



The Adivasis of India

Solomi's story

The following testimony was given by Mrs Solomi Shingnaisui of Ukhrul, a Tangkhul Naga, to the representatives of the Naga Peoples Movement for Human Rights, in July 1997. The incident took place in the aftermath of an ambush allegedly carried out by the National Socialist Council of Nagaland on the 20th Assam Rifles (AR).

On 17 July 1997 at around 6 am, my husband ... Ramaso, after having tea, left our house ... to take part in cutting up of a pig, in preparation for the Mangkhap Phanit [a festival observed by the Tangkhul Nagas every July]. That morning, when the shooting took place, I was at home along with my nephews, nieces, sister-in-law and my father-in-law. As soon as the shooting stopped, except for my bedridden father-in-law, the rest of us ran to the nearby school: Savio School. Some of our neighbours were already there along with the school teachers and students. Then many AR personnel came to the school and started beating up the menfolk including the school teachers. The AR also brought some of our local men into the school complex and beat them up brutally with rifle butts and sticks, kicked and boxed them. It was like a nightmare. The beating stopped only when the high-ranking army officers arrived along with the Deputy Commissioner, the Superintendent of Police and Additional Deputy Commissioner of Ukhrul district. The wounded were taken to the hospital by the Additional Deputy Commissioner and all the officers also left the school.

We were too scared to go back to our homes, so we continued to stay in the school complex until 1 pm. When we finally went home, I found our window panes and a big mirror, including a photo frame of my brother-in-law, were broken. Then at around 3 pm, two groups of AR personnel came to our house one after the other ... and enquired in Hindi and Manipuri languages "Where are the undergrounds? You gave them shelter." This went on for some time, then they said they had not eaten anything the whole day. So we gave them tea. After having tea, they left our house saying "nothing will happen".

It was only after 4 pm somebody informed me that my husband had been arrested by the AR along with two other men from our locality. I rushed to one of the victim's house, who was allowed to return home. He told me that he and his friend were released earlier but my husband was taken towards Somsai [the 20th AR headquarter is in Somsai]. I informed our local people.

The whole night we waited for my husband. Next morning we met many influential persons of our town for help. My father-in-law, the late Mr Naokhao who had been ill for some time, was very worried about his son's fate. Next morning, he asked for his son. Then after some time he [Naokhao] died. Probably he died of shock.

I could not mourn my father-in-law's death as I was running from pillar to post the whole of 18 July for my husband's safe return. I even went to the police station, as I was informed that those who were taken to Somsai [would] be brought there. But my husband was not amongst those who were released. Then I went with our village elders to Somsai Army Camp to look for him. The AR personnel told us that he was not there. Next day, on 19 July, many people came out in the streets to demand [...] my husband's release. The civil administration also intervened. It was only then my husband's body was handed over to the police that evening.

Who are the Adivasis?

Some 67.76 million or 8.08 per cent of the population of India have been designated as 'Scheduled Tribes' (STs) – generally referred to as Adivasis. The term 'STs' indicates those communities specified by the President of India under Article 342 of the Constitution of India. 'Geographical isolation, distinctive culture, primitivity [*sic*], shyness and economic backwardness [*sic*]' are some of the criteria considered relevant for scheduling as tribes. Although scheduling is intended to be a legal process, arbitrariness and political expediency are often factors in determining the recognition and non-recognition of Adivasis (indigenous peoples) as STs in the absence of a clear definition. For example, only some sections of a particular group have been scheduled in one state, while being omitted in another. Also some non-indigenous or non-tribal peoples have been included in the category.

The word 'Adivasi' means 'original inhabitants' in Sanskrit, and therefore the term means the indigenous people of India. However, their status is being distorted and denied particularly by the Hindu fundamentalists within India, and the government has also taken the consistent position at the United Nations (UN) Working Group on Indigenous Populations that the STs are not equivalent to indigenous peoples and that 'the entire population of India ... [is] ... indigenous to the country'. This despite the overwhelming academic, legal, literary, popular and official practice or view both within and outside India to the contrary.

However, India contradicts its behaviour at times. For example, Coal India Limited has submitted 'Indigenous Peoples' Development Plans to the World Bank in response to the Bank's directives and in compliance with the Bank's guidelines on indigenous peoples, to secure loans of \$500 million and \$80 million for an India Coal Sector Rehabilitation Project and a Coal India Environmental and Social Mitigation Project.

