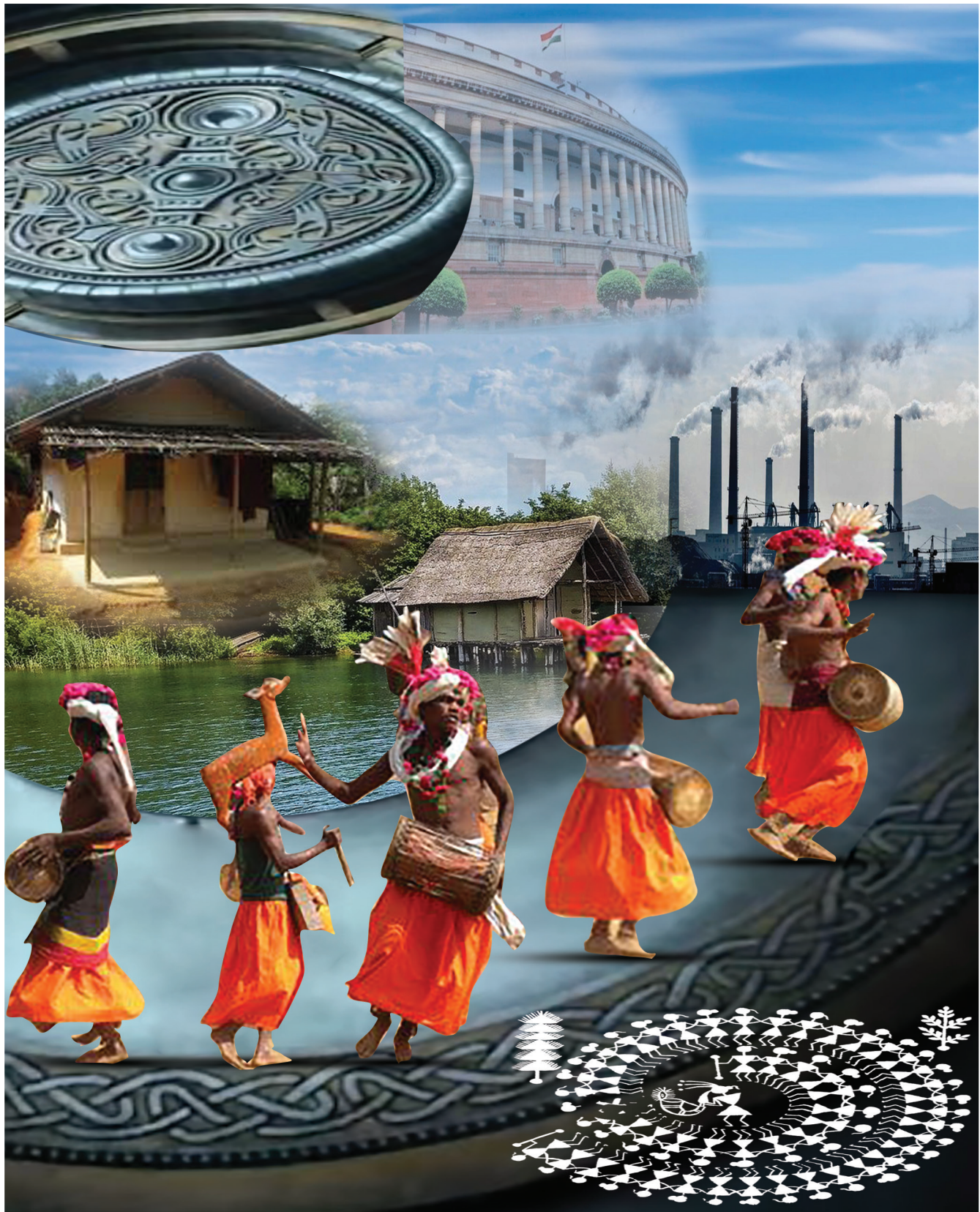


BANE - 143 TRIBAL CULTURES OF INDIA





TRIBAL CULTURES OF INDIA

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Indira Gandhi National Open University
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COURSE INTRODUCTION

