inclusion of political representation in the assemblies where few seats remained reserved for the Excluded and Partly Excluded Groups (Ghurye 1963: 123).

### **(3.8) Tribal Safeguards in Post-Colonial India**

The Indian Constitution in order to protect the rights of Scheduled Tribes provides various safeguards. Generally, these may be divided into two parts, viz., (1) Protection and (2) Development (Verma 1990: 125).

Under protective safeguards, the Constitution provides social, educational, economic and religious equality. To fulfill the goals of equality, certain positive discrimination measures

are made for backward, weak and depressed communities. Article 15(4) provides promotion of Social, Economic and Educational Interests. It prohibits any discrimination on grounds of religion, race, caste, sex, or place of birth. But the Clause 4 of the given Article is an exception to this. It empowers the State to make any special provision for the upliftment of socially and educationally backward classes of the citizens which are the Scheduled Castes, Scheduled Tribes and Other Backward Classes. This provision is in accordance with the Directive Principles of State Policy, in the Article 46, which explain that the State should promote educational and economic interests of the weaker sections of the people and protect them from any kind of social injustice. The test of backwardness of the Scheduled Tribes (STs), Scheduled Castes (SCs) and Other Backward Classes (OBCs) under Article 15(4) is 'Social and Educational'.

The quantum of permissible reservation is up to 50% of the total. The quantum of reservation was under Article 15(4) to the backward classes or tribal people in India was discussed in the Supreme Court in the case of Balaji Vs State of Mysore 1963. The court upheld that the "reasonable" and consistent quantum of reservation with Article 15(1), has to be 50 percent.

Article 16(4) permits reservation for tribal groups under the Constitution of India. This Clause empowers the State to reserve appointments or posts in favour of any of backward/tribal/unprivileged citizens in the services under it. Article 335 provides that the claims of the members of Scheduled Castes and Scheduled Tribes as regards appointment in services shall be taken into consideration "consistently with the maintenance of efficiency of administration", but there is no such limitation in Article 16(4) (Verma 1990: 27).

While Constitution gives right to every person in India of free movement and residence throughout its territory, but special restrictions have been imposed by the State for the protection of the interests of the members of Scheduled Tribes under Article 19(5), and hence prohibit the outsiders for a free settlement in Tribal Area. Article 23 prohibits traffic in human beings, which is a common form of forced labour. It is a significant Article for most of the Scheduled Tribe peoples who are still engaged as bonded labourers. According to Article 29, a linguistic or cultural minority has right to conserve its language, dialects and culture. It empowers the Scheduled Tribes to preserve their culture and prohibits the State or any other group to enforce upon them any other language or culture.

Article 46 and Article 275(1) can be called as 'development safeguard' works to promote socio-economic development. Under Article 46, the State is said to act and do everything required for the promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections. In order to give a strong effect to this article, Article 15 and 29 have been amended under the Constitution Act, 1951. Article 275 authorized the State to release the monetary grants from Central Government to the states for the administrative development in the Scheduled Areas and for the welfare of Scheduled Tribes. Whereas, Article 339(2) goes still further and empowers the Union Executive to issue directives to a state as to the drawing up and execution of specified schemes for the welfare of Scheduled Tribes in the state.

Articles like 164, 330, 332, 338A, 243D, 243T come under the category of 'political safeguards'. Under Article 164, Tribal Welfare Minister at the Centre and state execute the welfare policies for tribals and address the problems faced by them. Whereas, Article 330 and 332 provide that the specific percentage of seats shall be reserved in the House of People and in the Legislative Assembly of every State for Scheduled Tribes. Article 243D reserves the specified quantum of seats for Scheduled Tribes in Panchayats. Article 338A asks for a National Commission for Scheduled Tribe under Ministry of Tribal Affairs, Government of India. It shall be the duty of the Commission to investigate all matters relating to the Scheduled Tribes under the Constitution. Article 339(1) authorizes the President of India to order the appointment of a Commission to report on the administration of Scheduled Areas and the welfare of the Scheduled Tribes in the State. To promote the socio-economic development, Article 275(1) provides the grant-in-aid to be approved by the Government of India for the schemes and policies made for Scheduled Tribes and Scheduled Areas. Whereas, Article 339(2) goes still further and empowers the Union Executive to issue directives to a state as to the drawing up and execution of specified schemes for the welfare of Scheduled Tribes in the state.

The tribal groups always lived in the isolated forest terrains, and were traditionally and culturally dependent on the forest resources for sustenance. In India, the policies regarding the forest rights starts from the 'Forest Policy of 1988'. More recently, the Indian State formulated the 'Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006' which is an outcome of the persistent agitations and struggle by the tribal groups over the forest rights, across the country. This Act (2006) is made in order to address the issues and

grievances of tribal groups, as it includes the rights of the individual over the cultivated land in forestland. It also ensures that the forestland be used traditionally by the tribal group as common property resources. The Act (2006) implemented in India from 2008 onwards, and has tried to put away the continued injustice done to the tribal groups by evicting them out of their homeland. It has also paved a new path of decentralization, where the tribal groups are provided with the rights to self-governance and decide for their own, in matters of socio-economic works carried out in the forestland. It also engages the tribal groups in government's livelihood policies, and also ensures that the tribal groups participate in the conservation and management of forest resources in India. Vanbhandhu Kalyan Yojana (2014) is an Indian government strategy which aims at creating a sustainable environment aimed for a holistic development of the tribal people. It ensures that every tribal people must appropriate the schemes/programmes regarding goods and services meant for their development. It has a sole purpose to acknowledge that the target groups are being benefitted by the schemes made for tribals by the government of India. It therefore, helps the tribal groups to improve their lifestyles through education, employment, health services and also the protection of the traditions and cultural heritage<sup>43</sup>. The Traditional Forest Dweller Act, 2006 and the Vanbhandhu Kalyan Yojana are two major policies which are meant to benefit tribal in social, economic and political spheres and not obliterating their tradition and cultural ethos. It is therefore, more evident to understand that, the recognition of tribal communities is as much significant, as their economic redistribution claims are.

### **(3.9) Tribal Safeguards in Jammu and Kashmir**

The signing of the 'Instrument of Accession'<sup>44</sup> (Jammu and Kashmir), initiated the dialogue process between the Constituent Assembly of India and the National Conference leaders of Jammu and Kashmir State. The Indian government decided to integrate the newly acceded states in a secular manner. In the dialogue process, the National Conference leaders underlined that, Jammu and Kashmir (J&K) was a Muslim majority State, whereas India was majoritarily Hindu country. So, in order to gain the trust and protect the rights of the people of Jammu and Kashmir, it was necessary to debate and include its leadership in the matter of the status of J&K. The Conference leaders supported the accession of J&K with India, but they criticized the concept of secular integration of J&K. Since, the J&K state was a Muslim

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<sup>43</sup> Data borrowed from: (<http://tribal.nic.in/#>) on 24-04-2016.

<sup>44</sup> The Instrument of Accession is a legal document executed by Maharaja Hari Singh, ruler of the princely state of Jammu and Kashmir, on 26 October 1947. By executing this document under the provisions of the Indian Independence Act 1947, Maharaja Hari Singh agreed to accede to the Dominion of India.

majority State, it was necessary for both the sides to consider the communal trust and balance, so, the J&K leaders asked for special, separate and autonomous status for their State (Teng 1990: 31).

More than a year of debate between the Constituent Assembly of India and the National Conference leaders of Jammu and Kashmir resulted in the incorporation of Article 370 in the Constitution of India. Article 370 provides special powers and autonomy to the State of Jammu and Kashmir to draw up its own Constitution. The legislations and the power of the Parliament became limited in case of Jammu and Kashmir. The induction of 'The Constitution (Applicable to Jammu and Kashmir) Order, 1954' empowered the State of Jammu and Kashmir to sustain the autonomy, it enjoys under the Article 370 of the Indian Constitution. The Constitution Order, 1954 empowers the State to retain its area and border, as it was during the Constitution Order, 1950. Any fresh changes in relation to the autonomy and boundaries of the State of J&K should not be abdicable without the consent of its State legislature. Therefore, the State of J&K was therefore not treated as other states of Indian union were treated (Teng 1990: 47-48).

The Constitution of Jammu and Kashmir in its preamble and Directive Principles beholds the peoples' resolve for social, economic and political justice as the central to state policy. Section 12 mandates that. "The provisions contained in this part shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the State and it shall be the duty of the State to apply these principles in making laws". Section 13 enjoins a "duty on the State for promotion of the welfare of the mass of the people by establishing and preserving a socialist order of society wherein all exploitation of man has been abolished and wherein justice-social, economic, and political" is achieved. Section 23 reads thus, "The State shall guarantee to the socially and educationally backward sections of the people special care in the promotion of their educational material and cultural interests and protection against all social injustice (Sharma 2011: 33)

If a group of people in the State of Jammu and Kashmir, demands reservation, the State in order to ensure the authenticity of the matter, refers it to 'the State Commission for Backward Classes'. The Commission was made in accordance with 'The Jammu and Kashmir State Commission for Backward Classes Act, 1997. Under this Act, The Commission shall address demands made by citizens of Jammu and Kashmir for inclusion or exclusion into the Backward Class group. Periodically, it also revises the list of groups falling under the



Backward Class category. The Commission is an autonomous body and the advice given by the commission ought to be binding upon the Government.