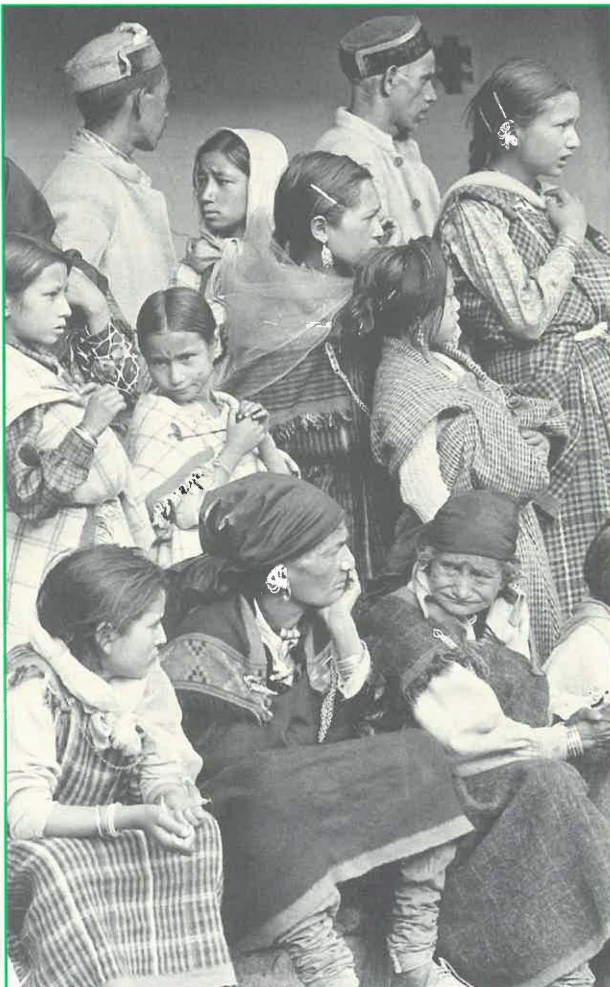
Yet the Indian government persists in viewing the development of the possible higher international standards on indigenous peoples with concern, because these echo the growing political demands of Adivasis internally – which the government is unwilling to concede in practice.

The Adivasis are spread over 26 states and union territories. They are not evenly distributed over the Indian land mass, there are pockets of Adivasis across the country – mainly in the forested, hilly and mountainous areas – populating nearly 20 per cent of the geographical area of the country. Apart from small gaps, the habitat of the Adivasis runs continuously from the Thane district of Maharashtra to the Tengnoupal district of Manipur.

Adivasis and the caste system

Adivasis in India share many of the characteristics of other indigenous peoples of the world. However, a

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Pahain villagers, Kuln Valley, Himachal Pradesh, North India.

vital distinction of the Adivasis of the Indian subcontinent is their opposition to the caste system. The caste system is one of an 'ascending superiority and descending inferiority', and although various peoples have been assimilated into this system, the Adivasis are increasingly identifying themselves as being opposed to this system, to its principles, and to the unequal positions it relegates to them in this hierarchy.