India is the second largest in the world next to African countries with 705 tribal groups which contributed 8.6 per cent of the total population of India as per the 2011 Census (Registrar General). According to recent estimate Indian tribes speak about 105 languages and 225 dialects. Tribal communities are dispersed in most parts of India, except in the states of Haryana, Jammu and Kashmir, and Punjab, and the Union territories of Chandigarh, Delhi and Pondicherry. Numerically, the three largest tribes are the *Gonds*, *Bhils* and *Santals*, with population ranging from 3 to 5 million each. Other large tribes are the *Oraons*, *Meenas*, *Mundas*, *Khonds*, *Bodos*, *Kolis* and *Hos*. At the other end of the spectrum are tribes like the Great Andamanese, which comprise less than 50 individuals. Tribes occupy around 15 per cent of the total geographical area and are mostly located in the hills, forests and other relatively inaccessible places. Many tribal areas are very rich in natural resources like flora, minerals deposits and natural water bodies. The tribes of India show wide diversity in terms of their cultural practices, social organizations, occupations, levels of literacy, languages, physical characteristics, degree of acquired traits, demographic characteristics and levels of economic development. They live by hunting and gathering, agriculture both settled and shifting cultivation, fishing, collecting roots, tubers, fruits, nuts and flowers from forest. Leaves and fibers are used for making ropes while bamboo is used for baskets and for huts. Honey, wax and minor forest produce are collected.

Anthropologists have spent their professional lives working with tribal people by writing about culture, which is considered the public domain of anthropological study. The aim of this course is to provide a complete understanding of tribal of the different parts of India. The course present the tribal people in terms of their conceptualization, distribution and, demographic feature, social and cultural change with the help of illustration from tribal society in India. Further, the course also provides a comprehensive understanding on tribal monographs, tribal movements, tribal social organization, social change due to tribe-caste continuum, tribes and forest policy. Apart from this the course discusses the contemporary issues of tribal problems and development strategies, and Constitutional Provision and Safeguards of tribals.

Learning Outcomes

- 1) The students able to define and discuss various concepts of tribes in India and their distribution and culture.
- 2) Students explain social and cultural change among the tribes in India.
- 3) Students identify tribal problems and evaluate development programme and Constitutional safeguards of tribes.
- 4) Explain the unrest in the tribal areas and study contemporary issues for the tribal development.
- 5) In practical component student will submit a report for evaluation based on distribution of various categories of tribes in India, tribal problems, socio-cultural change among tribes, tribal development, constitutional safeguards etc. For the submission of report instructions will be provided in the practical manual.

Manual will be provided for the practical that would focus on: Distribution of Indian Tribes, Particularly Vulnerable Tribal Groups, Location of different tribes on the map of India, How to write an annotated bibliography on any one tribe. Questions would be based from the practical manual for the Assignment and Term End Examinations.

Course Presentation

The course has been divided into four blocks. Each block has been thematically arranged by fourteen units. Now let us discuss about each block in detail.