To ensure the upliftment and justice for the unprivileged backward sections of the society, the Section 23 of the Jammu and Kashmir Reservation Act, 2004, enunciates the Reservation Rules in the State of Jammu and Kashmir. Thereby, in 2005, 'Jammu and Kashmir Reservation Rules' were made and implemented. The reservation rules provide the reservation share benefits to the these sections in the State of Jammu and Kashmir; the Scheduled Tribes, the Scheduled Castes, people living in the 'areas adjoining the Actual Line of Control (ALC), the 'Residents of Backward Area'<sup>45</sup> (RBA), 'weak and under privileged classes'<sup>46</sup> or social castes other than SCs and STs, children of defence personnel, candidates holding excellent skills in sports. Initially, there were eight Scheduled Tribe communities in Jammu and Kashmir, these were Balti, Beda, Bot (Boto), Brokpa (Drokpa, Dard, Shin), Changpa, Garra, Mon, Purigpa. Later on, four more communities; Gujjar, Bakarwal, Gaddi and Sippi were inserted<sup>47</sup>.

Table (3) illustrates the reservation share for taking admission in educational institutions, Table (4) represent the percentage of reservation share appropriated by different section in the matter of direct recruitment to different government jobs, lastly, Table (5) describes the reservation share in the matters of promotion.

Sr. No.	Reservation Type	Percentage Share
1	Scheduled Castes (SC)	8%
2	Scheduled Tribe (ST)	11%

<sup>45</sup> According to J&K Constitution those villages/areas that are "declared as socially and educationally backward. (vide SRO-394 dated 5- 9-1981 read with notification SRO:272 dated 3-7- 1982 and SRO-271 dated 22-8-1988 in J&K

<sup>46</sup> Weak and under privileged classes (mean the classes declared as such vide SRO-394 dated 5-9-1981 read with SRO-272 dated 3-7-1982 and SRO-316 dated 18-7-1984 of J&K constitution)

<sup>47</sup> The 'Constitution (Scheduled Tribes) Order (Amendment) Act' of 1991, Inserted vide Central Act No. 36 of 1991 w.e.f. 19-4-1991

Sr. No.	Reservation Type	Percentage Share
	(a) Gujjars and Bakerwals	6%
	(b) Residents of District Leh	2%
	(c) Residents of District Kargil	2%
	(d) Other than (a), (b) and (c)	1%
3	Socially and Educational Backward Classes (Other than SCs and STs)	25%
	(a) Weak and Unprivileged Classes (Social Castes)	2%
	(b) Actual Line of Control	3%
	(c) Resident of Backward Areas	20%
4	Other Reservations	6%
	(a) Children of Defence Personnel	3%
	(b) Children of Para-military Forces and State Police Personnel	1%
	(c) Candidates Possessing Outstanding Sports qualities	2%

Table (3) shows reservation in Educational Institutions. Source: J&K Government Gazette dated 21st October, 2005

The 10% of total reservation of Scheduled Tribes in Jammu and Kashmir is further divided into three groups, each of them given different weightage in the recruitment of professional examinations. The three main groups of STs in J&K are; Gujjar, Bakarwal and other tribal groups of Jammu (6%), tribals of district Leh (2%), and tribals of district Kargil (2%).

Reservation Type	Percentage Share
(1) Scheduled Caste (SC)	8%
(2) Scheduled Tribe (ST)	10%

Reservation Type	Percentage Share
(3) Socially and Educationally Backward Classes (Other than SCs and STs)	
(a) Weak and Unprivileged Classes (Social Castes)	2%
(b) Resident of Backward Area (RBA)	20%
(c) Actual Line of Control (ALC)	3%
(4) Ex-Servicemen	6%
(5) Physically Challenged	3%

Table (4) shows reservation in Direct Recruitment for Government Job. Source: J&K Government Gazette dated 21st October, 2005

In the following table, column 'percentage share (>25)' means when a category possesses less than or up to 25% of the total seats. Whereas, the column 'percentage share (<25)' means when a particular category possesses more than 25% of the total seats, the relational percentage share is depicted as per se.

Reservation Type	Percentage Share (>25%)	Percentage Share (<25%)
(1) Scheduled Caste (SC)	8%	4%
(2) Scheduled Tribe (ST)	10%	5%
(3) Socially and Educationally Backward Classes (Other than SCs and STs)	.....	.....
(a) Weak and Unprivileged Classes (Social Castes)	1%	1%
(b) Resident of Backward Area (RBA)	10%	10%
(c) Actual Line of Control (ALC)	2%	2%

Table (5) shows reservation to seek Promotion in a Government Job<sup>48</sup>. Source: J&K Government Gazette dated 21st October, 2005

Very recently, in the State of J&K, the reservation in promotion was challenged. In 2015 the J&K High Court in accordance with J&K State Constitution, which do not provide for promotion effects and protection as per se, since in the State of J&K, the Constitution of India has a limited function, and therefore the Indian constitutional Amendment (77th) to induce the Clause (4A) for the Article 16 is not applicable. Now, the matter is sub-judice in Supreme Court of India<sup>49</sup>.

In the State of Jammu and Kashmir, there are four major sections which are enjoying the reservation schemes; Scheduled Tribe (ST), Scheduled Caste (SC), Resident of Backward Area (RBA), people dwelling on the Actual Line of Control (ALC). The first two (SC and ST) are Centre government based reservations, whereas, ALC and RBA are inducted by the State government itself. The RBA and ALC do not discriminate on the basis of caste, class or religion. These two are wholly based on territorial recognition, thereby, the RBA asserts on the basis of 'backward and isolated region' and ALC defines the reservation for all those dwellers living on the 'Line of Control' (LOC). These two reservation categories are enjoyed by every section of society. There are significant number of Pahari people, who enjoy RBA and ALC reservation categories in the State of Jammu and Kashmir. Since, the Paharis of J&K are demanding Scheduled Tribe status for the whole community on one side, whereas, on the other few of them are also enjoying RBA and ALC. Therefore, simultaneously, it is evident to demarcate the pros and cons of the existing reservation categories enjoyed by Paharis and also their demand of Scheduled Tribe status for the Pahari community as whole.

### **(3.10) Concluding Note**

The claim of Gujjar and Pahari communities on the fact of being tribal is to be studied on various basis, like; the proof of nativity, isolation, distinctiveness, backwardness and many more. Both the communities trace their history differently. The Paharis claims to be the native of the Pir-Panchal mountain belt, whereas, the Gujjars were migrated from the Central

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<sup>48</sup> The full benefits 10% will be given in Reservation in Promotion, when the total seats possessed by Scheduled Tribe are 25% or less, the benefits will decrease to 5% only (Substituted by SRO-144 dated 28-5-2008

<sup>49</sup> News borrowed from: (<http://www.tribuneindia.com/news/jammu-kashmir/hc-verdict>)

Asia to the Mount Abu of Rajasthan and then to Jammu and Kashmir. Both Gujjars and Paharis live side by side, and sustain by doing agriculture and labour. Both the sections practice transhumance in a selective manner to retain their livestock for survival. If the similarity is deduced on the basis of sharing similar geographically and economically factors by both of the communities, than the role of 'social factors' (like; traditions, customs, language, etc.) contributes for their relative specificity from each other. That is to say that, both the communities imagines themselves 'same' in some aspects, while 'different' in others. The politics on 'tribal identity' has initiated the process of debate and argumentations between Gujjars and Paharis. The Gujjar community has got the ST status, and is arguing in order to maintain the same, whereas, the Paharis are creating the socio-political discourses in order to attain the ST status.

Since, this research is particularly focused on the demands for tribal status by the Pahari community, formed under the banner of sharing 'common Pahari language, culture and socio-economic conditions'. Their demand for Scheduled Tribe status have more or less assisted them to shape their identity, to promote their culture and finally to produce the community consciousness. So far, the community has failed to acquire the Scheduled Tribe status, though the socio-political movement is still going on since the last two and half decades. What has made them weak, and how community as a whole is unable to attain the Scheduled Tribe, has to be unveiled. The next chapter, 'The Pahari movement for Scheduled Tribe status' has tried to sum up both, Gujjar-Pahari discourse and conflict on the matters of tribal identity. It is argued that, the politicization of both community identities has resulted in mass-discontent between these two sections, though both the communities live in isolated and backward areas of Pir-Panchal range, and are majoritarily facing the geographic disadvantages.