Constitutional and legal safeguards

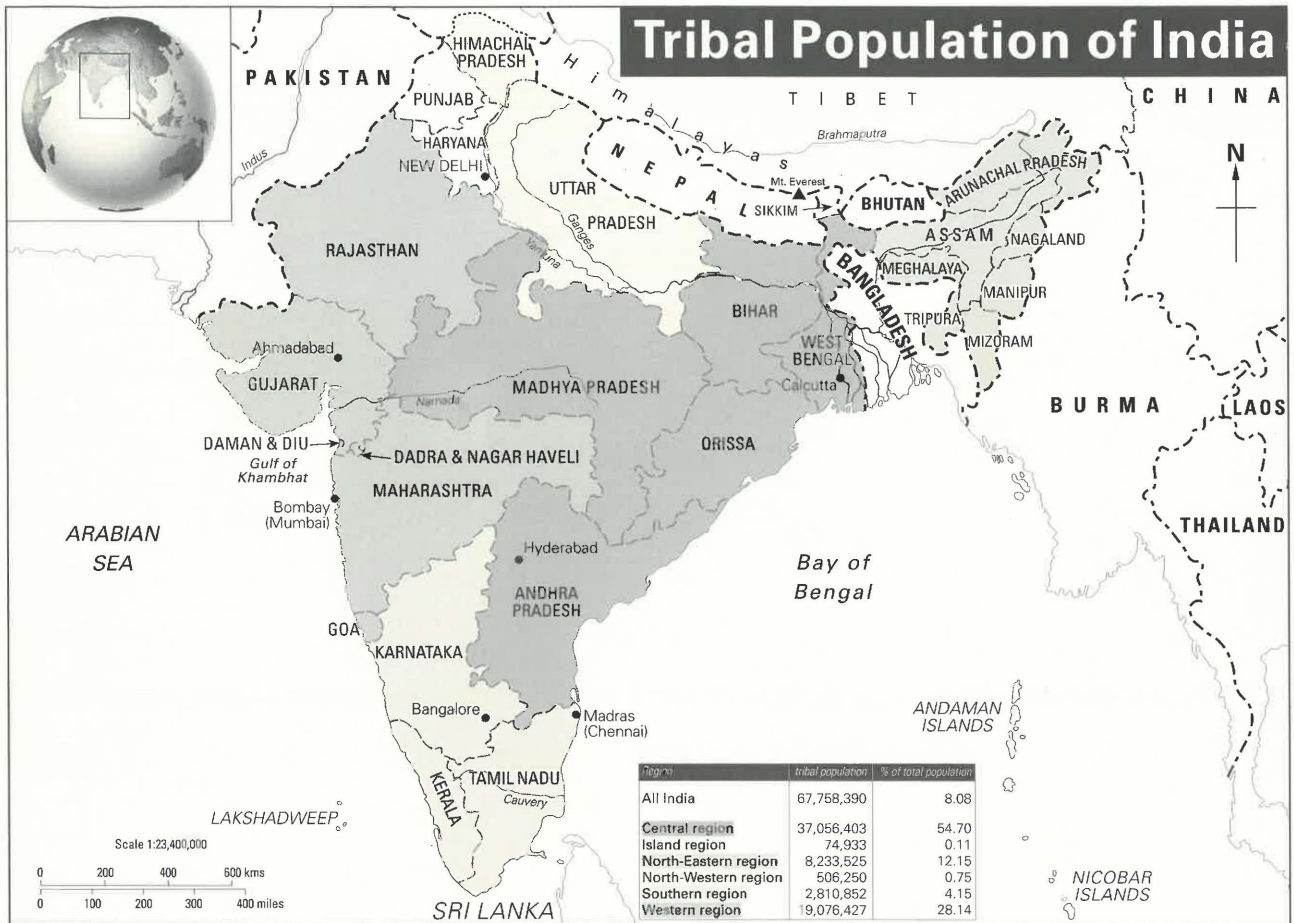
The Indian Constitution and law have laid down certain safeguards for the STs. The Constitution has incorporated most of the contents of the Government of India Act, 1935. This allows for the classification of Adivasi areas into 'partially excluded areas' and 'excluded areas' by creating the 'Fifth' and 'Sixth Schedules' of the Constitution. The Fifth Schedule applies to much of the Adivasi areas in mainland India and the Sixth Schedule to the North-East region of India. Both of these schedules were envisaged to protect the socio-cultural identity of the Adivasis, and to provide them with some measure of autonomy in their administrative affairs. But these schedules are subordinate to the powers of the various state governments, many of which have undermined the proposed safeguards. A centralized and incongruent institutional structure has largely contributed to the situation of the Adivasis going from bad to worse.

Various nationalist movements are struggling for the right to self-determination in the North-East region, despite some parts of this region ostensibly enjoying the constitutional provisions of the Sixth Schedule.