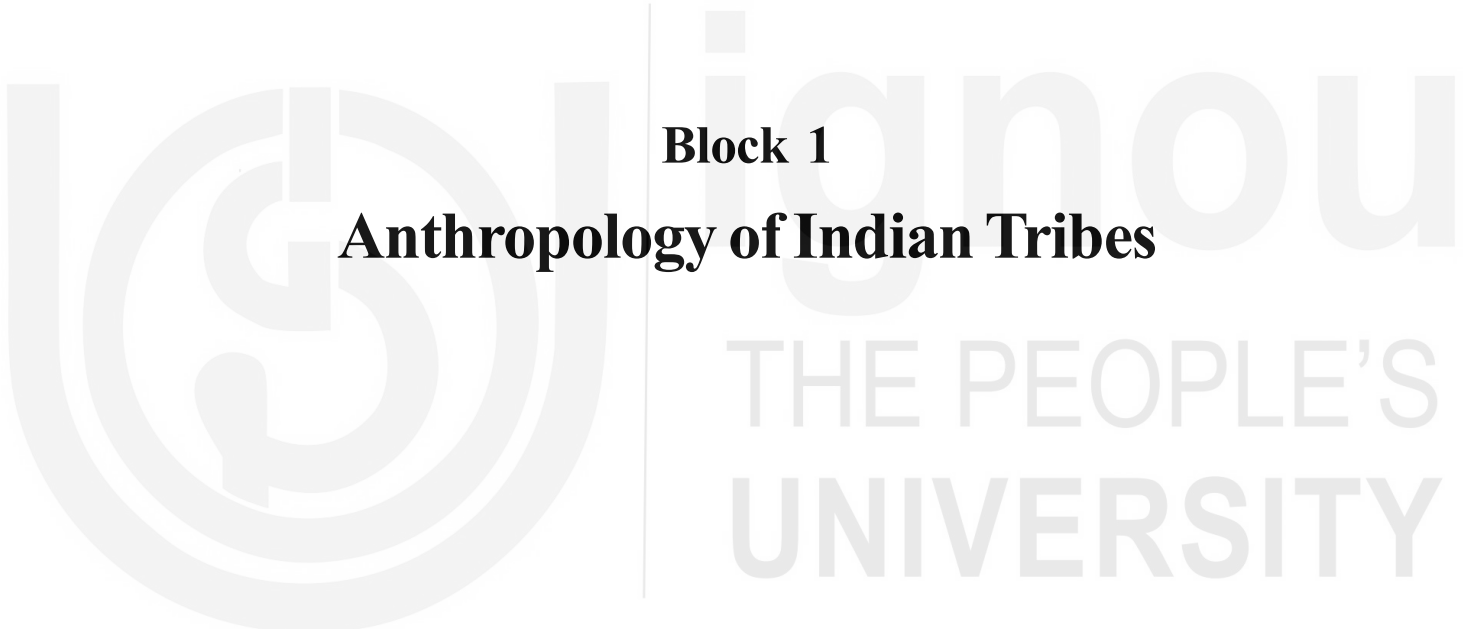
Block 1: The first block “**Anthropology of Indian Tribes**” will acquaint the learners with the basic understanding of the definition, concept, classifications and distribution of tribal Population on the basis of racial, linguistic, cultural, geographical, and economic features. Explain the debate on the use of the terms tribe and indigenous people. The block also discuss about tribal organization and Anthropology as a discipline emerged with the study of tribes, on the basis of racial, linguistic, cultural, geographical, and economic features.

Block 2: The second block “**Social and Cultural Changes among the Tribes**” deals with the study of ‘tribes in transition’ tribal communities in India are not static; they are always in the process of adoption and change. The block presents there is another dimension to understand the tribal interaction with nontribal community (caste-based societies). Further the block discuss about globalization among the tribes. In the present age of globalization tribes who are the custodians of Indian culture in the real sense, are far behind in this race of advancement.

Block 3: In the block three “**Contemporary Challenges**” the learner would be introduced the tribes in contemporary India have undergone many changes. The block described regarding tribal movements, forest policies and their rights. The block also discuss in relation to the main problem of the contemporary tribal communities is their exposure to development interventions. This has led to different problems which the tribals are victims of development projects.

Block 4: The block fourth **Problems, Development Programme and Constitutional Safeguards** cover tribal problems, problems of tribal women and examines tribal development strategies, Constitutional Provision and Safeguards for the Scheduled Tribes.

Hope the course material act as a guide for you to achieve your goals. All the Best.

The background of the page features a large, light gray watermark of the Open University logo. It consists of a stylized 'U' on the left and the text 'Open University' on the right, with 'THE PEOPLE'S UNIVERSITY' written in a smaller font below it.