## CHAPTER 4

### THE PAHARI MOVEMENT FOR SCHEDULED TRIBE STATUS

#### (4.1) Introduction

The Pahari speaking People in Jammu and Kashmir (J&K) launched a socio-political movement for Scheduled Tribe status in 1991, after the fellow Gujjar community was declared Scheduled Tribe (ST) (Vaid 2014; Behera 2000; Shah 2014). The movement ignited a new phase of inter-community relationship between the Gujjars and Paharis of J&K. The Paharis tried to assert on their socio-political demand of tribal reservation by arguing on the similarities that they share with the fellow Gujjars, whereas; Gujjars responded by arguing on the social aspects which marks them as a distinctive community within the State of J&K. This chapter tries to understand the impact of socio-political movement and the process of identity formation and assertion of Pahari speaking people. On the one side, it looks into the arguments made by the Pahari community on the basis of their socio-economic status, history of Pahari language, culture, and diversity among Paharis and the role of leaders in the mobilization process. On the other side; it enlightens the role of J&K State in accommodating the Pahari movement. Though, it is already said in the 'Introduction' of the research work that, to understand the inter-community conflict, the Gujjar-Pahari relationship after the scheduling of Gujjars under the ST category will be explained. In matters of geographic and socio-economic conditions, it is claimed that both Gujjars and Paharis are scattered heterogeneously and are facing similar disadvantages, and also both the communities sustain themselves by doing agriculture and marginal semi-skilled labor works (Behera: 2000). Therefore, Paharis assert on the basis of similar geographic and socio-economic conditions to get the Scheduled Tribe (ST) status. They seek to impress the J&K state to consider the similarity of existential conditions that they share with the Gujjars. Such a step, they argue would help in the inclusive progress of the border areas of the Pir-Panchal belt. However, it is being argued that the state in accommodating Pahari movement in the light of growing inter-community conflict, has played a 'distributive' role (Brass 1985), where on the basis of certain formally prescribed categories, the state distributes the resources.

To study and situate the demands of Pahari community, the primordialist<sup>50</sup> and the constructivist<sup>51</sup> frameworks are to be used. It is argued that, both Gujjars and Paharis are using primordialist as well as constructivist perspectives to argue for their recognition as a tribe and to be enlisted in the category of Scheduled Tribes. Gujjars impress more on the elements of primordialism, by subscribing to the traditional and historical values and emotions. They benefit themselves from the colonial censuses<sup>52</sup> (1901, 1911, 1921, 1931, 1941), to frame their social, economic and historical consciousness. On the other side, Paharis can be seen impressing more on the constructivism as they choose ‘Pahari language’ as a definitive aspect in the formation of Pahari Identity. That is to say, the scheduling of Pahari language in the Sixth Scheduled of J&K Constitution has been assistive in the matter of construction of Pahari Identity. And, all those people who speak the dialects identified under ‘Pahari language’ can imagine themselves as Pahari community altogether. This does not mean that Gujjars are not seeking constructivism or Paharis are not impressing on primordialism, but to seek a notion that, for the appropriation of ST status, the Paharis are asserting through socio-political movements, whereas, to maintain the ST status the Gujjars are relying on traditional and cultural emotions and consciousness. It is evident to study the discourse of Gujjar and Pahari in accordance with the perspective of primordialism and constructivism.

Scholars who advocated primordialist thought are Francis Robinson, Edward Shils, Clifford Geertz, Harold Isaacs, Walker Connor etc. In matters of inter-community conflict, the primordialism proclaims that conflict among the communities stems from the ‘historical hatreds’ which persisted on the basis of region, religion, caste or class (Geertz 1973: 413). Geertz has extensively written about the relation between primordialism and inter-community conflict. He states:

“By a primordial attachment is meant one that stems from the ‘givens’ – or more precisely, as a culture is inevitably involved in such matters, the assumed ‘givens’ of social existence: immediate contiguity and kin connection mainly, but beyond them the

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<sup>50</sup> Primordialism in connection to a community defines that, every community exist because it asserts on the basis of primordial aspects such as territorial location, history, culture, kinship etc. The primordial bond has a strong impact in matters of solidifying the community altogether.

<sup>51</sup> Instrumentalist or Constructivist works on the construction of identity through created sentiments, based on socio-political and cultural resources. This kind of identity is processual (created through different socio-political processes), flexible and dialogical.

<sup>52</sup> This studies their origin, migration and social structure.

givenness that stems from being born into a particular religious community, speaking a particular language... and following particular practices. These congruities of blood, speech, custom, and so on are seen to have an ineffable, and at times overpowering coerciveness in and of themselves. One is bound to one's kinsman, one's neighbour, one's fellow believer, ipso facto; as the result not merely of personal affection, practical necessity, common interest, or incurred obligation, but at least in great part by virtue of some unaccountable absolute import attributed to the very tie itself"

(Geertz 1973: 259).

Therefore, these unaccountable and irrational emotive elements (blood, speech, custom, values etc) that an individual carries for its community, are the basis of community conflict. This might indicate that, the Gujjars stressed on their traditions and values so as to mark themselves as a different community, whereas, the Paharis criticize the Gujjars by enlightening the similarities between them (Behera 2000: 242), which occupies both the communities in a conflictual relationship.

Anthony Smith (2001) accounts for the significance of 'instrumentalism'. It explains the ongoing socio-political actions of community leaders in order to construct new community goals. He states that the community leaders:

"used their cultural groups as sites of mass mobilization and as constituencies in their competition for power and resources, because they found them more effective than social classes"

(Smith 2001: 54)

Whereas, the constructivism and instrumentalism are supported by Anthony Smith, Paul Brass, Michael Hechter, Charles Tilly, Ernest Gellner, Donald Horowitz, Benedict Anderson etc. It argues that inter-community conflict is an outcome of the continued socio-political processes that with the passing of time construct a new identity. During these socio-political processes, different material and non-material symbolic things are used to construct a new identity. In matters of inter-community conflict, the theory of instrumentalism and constructivism maintains two basic prerequisites. First, the inter-community conflict more or less emerges in order to acquire more resources, may it be material or non-material. Second, the participation by community's elites to demonstrate rationally or irrationally the community issues politicized the matter and resulted in inter-community conflict. In both the situations, to attain the desired instrumental goals, the community launches different tactics,



(like; hartals, movements etc) to substantiate the newly formed identity (Fenton 1999: 76). In case of Gujjars and Paharis, the Gujjars have been agitating that, Paharis have always been dominant in matters of impressing the J&K State for reservation. In the past, Paharis used the Gujjars as labour to till their lands, and stigmatized them for being backward (Bhat 2014: 112). In the contemporary situation, the J&K state does not subscribe to the 'political reservation' (reservation given to discriminate in matters of seat sharing in State's Legislative Assembly election), so the profit of ST status has not brought any decisive representation for Gujjars in the J&K government, whereas; the Paharis have always been able to influence the state through their political representation. It has therefore, fostered the conflict relationship between the Gujjars and Paharis<sup>53</sup>.

Both primordialism and constructivism, carry limitation on their parts. The demerit of Primordialist thought is that, it is unable to define the causes, types and solution to the existing conflicts within a society. They just focus on the definitive and identifiable elements of a community's identity. They are unable to distinguish the processual elements of a community, which are in-group solidarity and out-group hostility on the one side, on the other, it is affirming community's identity and maintaining the inter-community conflict (Horowitz 2001: 11). Constructivists or instrumentalists fail to define the non-rational elements (like; emotions, feelings, values etc) of a community. It is hard for a constructivist to understand why a community member in the name of its community, sometimes sacrifices him/her self (Connor 1994: 197).

Benedict Anderson (1983) takes the modernist framework to define nations as imagined communities. For him, more or less anticipation of historical elements by a community, becomes the conclusive element for its identity formation and maintenance over the time. The three prerequisites; museums, census and maps can help a community to construct a past and that to be maintained and remembered by the communities itself (Anderson 1983: 164). In the case of Gujjar community, the colonial led Census Report of 1941 enumerated them, and also mapped down their expansion in the north-western states of India. This has benefitted the community to imagine the whole Gujjars of India as one and same. Moreover, as Anderson explains that, the inter-linking and coordination between these three elements;

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<sup>53</sup> Interview with Javaid Rahi on 13-12-2016

the census, the museum, and the map elucidates the practices and tactics exercised by the colonial rule to construct new communities and shape the existing ones. Anderson said:

“The ‘warp’ of this thinking was a totalizing classificatory grid, which could be applied with endless flexibility to anything under the state’s real or contemplated control: peoples, regions, religions, languages, products, monuments, and so forth” (Anderson 1983: 184)

It can be deduced that, through census, maps and museums, it becomes easy for British, to imagine the Indian communities, and thus provide them with the power to recognize, mis-recognize, or non-recognize the Indian communities into different colonial categories. The ‘Paharis’ were enumerated on the basis of Pahari dialects they speak with the synonymous regional category they possess (Poonchi, Mirpuri, Kaghani etc.). But Paharis as a distinctive community altogether, was never enumerated by colonial censuses, which might indicate that, they were either mis-recognized or non-recognized at that time. It is therefore comprehended that, the Paharis launched socio-political movement in order to be recognized and enumerated as a distinctive community<sup>54</sup>.