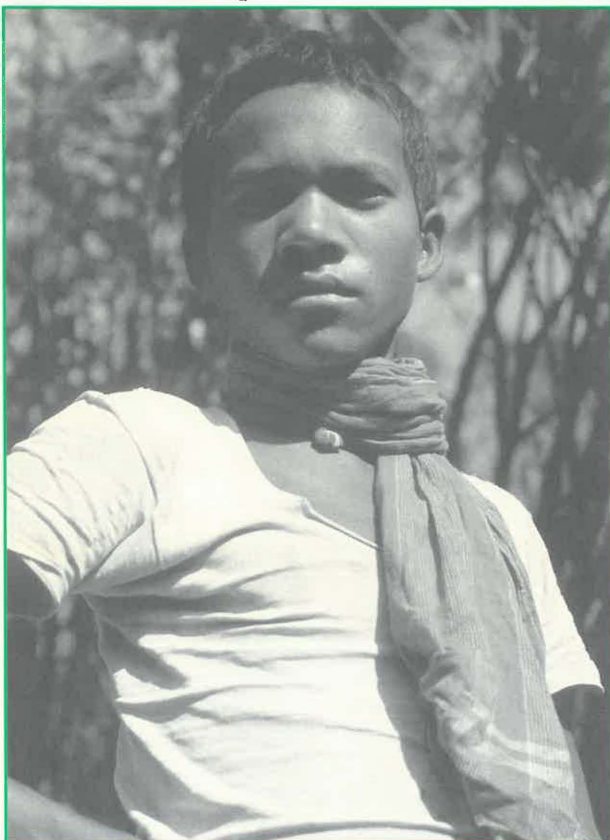
Parliament enacted the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, which has become law. This suggests that the original and broad provisions of autonomy that were conferred on Adivasi areas were inadequate; Adivasis are demanding change.

The Indian Constitution also provided for positive discrimination or affirmative measures in employment and higher education, and even for political reservations for seats in Parliament and state assemblies. These benefits are available if a community is included in the 'Scheduled' category.

While this system of reservation was intended as a positive measure, it is increasingly seen as merely fulfilling certain constitutional formalities, rather than serving the interests of the STs and Scheduled Castes (SCs) – which are provided with similar reservations. In most of the educational institutions, departments and offices, where reservation rules are supposed to have been followed meticulously, the representation of SCs and STs is poor. When it comes to political reservations, the Adivasi Members of Parliament (MPs) and Members of Legislative Assembly (MLAs), are constrained by party ideologies because almost all of them belong to the larger national and mainstream parties. Those belonging to regional parties which are more conversant with Adivasi interests, or those who have more independence, are very much a minority. These positive discrimination measures – whether on political reservations, education or jobs – have not worked to benefit those who are really in need of such measures.



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Munda boy from Mahaubathan, Bihar.

This is because the whole system is largely following a development, economic and social agenda that is not only inimical to the Adivasi ethos but also detrimental to the survival of the Adivasis.

Adivasis and their territories

The opening up of Adivasi areas during British colonial rule has intensified in a planned manner since India's independence. The Adivasis' territories and homelands have been divided by state boundaries and international borders. State governments have consciously followed a policy of 'development' to make their respective areas conducive for outsiders to enter and settle, either to extract resources or to produce goods for the predominantly urban market. Because Adivasi territories have huge forests, minerals and other profitable resources, various forms of legislation, such as the Coal Bearing Act, 1957, have been introduced in order to acquire land. Furthermore, the Land Acquisition Act, 1894, an instrument of British colonialism, is still being used to legally take over Adivasi lands in the name of 'national development' and 'national interest'. Adivasi homelands have become the cradle of heavy industries, which have in turn displaced hundreds of thousands of Adivasis. Others have been relegated to unorganized and unskilled sectors of wage labour.

The Indian Forest Act, 1927, which became the main legal instrument for depriving the Adivasis of

their forest rights, still continues to be the basic Indian law on forests. In the name of environmental protection, the Wild Life Protection Act, 1972, was also promulgated. This Act severely restricts the rights of Adivasis in the wildlife sanctuaries and extinguishes all rights in the case of national parks. Growing efforts to carry out ecodevelopment projects, and promote eco-tourism, with the financial backing of multinational agencies like the World Bank, have heightened the crisis, with Adivasis having to further restrict or abandon their survival activities in the forests.

Adivasi peoples' struggle for autonomy, for control over their territories and for the restoration of their traditional rights continues. The reaction of central and state government to the Adivasis' struggles has been brutal. Whether the Adivasis organize along trade union lines and form associations which are constitutional and aim to enforce their rights, or whether they demand autonomy, the state has treated these struggles as being a 'law and order' problem. The state has resorted to extreme measures, killing countless numbers of Adivasis. It has placed areas under special measures and sent in battalions of paramilitary forces and police who have let loose reigns of terror to keep the people under state control.



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Khara women dancing, Madhya Pradesh, Central India.

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