Block 1

Anthropology of Indian Tribes

UNIT 1 CONCEPT OF TRIBE IN INDIA *

Structure

- 1.0 Introduction
- 1.1 Meaning and Characteristics of Tribe
- 1.2 Anthropological Definitions
- 1.3 Sociological Definitions of Tribe
- 1.4 De-notified, Nomadic and Semi Nomadic
- 1.5 Particularly Vulnerable Tribal Groups
- 1.6 Summary
- 1.7 References
- 1.8 Answers to Check Your Progress

LEARNING OBJECTIVES

After going through this unit, you will be able to:

- get the basic understanding of “Tribe”; and
- know about the different types of tribal groups, their meaning, geography, and occupations.

1.0 INTRODUCTION

The report of the high level committee on socio-economic, health and educational status of tribal communities of India describes the tribal population in India represents an enormous diversity of ethnic groups. They vary among themselves in respect of physical features, language and linguistic traits, cultural variations, ecological settings in which they live, size of the population, the extent of acculturation, dominant modes of making a livelihood, level of development and social stratification. They are also spread over the length and breadth of the country though their geographical distribution is far from uniform. A majority of the Scheduled Tribe population is concentrated in the eastern, central and western belt covering the nine States of Odisha, Madhya Pradesh, Chhattisgarh, Jharkhand, Maharashtra, Gujarat, Rajasthan, Andhra Pradesh and West Bengal. About 12 per cent inhabit the Northeastern region, about five per cent in the Southern region and about three per cent in the Northern States. In this context, this unit provides a broad understanding of the concept of tribe in India.

1.1 MEANING AND CHARACTERISTICS OF TRIBE

The community with distinct culture, which is continuing since the evolutionary phases, are assumed to be “Adivasi” or tribe in India. These communities vary across the cultural platform with diverse features and also these diversities say a lot on their pattern

***Contributor:** Dr. Meera Swain, Faculty in Anthropology, Central University of Orissa, Landiguda, Koraput, Odisha

of adaptation to the varieties of climatic conditions and geography. The characteristic features of a tribe are:

- a) Particular geography
- b) Specific cultural practices
- c) Language/dialect
- d) Egalitarian in nature
- e) No hierarchy
- f) Endogamous group
- g) Lack of occupational specialisation
- h) Traditional technology in economic pursuits
- i) Social networking based on kinship

These are some of the accepted features of a tribe in general in India. But if we analyse the individual tribe, we may not find all these, for example, the Saoras of south Odisha have the hierarchy like Gomango, Mandal, Bhunya, and Raita. Again these are based on the occupation of the group, which is a caste like structure. Among the Paraja of Koraput and Nabarangpur district, the divisions found like Bada Paraja and Sana Paraja. The social hierarchy exists to the extent of social status including purity and pollution which is also a caste like structure, but found among Saora.

We can better understand the tribe from the following as it is discussed by different scholars. S.C. Dube (1990) has listed the following characteristics of the tribal groups in India:

- a) Tribals are not the original inhabitants but the oldest inhabitants of the land. Being the earlier settlers of the soil, tribals are considered as the indigenous population.
- b) In India, tribal populations are continuing since centuries along with the non-tribals.
- c) Most probably these populations were forced to live in remote areas or in isolation though originally it is not always that they were the forest dwellers.
- d) Mythology says about their history which is not beyond three/four generations. Oral history is the significant source to reconstruct the history of the preliterate communities.
- e) The traditional techno-economic features are of subsistence level.
- f) Except some tribes having leaders as rulers or land owners (Gonds, Ahoms, Cheros), most of the communities are non-hierarchic and undifferentiated.
- g) The cultural attributes are distinct to the community, such as language, beliefs, worldviews, customs, and the like.

T.B. Naik has discussed some of the features to declare the community as a 'Tribe' such as common dialect, customary laws, geographical isolation, community panchayats, and traditional technology for economic pursuits.

Coming to the specific features of the tribe, we can get the matrilineal and patrilineal communities where inheritance and other descent rules are traced through mother's line or father's line respectively. Considering linguistic families, more than one tribe can be considered under the respective classifications. On the basis of social organisations, physical characteristics, occupations/economy, again tribes can be defined within Indian context.