#### **(4.2) Pahari Identity: Claims and Contestations**

This research section observes the socio-political mobilization processes (a constructivist approach) that are observed as part of community’s identity formation (Brass 1985, Taylor 1963). It is argued that, the socio-political movements launched by different communities are usually meant to strengthen the existing identity or to construct new identity in order to achieve the different goals within a society. For that, the research thoroughly looks into the strategies that the community applies for community mobilization and assertion. It is observed that historically, the socio-political identities emerged with the advent of modern democratic states in Europe. In a modern democratic welfare state, most of the socio-political movements are launched against the state, either against mis-recognition or non-recognition of demands of the communities<sup>55</sup> (Tilly 2005: 48), which with the passage of time gets politicized to form a conflictual community identity.

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<sup>54</sup> Interview with Mirza Abdul Rashid on 16-02-2016

<sup>55</sup> As it was already discussed in the chapter 3 on tribes, that how census categories were initially misleading.

The Pahari imagine themselves as a community only in the framework of their linguistic identity; that is 'Pahari language'. They emphasize on Pahari language in order to trace their history, tradition and culture. It is evident in the modern society for a community to foreground their identity formation on historical and socio-political factors imagined as one and same, in order to pursue a common political aim. The imagination by the communities of their territorial extent has become possible through the augmentation of their vernacular language through print and video mediums of media (Behera: 2007). They have become the hallmark of community identity politics. The historical emergence and the contemporary significance of the Pahari and the Gojri language were used to demarcate themselves as distinct community.

Community identity should possibly be observed as something that is influenced by community's tradition, culture, and historical experiences. But it is also obvious that the contemporary socio-political processes are decisive in order to spark the historical, traditional and cultural consciousness within a community. Therefore, the contemporary opportunities are used to mobilize the people for social, political, or economic motives (Wolff 2006: 36-37). The Pahari community impresses on their linguistic history, which is well documented and has provided space to create historical, traditional, and cultural experiences that are to be shared to create community identity. In other words, it could also be said that, in a society, those groups who felt ignored and neglected and thereby claim marginalization by fellow groups or the state articulate a self-designated group consciousness. The new group consciousness is either based on historical and traditional identity, or tries to induct sharing of contemporary socio-political conditions, and thus asserts with a new community identity. The claims made by the community groups laid on the basis of equal access to opportunities, equal worth and treatment within the society, freedom to practice and participate in building a democratic governance (Gergen 1995). It therefore indicates that, Paharis; who imagine themselves as a linguistic community, are also trying to assert on the basis of 'sharing common geographical and socio-political conditions' in the state of Jammu and Kashmir.

The categories formed by the State institutions, like; tribe and race - are socio-political categories, which are reductive for a one's existing identity. These are reductive because, these categories have potential to produce new community boundaries, which more or less are enforced by the state and hence, limits the imagination of community's potential and

identity within those prescribed boundaries. Thus, the affirmative action operates through a process, where the categories and the policies for target groups are made by the people who are 'outsiders' and working in the state institutions. It thus, provides a 'category' by the 'Outsider's perspective'<sup>56</sup>, in order to accommodate the problems of redistribution and recognition prevailing within a community (Gergen 1995). It follows to ask, is the knowledge gathered by the state of a particular community always authentic, or it may be manipulated or misleading. Second, does the state in the pressure of cultural-pluralism<sup>57</sup> demarcate the communities into certain categories for its own benefit? About the case of Pahari identity, in which condition and through what aspects, the Pahari identity can be accommodated by the J&K State?

Oommen (2002) has highlighted the characteristics of a democratic state to put together the essence of political-pluralism<sup>58</sup> and its differences from the cultural-pluralism. He refers Berghe (1971) to explicate the difference between the cultural-plurality and political-plurality. The former is seen a consequence of informal relationships between the communities, the state may or may not be present, whereas; the latter is apprehended in the domain of formal state politics, like, the politics of the community welfare policies of state and the related demands of different communities<sup>59</sup>. The identity politics marked the groups as the object of welfare and recognition, which analyze the status of their caste, race, tribe, versus the state and other outsider communities in different settings (Oommen 2002: 8-11). He further states:

“In multi-cultural societies, it is impractical to work within the perspective of individual based equality as it is inadequate to deal with heterogeneity and plurality of different sections. So, to seek equality and socio-political assertion the community identity politics is taken for granted. Every community, whether dominant or

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<sup>56</sup> In India, It is also noteworthy that, B. R. Ambedkar was a Scheduled Caste leader who was made member for drafting the reservation policy for Scheduled Tribes, this research work maintained that, it was not due to the fact that, he was a dalit (Scheduled Caste) leader, but because of the authority he hold as a Member of Parliament (MP).

<sup>57</sup> It means that, the society which constitutes the demographic, cultural and racial plural societies and are being ruled by the resourceful minority. The culturally plural societies are denoted by coercive equilibrium, whereas, the politically plural societies are the result of consensual equilibrium. It therefore, provides no space for political memberships and negotiations.

<sup>58</sup> It talks about the condition, where the majority rules the minority, and in order to maintain democracy, the majority provides spaces for political memberships and negotiation for the minority, which otherwise may be unheard.

<sup>59</sup> The relationship between the democracy and the pluralism are absolutely opposite in functioning. The democracy tries to maintain the sameness, equality, justice and fraternity among all the sections of the society whereas pluralism is characterized by the differences, inequality and conflict among the sections of the society. It destabilizes the enforced social order by the democratic state, and therefore contradictory to the very essence of democracy (Oommen 2002: 9).

subservient, considerably tries for identity assertion, though there are qualitative differences between them. The dominant community does it, in the name of hegemony maintenance, whereas the others do it in the domain of emancipatory politics”

(Oommen 2002: 12).

In case of Gujjars and the Paharis, who are living together, the Gujjars are numerically lesser than the Paharis of Rajouri and Poonch districts, this could be one reason that, Paharis might had dominated in the past. But the appropriation of Scheduled Tribe reservation has uplifted them. That is to say, the launching of Pahari movement could be defined in the framework of the hegemony maintenance, or the fear of deprivation from the status which the Paharis used to enjoy.

#### **(4.3) Gujjar-Pahari Conflict**

The Gujjars of J&K got Scheduled Tribe status in 1992, after which they became conscious of to defend their tribal identity and that too by refuting the fellow Pahari community’s demand for the same status. The Gujjars present themselves as a distinctive community and as dissimilar from the Pahari community, while the Paharis are trying to highlight the similarity between the two communities, so as to defend their demand for tribal status. Let us foreground few of the major elements of the Gujjar-Pahari’s conflictual relationship.

The Gujjars blames that, Paharis hold the linguistic identity and do not belong to one defined caste or tribe. They claim that, ‘Paharis’ as a distinctive community was never identified and defined in the books of history and anthropology. Whereas, Gujjars are a defined tribe (Census 1941), and are well documented by the colonial anthropology. Second, while the Sixth Schedule of the Constitution of Jammu and Kashmir enlisted six dialects (Poonchi, Mirpuri, Pothowari, Kaghani, Shabeeli, and Hindko) under the category of Western Pahari Languages, Gujjars claim that each of the dialect is structurally/grammatically/phonetically different from the other and therefore can be listed as independent languages as well. Therefore, ‘Pahari community’ as a group of those people who speak those six dialects is a myth. Whereas ‘Gojri’ is the only language spoken by Gujjars of every section (gotras), though there might be little differences but they are not decisive enough, they claim. Third,

J&K State Advisory Board for Development of Pahari Speaking People was made in 1992, for the development of the people who speak Pahari language. The Gujjars argue that the Pahari Board was made exactly on the lines of Gujjar/Bakerwal Board (1974), though the later is based on the backwardness of a tribe/caste, whereas the former is based to develop the community which speaks Pahari language, which is contradictory in itself. The Gujjars also criticized the social-structure of Paharis and agitated against the composition of Pahari community on the basis that predominantly, the Pahari Speaking People (PSP) are upper castes<sup>60</sup>. There are Sayeds (the most revered upper caste in Muslims), Muslim and Hindu Rajputs, Brahmins, Mahajans/Guptas (Business class), Sikhs, Malik, Mir, Qureshi, Sheikh, Mughals, and also includes social casts; Nai, Lohar, Tarkhan, Ghrati etc. Gujjars question that, who are Sayeds, Rajputs and Barahmins; do they have a tribal history? Behera (2000) also highlighted the same question and said:

“Critics also ask who the Paharis are? They include Malik, Mirza, Sayeds and other higher castes of the Muslim Rajputs and Hindus who are feudal elements and who look down upon the lower and backward castes of the Paharis. It is difficult to discriminate among the Paharis for granting them Scheduled Tribe status. If language is the only defining criterion, there is no single uniform language spoken all over the state. Besides, the Paharis cannot demand Scheduled Tribe status because they first need to be identified as Other Backward Castes (OBC)”

(Behera 2000: 240)

On the other hand, Gujjars belong to one tribe which is composed of about 150 gotras (sub-groups/castes) like; Khatana, Kassana, Bhandana, Bhati, Koli etc. All of these gotras face social stigma in the society due to their social and economic backwardness, whereas, no section of Paharis faces social stigma. Finally, the Gujjars maintain that, if the Paharis of Jammu and Kashmir are also given Scheduled Tribe Status, their share of advantage will be vanished, and they will remain unequal in matters of competition with the fellow Paharis (Behera 200: 241).

Whereas, Paharis blame the J&K State for non-recognizing the ‘Pahari Speaking People’. They argue that, in the State of Jammu and Kashmir, there are generally three communities (Kashmiris, Dogras, Gujjars), which are always recognized within and outside the State. The

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<sup>60</sup> Interview with Javaid Rahi (Gujjar Scholar) on 13-02-2016.

non-Gujjar or Pahari speaking people living along the Gujjars in the Pir-Panchal were mis-recognized or non-recognized. It had affected the community's self and identity. To counter such perspective, Pahari consciousness for their identity assertion started gaining grounds in the 1970s (Behera, 2000: 236). Therefore, the Pahari identity is observed as a reaction to the non-recognition of Pahari speaking people who are non-Gujjars in the State of J&K. To strengthen the Pahari community and its identity, the Pahari leaders and intellectuals started to identify all those peoples as 'Paharis' whose dialect come under Pahari language as per prescribed in the sixth schedule of the Jammu and Kashmir constitution<sup>61</sup>.

The 'Pahari Identity' was an outcome of the political gamut, which encapsulates all those peoples who are non-Kashmiris, non-Dogras, non-Gujjars and non-Punjabis in the state of Jammu and Kashmir (Vaid 2014: 20). It is already explained in the previous chapter that both the Gujjars and Paharis inhabit the same Pir-Panchal mountain belt along the Actual Line of Control (ALC) areas of Poonch and Rajouri. Behera (2000) argues that both Gujjar and Pahari community share the same traditions, customs, occupations, dressing pattern and eating habits. Notably, the Paharis always emphasize the prevailing similarities in the sphere of socio-economic backwardness and sharing of geographical disadvantages with the Gujjars, whereas, Gujjars expressed themselves as a distinct social and cultural entity, with different origin and history. (Behera 2000: p 236)

The majority of the Pahari speaking community dwell in mountainous areas, located along the Actual Line of Control (ALC) in Jammu and Kashmir. The Paharis have experienced hardship in the wars of 1947, 1965 and 1971, fought between India and Pakistan (Maini 2010). The higher concentration of Pahari community in distant border areas has put them in economic anguish and that is apparent from their socio-economic and political backwardness. It has produced two noticeable issues, the solutions to which are very cardinal for the community's progress as a whole. First, their incompetence to compete with the other sections of society who are placed better in socio-political and economic level, for example the Dogras of Jammu and Kashmiris of Kashmir valley in Jammu and Kashmir (Shah 2014). Second, the scheduling of fellow Gujjar community as Scheduled Tribe in 1991. It has made the situation worse for the community to get admissions in the educational institutions and secure Jobs in the government sector as well. This has imparted a sense of fear and insecurity

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<sup>61</sup> Based on personal interview with Mirza Rashid, who is an Ex. Member of Parliament (MP) on 16-02-2016.

and also disabled them in getting their due share of development and progress till so far. According to scholars, this helplessness had forced Paharis to demand the Scheduled Tribe status from time to time. (Vaid 2014: 176-177)

The Pahari movement for Scheduled Tribe status has put forth many issues which are being faced by their community. The major ones being the socio-economic problems like backward farming, isolated inhabitations, unemployment, lack of educational and health facilities etc. and their residence along the border areas of the State like Poonch, Rajouri, Uri Keran, Karnah, Kupwara and Baramulla, which has made them vulnerable to cross border shelling and infiltration (Shah 2014). Their residence in the conflict prone ALC has always been neglected by the State, and also ignored by the mainstream media due to the cover of Armed Special Act (AFSPA) and the Disturbed Area Act. To resolve these issues which have become persistent in their course of development, the Paharis started to claim the Scheduled Tribe status. The Pahari speaking people of Jammu and Kashmir have alleged that their community which is based on Pahari language also reprints the composite cultural traits of a Tribe. The Paharis have authenticated their demand for Tribal status by comparing with fellow Gujjar community on the basis of sharing similar kinds of geographic and socio-economic disadvantages (Vaid 2014: 178).

The Paharis also talked about the negligible representation of Pir-Panchal areas of Rajouri and Poonch in public institutions, like; state universities, administration and the assembly. All the state offices are situated either in Jammu city or the Srinagar city. This makes these areas more deprived in matters of communication, health services, and educational institutions and finally these areas are becoming more backward in terms of socio-economic conditions. It is why the Paharis demanded Autonomous Hill Council (AHC) status and recognition to the districts of Rajouri and Poonch as 'Pahari-region'. But the idea of AHC and 'Pahari Area' is critiqued by the Gujjar leaders and intelligentsia, they blamed that, Paharis are trying to manipulate the State so as to retain the dominance over the areas through the ST reservation and AHC status. Critics also observed that, the AHC demand for Rajouri-Poonch and Doda (which are predominantly Muslim areas) is a part of larger political plan to disintegrate and divide the Jammu region's diversity on the communal lines (Behera 2000: 237-240).

The scheduling of Gujjars as Scheduled Tribe in 1991, also initiated the process of comparative social, economic and political studies between the Gujjars and Paharis. In the comparative studies, the Paharis stressed on the analysis that like the Gujjars, Paharis are also



semi-nomadic who practice transhumance. The practice of transhumance is rendered by the migratory patterns where the community in summers takes their livestock to the heights for pasture lands and in winters moved back to lower valley areas. Both the communities have similar geographic disadvantages as both the communities reside in the remote isolated hilly terrains along the Actual Line Control. These areas have been specified as Backward by Dr. A. S. Anand Commission inducted by Jammu and Kashmir State. (Vaid 2014: 182)

For the Pahari speaking peoples, the Gujjar's Scheduled Tribe status provided propulsion to demand the same status to their community as well. As both the communities inhabit the same areas along the Pir-Panchal range, Paharis feel that, if they failed to achieve tribal status, the reserved electoral constituencies for Gujjar community would deprive their development as they would not be able to select and elect their own representative to the State's Legislative Assembly (Behera 2000: 235-36). Till so far, the Jammu and Kashmir state has not entertained political reservation, generally it is limited to the field of education and employment. It is therefore pertinent, to explore what kind of socio-political movement is driven by Paharis of J&K; where are they lacking, as they are not able to achieve the ST status.

Usually, social movements as a political process are understood to make claims for equality, justice, in the spheres of redistribution of resources and recognition of identities. There is a long history of the evolution of 'social movement' as a practice to achieve the demands made by a group. The very word 'Social' of the social movement had evolved historically from a direct political status in terms of thought and action. In Britain the term 'Social' got currency only during the 1950s to the 1980s and applied for those who were unemployed, disabled, senior citizens and so on, and were financially supported by the State. They were called as if they were somehow different, demeaned, dependent, the potentially dangerous inhabitants of marginal territory, the source of economic and moral problems, to be feared and condemned or pitied and reformed by the state. With time, different terminology had evolved for each of these kinds of sections who are partially or entirely dependent on state for their welfare. The groups of dependents, the underclass, the excluded and the marginalised emerged, keeping the term social common to them. Today generally the term 'social' refers to a kind of sector or institution that functions on the premises of development, equality, fraternity, peace and so on (Rose 1999: 99-100).

Social Movements show particular version of continuous politics usually based on historical understanding. History is usually referred to explain the nature and cause of a social movement. It helps to understand that, why social movements are incorporated by a significant element (like; street march, blocking of roadways and railway tracks, calling for a market shut down etc etc ) that actually makes it unique and laud from the other sorts of politics happening in any state. Second, taking the historicity of any social movement can help to deduce the structural and functional changes that occurred over the years in which lies the future planning to achieve the goals of social movements itself. Moreover, history helps to understand the social movement and ‘shifting political conditions’ in a state. It finally helps to understand the rise and fall of social movements either as part of the expansion and contraction of democratic opportunities or decline in public participation or both (Tilly 2005: 03).

Every social movement relied severely on effective and durable political leadership that can provide basic scales to their actions meant for assertion. The good leadership can provide the consistent campaigning with WUNC displays with prior planning and coalition meant to resist up to every loss or gain in the path of assertion. The social movement after a certain time has to transcend to the other political settings in order to increase their membership as well as their strength for assertion. “Once social movements establish themselves in one political setting, modeling, communication, and collaboration facilitate their adoption in other connected settings” (Tilly 2005: 13).