The concept of tribe is in use for the official clarifications and the necessary strategies for the welfare/administration of the concerned communities. But the community doesn't say anything about the term "Tribe". Only the members can specify the mythology, customary laws, and dialect they speak, among other distinctions they have from other tribal and non-tribal communities.

In India the academics related to tribal studies has been nourished by Anthropology, through continuous addition by empirical studies. Both foreign and Indian scholars contributed to tribal studies and tried to clarify the concept of "Tribe".

The distribution of tribal population is more in eastern, central, and western parts of the country. The following is the available data for the state and the union territories of India. Starting with Madhya Pradesh with 14.69% of tribal population, the highest of all, followed by Maharashtra with 10.08%, Odisha with 9.02%, Rajasthan with 8.86%, Gujarat with 8.55%, Jharkhand with 8.29%, Chhattisgarh with 7.5%, Andhra Pradesh with 5.7% and the like. Mizoram is the state with highest tribal population of 94.5% and Lakshadweep is the union territory with the highest tribal population of 94.8%. The north-eastern states constitute about 12% of the tribal population followed by the southern region with 5% and Northern region with 3% of their population. Odisha is having sixty two tribes (Census 2011).

Check Your Progress

- 1) What is the meaning of the term "Tribe"?

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Tribe and Indigenous People in India

Very often confusions arise between the term "tribe" and indigenous people and are taken as synonymous towards their existence, importance and characteristic features. In Anthropology various processes of socio-cultural evolution and changes are discussed including the factors and sequences of them. One of the important schools of socio-cultural theories "Diffusion" also talks about culture centres/districts/areas from where culture travels to other places of human communities through migrants. Thus being assumed as the original inhabitants, we cannot rule out the tribe as the owner of the early human culture, from the rudimentary stage till date.

In India, history has many phases of changes, which had their impact on the land and its people, particularly the pre-colonial and post-colonial phases. Thus the indigenosity of the communities was always subject to impact, and changes happened.

The communities of Santhal, Mundas, Saoras, Gaddi, Jaunsar Bawar and many of these, have migrated to other places for various reasons. The Saoras tribes are the workers of tea garden in North- East states and some of them, as the family history says even married in those areas and are continuing there. Religious conversion is also a factor for changes in cultural practices. The specific articles for scheduled tribes in our Indian Constitution provided them the distinctions by listing them in a category.

However the age old socio-cultural platform has given the instances of caste-tribe continuum on the Indian soil. “Ädivasis” the residents from earlier time, is the usual connotation for the colonial term of “Tribe”. However, the anthropological and sociological researches have contributed towards the clarification of the term “tribe”, which served both the administrative and academic purposes.

1.2 ANTHROPOLOGICAL DEFINITIONS

In the beginning we have discussed the meaning of tribe and how it is contextualised and considered for various purposes. The Latin word *tribus* is the word from which it is derived. Common ancestors, descent, common dialect, are some of the important attributes to understand the group/community as a “Tribe”. Anthropology is the discipline which focused its coverage on these communities but the term tribe is not in use in academics for other countries and continents. In Australia and Africa, these communities are mentioned as aborigines, and in America, they are referred to as Indians. But in India, “tribe” is in use since the colonial rule. Some of the popular definitions of tribe in Anthropology are:

- W.H.R. Rivers defined “tribe as a social group of simple kind, the members of which speak a common dialect, have a single government and act together for such common purposes as warfare” (Chaudhury, 1977).
- D.N. Majumdar defined “tribe as, a social group with territorial affiliation, endogamous, with no specialisation of functions, ruled by tribal officers, hereditary or otherwise, united in language or dialect, recognising social distance with other tribe or castes, without any social obloquy attaching to them, as it does in the caste structure, following tribal traditions, beliefs and customs, illiberal of naturalisation of ideas from alien sources, above all conscious of a homogeneity of ethnic and territorial integration”(The Eastern Anthropologists, September-November, 1958).
- B.K. Roy Burmen (1994): “a tribe should be understood in terms of a stage in the techno-economic cultural evolution and relationship of man and nature”
- Lucy Mair: “A Tribe is an independent political division of a population with a common culture”.
- Ralph Linton: “In its simplest form the tribe is a group of bands occupying a contiguous territory or territories and having a feeling of unity deriving from numerous similarities in culture, frequent contacts, and a certain community of interest.”
- Mitchell (1979: 232): “Tribe is generally used for socially cohesive unit, associated with the members of which regard themselves as politically autonomous.”