According to the Tilly’s (2005) framework of ‘social movement’, this may be deduced that, the Pahari movement has limitations, first; the Pahari is a community of six major dialect groups, and the political influence of those groups are also limited to their own territories. Second, to work together in the framework of a community, all the people and their leaders of the six dialect groups need to affirm together, so as to produce coherence (interview with Mushtaq Bukhari on 14-02-2016). That indicates that, Paharis need to bring the WUNC<sup>62</sup> factors together, which till so far, has not happened in the case of Pahari movement. Third, the Pahari movement has been a movement of Pahari leaders, there was no recorded mass

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<sup>62</sup> The WUNC stands for: Worthiness, Unity, Numbers, and Commitment. The Worthiness includes presence of each and every section of the claimant group. The Unity element required banners, headbands and group costumes, marching in ranks while singing and chanting. The Numbers includes the strength in numbers, signatures on petitions or messages from the claimant group. The Commitment asked for absolute participation of every possible person from the old to the handicapped volunteers resisting all the repressions and standing by their demands (Tilly 2005).

participation, also very less hartals from the educated and elite Pahari people (interview with Javaid Rahi on 13-02-2016). Fourth, Paharis are scattered on both the sides of the Pir-Panchal mountain belt, due to which they have not been able to communicate and influence the masses in the matters of Pahari reservation. Fifth, it is also argued that, the regional identities (Poonchies; all those who lives in Poonch, Mirpuri; all those who inhabit the areas of Mirpur etc.) overshadow the Pahari identity. In other words, it could be said that, Paharis due to their strong regional identities have not been able to integrate their community on a single larger Pahari political platform.

Moreover, Tilly (2005) has given that possible future outcome of any social movement can be any of the following outcomes: internationalization, democratic decline, professionalization, and triumph. Internationalization entails a net shift away from local, regional, and national social movements toward international and global social movement activity. Decline of democracy would depress all sorts of social movements, especially at the large scale, but could leave pockets of local or regional social movement activity where some democratic institutions survived. Professionalization would most likely diminish the relative importance of local and regional social movements while shifting the energies of activists and organizers to national or, especially, international and global scales. Triumph finally, describes the glorious dream of social movements everywhere, serving at all scales from local to global as a means for advancing popular claims. Therefore, it seems that, in the case of Pahari movement, the Paharis failed to register themselves on the 'Tilly's Triumph' model of social movement.

#### **(4.4) State's Response to the Pahari Movement**

The social movement of Paharis pose many significant questions to the state. They have repeatedly talked about the problems faced by the community like; 1947 Partition, socio-economic backwardness, reliance on farming, animal rearing, manual labour etc., armed conflicts, geographic isolation, educational backwardness and so on (Behera 2000; Vaid 2014).

The J&K State from time to time has considered the demands made by the Pahari community. The then Chief Minister Farooq Abdullah in 1989, Governor Gen. K. V. Krishna Rao (1993), again Farooq Abdullah in 2001, Chief Minister Ghulam Nabi Azad in 2004,

Umar Abdullah in 2014 have recommended the case of Pahari community for scheduling them in the Scheduled Tribe list. The process of declaring any community as Scheduled Tribe involves the State Government, the Ministry of Tribal Affairs, Scheduled Tribe Commission, Union Cabinet and finally the Government of India. The Paharis have succeeded in impressing the J&K State few times but, till so far, they have not been able to impress the Central government to appropriate the Scheduled Tribe status.

The State of Jammu and Kashmir had constituted three commissions for the purpose of identification of backward classes; in 1967-68 Justice Gajendra Commission, the Justice Janki Nath Wazir commission (1969) and lastly in 1976-77 Justice Adarsh Sein Anand Commission. All of these commissions have studied the communities of Jammu and Kashmir and submitted their findings to the State. It is due to their findings, especially A.S. Anand Committee's, that the State of Jammu and Kashmir enacted 'The J&K Backward Class Commission Act, 1999' and constituted a Commission under the said Act with statutory functions assigned to the said commission (Vaid 2014: 190).

The Registrar General of India (RGI) in 2001 put forward the following views for the Pahari Community of J&K on the matter of reservation (the limitation of Pahari Community of J&K on the matter of reservation was directed by the Central Government in a reply by the Registrar General of India (RGI) to the State government of Jammu and Kashmir on 16-04-2001):

- (a) The Pahari Speaking People are a linguistic group (composed of different occupational and religious groups who speaks the common Pahari language) and is not an ethnic group. It was also not notified as an ethnic group in the Census report of 1931, which was the last census in which Caste/ tribe enumeration was done and also the '1987-1988 Ethnic Survey' did not mention them as an ethnic group.
- (b) Pahari speaking people in neighbouring States (Himachal Pradesh and Uttarakhand) have not been given ST status, whereas, Gujjars of the neighbouring States got ST (in Himachal Pradesh) or OBC (in Haryana) which becomes one of the grounds for giving ST Status to Gujjars, Bakarwals, Gaddis and Sippis.
- (c) The famous committee constituted under the Chairmanship of Dr. Anand, the then Chief Justice of J&K State, did not declare the Pahari speaking people as socially and educationally backward and that Pahari speaking people have been mentioned as

linguistic group in 1901, 1911, 1931, 1941 Censuses. Therefore, the Paharis of J&K are not entitled to attain Scheduled Tribe status.

It is observed that, language is the most important aspect of social identity. Language represents the culture of the area. In the case of Pahari movement, language is the base for the mobilization for the entire Pahari population. In 1901 census both 'Gojri and Pahari' were clubbed and treated as dialects under the Northern Group of languages spoken by respective communities along with Kashmiri, Dogri, and Punjabi etc. There was no distinction made between the Gujjri and Pahari language as regards to their tribal and non-tribal character. Moreover, the Census interchangeably used the 'Caste and Tribe' category, and had classified Gujjars as a caste group rather than a tribe along with other caste occupational groups like Hajam, Lohar, Mochi, Teli etc. The Bakarwals which is a sister group to Gujjars and practice nomadism was not even returned as a tribal group in the Census<sup>63</sup>.

Under the tenure of the then Chief Minister, Ghulam Nabi Azad, in 2004 again it was decided by the state government, to constitute a committee to examine the demands made by Pahari community in relation to their backwardness and scheduling them the Tribal status, but nothing has been done so far. Nevertheless, in 2008, a comprehensive proposal was submitted to the state of Jammu and Kashmir to consider 8% reservation in direct recruitment and 4% in promotion to Paharis in accordance with the section 2(O) of the J&K Reservation Act, 2004, as socially and educationally backward class (Vaid 2014: 184). Very recently in 2014, Omar Abdullah government had passed a bill to give 5 per cent of reservation in employment and education for the Paharis, which was later on rejected by the Governor Vohra, on the basis that Paharis imagine themselves on the basis of language, and language cannot be a determinant factor of a culture. So Paharis cannot be scheduled as backward and tribal<sup>64</sup>.

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<sup>63</sup> Letter from Civil Sec. J&K to RGI, 2003.

<sup>64</sup> Based on personal interview with Javaid Rahi on 13-02-2016.

#### **(4.5) Various Perspectives On Pahari Movement**

The scholars and journalists from different sections have written a lot about the ongoing Pahari movement for reservation. Some of them supported the movement while others criticized.

The scholar K Warikoo (2000) criticizes the Pahari movement and writes:

“Obviously, these attempts to construct new identities such as ‘Paharis’, were aimed at undermining the Gujjars and their ethno-political aspirations in the areas where they are dominant. That is why the demands of ‘Paharis’ of Rajouri, Poonch, Kupwara and Baramulla, (where Gujjars are concentrated) are raised, whereas the backward and neglected hill people of Ramban, Kishtwar, Padar and Bhadarwah, who speak distinct dialects of Rambani, Kishtwari, Padari and Bhadarwahi, have been excluded from the purview of the so called ‘Pahari’. This is a subtle move to deprive the Gujjars of their numerical advantage and fully marginalise them in the political, administrative and other institutional structures of the State” (Warikoo 2000: 15).

Journalist Priyashree Andley, in her article titled ‘Scheduled Tribe Status for Paharis in J&K: A Gujjar Nightmare’ (11-09-2006), acknowledged that:

“The Paharis’ demand for ST status is based on a claim that their socio-economic condition is similar to the Gujjars, who got ST status in 1991. The Congress recognized this demand in its manifesto and the Common Minimum Programme (CMP). The Government of India had rejected this demand in 2000 and 2002, based on the recommendations of a Parliament panel due to lack of evidence supporting the existence of a Pahari tribe”

Due to lack of evidences supporting their tribal demands, she further argues that, granting alike status to the Paharis is undesirable to the fellow Gujjars because, firstly, they are still struggling for their rights; secondly, this issue gets embroiled in the politics of terrorism; and thirdly, political groups are using these vulnerable tribal people for electoral gains.”

The Paharis claim the authenticity of their demand that, Gujjars and Paharis live in the same locality, share almost the same socio-economic culture, have the similar dietary habits, lastly the language of the two communities is so similar that both can speak and understand each other’s language. The Pahari Speaking People demand equality and justice, as they are being

discriminated by the state which is ignoring their demand of Scheduled Tribe status (Maini 2011: 2-4 ).

The Pahari Speaking People have made plethora of pressure groups to mobilize their demand before the State. The Jammu and Kashmir Pahari Cultural and Welfare Forum (JKPCWF), Jammu and Kashmir Pahari People's Movement (JKPPM), Jammu and Kashmir Pahari Student Welfare Association (JKPSWA), All Jammu and Kashmir Pahari Speaking Youth Forum (PSYF) and many others are the pressure groups made to raise voice on behalf of Pahari Speaking People for their right of reservation (Shah 2014: ).

Another Journalist, Nayeem Khan in his Article 'Lost in the crowd: Kashmir's Pahari Community', talked about the confused and lost identity of the Pahari Speaking People (PSP) in Jammu and Kashmir. He argues that:

“In Kashmir, the majority of Paharis reside far away from main towns of Uri, Boniyar, Karnah, Keran, Poonch, Rajouri, Jumagand, Macchil, Larridora Chandoosa and so on. On the discrimination against Pahari's, he further maintains that, “Paharis live just like how the Gujjars or the nomadic Bakerwals or shepherds do; their children study in the same school and all of them face the same hardships in daily life. But due to these similarities, they have gradually come to be identified as Gujjars and Bakerwals, which it is not” (Shah 2014).

It is therefore on the part of State to produce and categorize an identity specific to the Pahari Speaking People, under the banner of which the welfare schemes shall be made and executed as same.

Understanding the Gujjar perspective, Journalist Zaffar Choudhary in his Article 'Understanding the Gujjar-Pahari Faultline in J&K: A Gujjar Perspective' (June 2011, IPCS Report), argues,

“Inclusion of Paharis in STs would clearly further cause an imbalance and unrest among Gujjars who are already voicing their concerns and questioning the government on what they have received as a community for standing with the nation against the outsiders. Giving the ST status to the Paharis also portends the dangers of opening a Pandora's Box of similar demands from all and sundry across J&K. For example, if a Khan or Sharma from Poonch is declared ST, how will the government prevent a similar demand from other sections of Khan and Sharma living in Jammu or Kathua”

(Choudhary 2011)

Taking note of the Reservation Policy of Jammu and Kashmir, he criticized the State government for being ignorant on the issue of Gujjar and Bakarwal assertion and progress. He observed that the Reservation Ratio in the State of Jammu and Kashmir is not divided equally on the social plane of backwardness. He argues,

“While only 10 per cent reservation is available under the ST status which the Gujjars share with 11 other tribes, the RBA quota is 20 per cent and ALC quota is three percent. An alienation factor is already palpable amongst the Gujjars and any arbitrary decision on including others in the ST list will further alienate these last of the patriotic Muslim identities in J&K. To solve these problems the central and state governments should act in a pragmatic way instead of succumbing to a policy of appeasement.”

The Jammu and Kashmir High Court in 2007 favoured Scheduled Tribe status for Paharis, on the recommendations of the three member panel of Interlocutors under the leadership of Dilip Padgonkar. It is only due to the consistent demand by the Pahari Speaking People in Jammu and Kashmir and due to the political pressure from the Pahari lobby, the State government has set up a committee of experts to give a report on the socio-economic aspects of Paharis (Vaid 2014: 155; Shah 2014). The sole purpose of this committee is to study the social and economic backwardness of the said community. It will provide the State with a quantum of data necessary to formulate policies and to consider the Scheduled Tribe Status for the sustainable development of the Pahari Speaking Peoples in Jammu and Kashmir.

Bhim Singh, leader of Panthers Party, talked about the idea to make whole of Jammu province a ‘Dogra-Pahari’ state. He talked about the exploitation and ignorance of Jammu’s Dogra and Pahari community by Kashmir centric politics since 1947, which has made them second class citizens of Jammu and Kashmir. He took this point as a base to demand bifurcation of State to bring the Dogra-Pahari’s cultural, social, political and linguistic identity back to its past glory (Daily Excelsior 2014).

The Jammu and Kashmir activist Saroori took the issue of J&K State negligence for those peoples who are ‘residing in the entire Chenab belt, Pir-Panchal border belts and Pahari-speaking part of Kashmir valley, and demanded that all these should be declared as Scheduled Tribe (ST)’. He further stated that more than 20 lakh Paharis are socio-economically discriminated and are facing step-motherly treatment by the State and Central



Government. There is no job growth for Pahari Community, as the inhabitants of the said community are socially and educationally backward, so they failed to compete in general quota and hence suffer the most. It is also there unemployment which made them vulnerable so can be misled by anti-national groups in the State (Daily Excelsior 2015).

There has been a consistent demand for the Pahari language and culture centre at the State universities like Baba Ghulam Shah Badshah University (BGSBU), Jammu University and others (Daily Excelsior, 2015)

The Pahari leader, M. A. Bukhari of Poonch stated that, 'no doubt the catastrophic partition brought critical demographic changes in the entire state but the worst hit was experienced by the Paharis of Rajouri and Poonch. They were divided by a 'ceasefire line' running right through the middle of their homeland. This line, now known as ALC or LoC, ripped them apart geographically, politically, socially, economically and worst of all emotionally'. He further stated that the partition was followed by cross-border migration on the both sides of J&K due to which many a time the innocent civilians (most of which are Paharis) lost their lives while crossing the border. The State till 2005 never took any preventive measure to save the lives of those who were separated after partition. The start of Bus service as part of 'Confidence Building Measure' (CBM) was one of the biggest relief to Pahari community. But in matters of education and employment, the Pahari people are lacking behind because, in non-reserved quota the Pahari candidates are not able to compete with other non-reserved sections<sup>65</sup>.

#### **(4.6) Limitations of Pahari Community**

The Paharis have felt that, much development has not taken place for the upliftment of their community in the socio-economic spheres in the State of Jammu and Kashmir. While, scheduling of the Gujjar, Bakarwal, Gaddi and Sippi communities as ST, the State has ignored the demands made by Paharis. Why the State of J&K has not recognized the Paharis as a tribal community? What are the aspects of a community, that the Paharis are failing to maintain?

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<sup>65</sup> Based on personal interview with M. A. Bukhari on 14-02-2016.

It is maintained that, the community consciousness rests on the belief that there are much more common elements to share with each other within the community, in relation with the outside group. If the members of a community start believing that there are very less things common to share with each other within a community then, for sure, the community boundaries will become bizarre and anomalous, and the community itself will be severely questioned. The common sharing of symbols by the community members has always been so strong and deep that they become unconscious on the fact that everyone attaches different meanings to the symbols which they commonly shared. (Cohen 2013: 20). In case of Paharis, as the chapter has already explained, the regional identities overshadow the common Pahari identity, and hence all the six Pahari dialect groups are failing to unite on one common platform.

When a community interacts with some other community group, it has to generalize the groups identity and attempts to be identified as an expression of oneness, sameness and equality across the whole community i.e. ‘common-we’ (Cohen 2013: 35). On this, it can be deduced that, if a community fails to deliver the ‘common-we’, it will also fail to encourage and channelize the basic community demands within a society. There has always been a communication gap between the different regional Pahari sections and their leaders, that is why Paharis fail to achieve much in the formation of ‘common-we’<sup>66</sup>.

The historians and anthropologists called the ‘invention of tradition’ as a process which tries to interpret the present situation on the basis of past experience and cognitively map the past, present and future. In doing so, the community uses past experiences to provide a base for community consciousness among its members and Geertz (1966) named it, a ‘model of reality’. The Paharis have been arguing on the basis of geographical and socio-economical conditions, but the historical element seems to be little assertive, which has a negative impact on the formation of Pahari identity. Moreover, it is also maintained that, the social changes put greater pressure on the community groups to reshape their structural forms and cultural elements, so as to fit better in the society as a whole. It demands the community to reassess and redefine their social boundaries with the rest of the society. In doing so, the community tries to mark the essence and distinctiveness of their community’s symbols by strengthening their community boundaries. Finally, whatever the structural changes in a community are

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<sup>66</sup> Based on personal interview with Rashid Mirza (Pahari Scholar) on 16-10-2015.

being made, the matter of importance is the 'symbolization of culture through its boundaries' within the society. The symbolization produces the people's consciousness and awareness towards their community (Cohen 2013: 44-50). In relation to this, it can be explained that, the social changes brought up by the ST reservation propelled the Paharis to launch social movement against the J&K State for not enlisting them under Scheduled Tribe list, which is still going on.

## CHAPTER 5

### CONCLUSION

Discussion in previous chapters has brought following major observations on the proposed research questions of this dissertation. There are four concluding remarks that we can arrive at; first, the state is an idea reviewed through symbolic process, that is to be propagated and socialized in the minds of the population (Abrams 1977). Second, community formation is a continuous symbolic process (Cohen 2013), which in the modern state, claims itself with new identities by employing the methods of socio-political assertion (Dahl 2006). Third, the recognition of identities by the state has become the defining aspect of every community, if the persisting identity is not recognized by the state, the community politicizes a new identity for the recognition of which, the community agitates through various methods (Taylor 1994; Brass 1985). Fourth, the success and the failure of a social movement depends on the genesis of its community formation, any loophole could more or less affect community's social movement (Tilly 2005).

**First, the idea of state:** Everywhere in this research work, it is asserted that, the 'state's power of 'categorization' is observed as the central argument, which provides the population with the 'idea of state' and has a enormous impact on making new and obliterating of all those existing identities. Noticeably, all those apparent institutions of a state usually incorporates both the techniques and the policies, which are meant to regularize control through categorizing the population in different sections. Foucault called it 'the governmentality' which shapes and limits the thinking processes of population within the boundaries prescribed by the state. That is to say, the modern state constructs 'socialcategories'<sup>67</sup> for identified sections of the society, that to be known as 'deprived communities'. The categorization of specific communities as deprived communities, while leaving others aside in the longer run more or less produce inter-community conflict within

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<sup>67</sup> social defines all those groups, which depends on state for their development in various aspects. These groups are isolated, backward, illiterate, tribal, women, unemployed youth etc.

the society. In case of Gujjars and Paharis, both the communities have convinced themselves that, the state is meant to function for the population and has the power to categorize them in certain categories, which has legitimate power to assist each of the community in matters of achieving social, economic and political goals. It is also observed that, the Gujjars after their inclusion in the Scheduled Tribe list, have advocated the presence of such state policies and relative measures.

Whereas, the Paharis also advocated such positive discrimination policies. They started demonstrating against the state in order to achieve the ST status as part of community identity politics. The Paharis criticize the state's political structure for not considering their socio-political grievances. That is to say that, the Gujjars welcomes the state for recognizing giving them Scheduled Tribe status, whereas, Paharis have been criticizing the state for ignoring their demands. Therefore, it may be said that, it does not matter how the 'idea of state' is being understood among the Paharis or Gujjars. The matter of significance is that, that understanding of the state should be socialized among the population.

**Second, community identity formation:** It is concluded within the framework of 'relational and dialogical process', that to be asserted with 'the politics of equal respect' for every community in a multi-cultural society (Taylor 1963). Referring to this, as it is already debated in Chapter four that, there has been inequality in matters of communication between Gujjars and Paharis. Because, in the pre-reservation phase, it is claimed by the Gujjars that, they were being stigmatized on the basis of caste (Bhat ), but after their inclusion in the Scheduled Tribe list, Paharis have started claiming that, they are sharing similarity in matters of social, geographical, and economical aspects. They further claim that, by not giving reservation to the Paharis, the state has created a gap of unequal relationships, which could never be filled. Therefore, neither the Gujjar, nor the Paharis have admitted a level playing field in matters of their inter-community relationship.

Concluding the case of Pahari community's consciousness, it is already said in the second chapter that, the Indian communities carry multiple identities like; caste, class, race, religion, region, language etc. (Upadhya 1998; Kaviraj 2014). That is to say, if a community is asserting on the basis of a particular identity, the other related identities have to stay in the backdrop. On the basis of this, it could be deduced that, the Paharis are asserting on the basis of their linguistic identity altogether, but it has been observed that, the regional and dialect group identities usually overshadows their common identity. That is why, the Paharis' consciousness has a limited impact on Pahari masses of every section.

Social and economic changes put pressure on community identity to redefine their social boundaries. In doing so, the community tries to remark the substance and distinctiveness of their community's symbols. Finally, whatever the changes in a community are being made, the matter of significance is the 'symbolization of culture through its boundaries' within the society. The symbolization produces consciousness and awareness amongst people towards their community (Cohen 2013: 44-50). In relation to this, it can be explained that, the Gujjar's Scheduled Tribe status assisted them to redefine their socio-political and cultural boundaries in the domain of formal categories created and maintained by the state. Whereas, the Paharis acknowledged the social changes brought up by the ST reservation. To cope up with the changes, the Paharis launched social movement against the State so as not only to enlist themselves in Scheduled Tribe list, but to articulate themselves with newly acquired socio-political self.

Cohen (2013: 35) talks about the significance of 'common-we'. It is to be noted that, when the Gujjar community communicates among themselves and with the outsiders, they manage to be identified as one and same with negligible differences if at all. But in case of the Paharis, the notion of regional identities overcomes in matters of communication within and outside the community.

**Third, politics of tribal identity; claims and contestations:** The focus of post-colonial India to alleviate the tribal peoples from their isolation, illiteracy and backwardness has politicized the tribal category. Xaxa (1999) concluded that, in India, the question of tribes is closely related with the governmental and political considerations, the whole motive hence rests on to identify the tribal groups, rather than defining their authenticity of being called as a tribe. That does not mean, the Indian state have no conception about the tribes, it has adopted and framed few major characteristics to be taken care of before identifying a group as a tribe. The geographical isolation, tribal language, simple/traditional technology and backwardness are among the major features to be identified.

In case of Gujjars and Paharis, it is already explained that both the communities agitated for their scheduling in the tribal list, the Gujjars succeeded while the Paharis failed to do the same. In case of Gujjars tribal identity recognition by the state of Jammu and Kashmir, Behera (2000) said that, in 1970s, the idea of extending reservation to Gujjars by the then Prime Minister, Indira Gandhi is observed as the emergence of community identity politics in the Pir-Panchal belt of J&K and is opposite to the existing 'politics of Kashmiri identity'. It is

because, the Pir-Panchal community identity politics has a tremendous impact on Gujjars, Paharis and Dogras; which if calculated all together are numerically more than the Kashmiris (Behera 2000: 234).

Moreover, this community identity initiated the politics and the inter-community debates on the claims of being tribal, between Gujjars and Paharis. Gujjars criticize Paharis on certain aspects, like; Paharis have occupational groups, they live a settled life, they are also divided into various regional groups and dialect groups, they also contains sub-caste groups, and finally were never studied and recorded as a tribe. The Paharis also disapprove the authenticity of Gujjars being tribe in the near past, and contends that, Gujjars also entails sub-caste groups, they also own permanent land, and finally, there are also three types of occupational groups- Dodhi Gujjar (milkman), settled Gujjar, and Gujjars who do seasonal migration. In sum total, the Gujjars have succeeded in asserting for tribal identity, that may be due to the documentation done during the colonial rule. That is to say, the history provides many advantages, it gives community the sense of common origin and belongingness (Geertz 1996: 43), which contributes in creating community consciousness. The symbolization of history in the contemporary situation by a community has the power to do away with the prevailing differences. Paharis were never documented like the Gujjars were. Thus, the socio-political assertion of Paharis has never focused on their history, but on the contemporary social, economic and political conditions they share with their fellow Gujjar community. In other words, it can also be said that, the sharing of common spaces and their resources between Gujjars and Paharis has been the matter of debate and conflict.

**Fourth, the Pahari movement and their intra-community problems:** The formation of Pahari identity is a socio-political process, in which the Paharis have adopted various strategies to enlist themselves in the Scheduled Tribe list. They have launched a social movement for Scheduled Tribe status, which is still going on. The demands through Pahari movement for Scheduled Tribe Status has initiated the politicization of the Pahari identity. The Paharis who are demanding Scheduled Tribe status include Rajput Muslims, Sayeds, Hindus of various castes, Sikhs and bilingual Kashmir Muslims of Rajouri and Poonch (Behera 2000: 236). The limitations of Pahari movement is already explained in chapter four, which tries to conclude that, Paharis have not been able to manage themselves within the framework of WUCN proposed by Charles Tilly (2005). That is due to the two major factors: first, the domination of their regional and dialect group identities over their common Pahari

identity. Second, few of the sections of Paharis are already categorized in other beneficiary groups (like; Paharis who are RBA, ALC, OBC). The Resident of Backward Area (RBA) and Actual Line of Control (ALC) are two reserved categories which are predominantly enjoyed by the Paharis of J&K. It can be assumed that, it has a very adverse impact on Pahari movement for Scheduled Tribe status. It is because, the groups who are availing RBA and ALC are already getting benefit from state government, for any further status, it will be difficult for every Pahari section to integrate on the common grounds for ST status. That is why; the participation of Pahari masses of every section is limited in demonstrations and agitations organized for seeking ST status.

### **Findings of the Study**

Finally it could be asserted that, the question of Pahari identity as a category for state affirmative action has produced dynamism among the Pahari people. The inquiry has substantially shown the productive relation between state and its conception, which triggers the identity formation in Pahari community and the rise of social mobilization. The significance of the state categorization is in its power of delivering socio-political identities, and it does not affect whether those identities in the later phase be accepted or not. In other words, Paharis as a socio-political category has a relative reality, that is reality that does not exist in the community itself, but can be recognized in opposition of fellow non-Pahari communities.



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