Thus “Tribe” is defined by anthropologists across the countries. Though attempts were made to clarify but confusions are still prevailing over the appropriateness of the meaning of the term. The ethnographic data through anthropological research are the best source to update and give a polished definition of “Tribe”. It depends on the researcher to look into the meaning contextualising the community under study. In India, the tribe-caste continuum is the significant aspect to be considered while defining tribe as both the tribal and non-tribal communities are living together with cultural exchange, inclusive dealings, and socio-cultural networking.

1.3 SOCIOLOGICAL DEFINITIONS OF TRIBE

The sociological definition of tribe says about the contemporary issues of the tribe along with other aspects, though anthropology does it as well. The definitions in sociology are not community specific but with regard to the larger platforms of human communities and the corresponding issues and concerns.

- Oxford Dictionary of Sociology defined tribe as “a social group bound together by kin and duty associated with a particular territory. Members of the tribe share the social cohesion and are associated with the family together with the sense of political autonomy of the nation”.
- According to Imperial Gazetteer of India “A Tribe is a collection of families bearing a common name, speaking a common dialect, occupying or professing to occupy a common territory and is not usually endogamous though originally it might have been so”.
- According to Oxford Advanced Learner’s Dictionary, “Tribe is a group of people of the same race, and with the same custom, language, religion, etc. living in a particular area and often led by a chief”.

On the basis of the findings of the people of India project, K.S. Singh (1997) writes about the incidences of migration among tribal population and the oral traditions are the record of these accounts. This resulted in intercommunity interactions. Both S.C. Dube and Andre Betelle wrote on the historical evidences of cultural enrichment through constant and continuous exchange of cultural practices. The confusions regarding indigenous, Adivasi, and the like are also taken for academic research for confirmation and clarity. The outlines of Sociology by Ludwig and Irving Louis also tried to clarify the racial elements to appropriate the group as tribe or aborigines.

Check Your Progress

- 2) Mention the characteristics of a tribe.

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1.4 DE-NOTIFIED, NOMADIC AND SEMI-NOMADIC TRIBES

Some of the tribal communities in India were listed as ex-criminal tribes under British government's Criminal Tribes Act (1871). Earlier these were known as criminal tribes but de-notified later. The tribes like Lodhas, Koravas, Yerkula, Yandi, Sugali, Mina, Bhedkut, Lambadi are some of them. But identifying these groups or a small group within the entire group is still a task for researchers and administrators.

The National Commission for the De-notified, Nomadic and Semi-Nomadic Tribes (2008), also known as Balakrishna Renke Commission has estimated about 100 communities, constituting around 10 per cent of our country's population belonging to de-notified, nomadic, and semi-nomadic population. With a beginning of 1871 Act revised again in 1911, the entire effort was on the basis of a theory that certain populations are criminal by birth, occupation, or caste, which started revolting against the colonial rulers in India. The district collectors are given the power to notify these communities from time to time. Finally on the recommendations of Aiyanger Committee these communities were declared as De-notified tribes (Siva Prasad R, 2015). However, these communities are with varieties of cultural practise and occupational incentives around their ecosystems. According to P.K. Bhowmik, de-notified tribes can be classified into:

- a) Nomadic groups who have taken to criminal life;
- b) Fighting men and soldiers who have lost their jobs and have turned into criminals;
- c) Communities who used to work as village watchman and police, but have taken to criminal life;
- d) Wild tribe in distress who took to criminal living as a way out of the plight they had fallen in.

These communities practice variety of occupations and are remarkably diverse within the group. The significant occupations are hunting-gathering, pastoralism, metal workers, basket makers, wrestlers, snake charmers, monkey trainers, astrologers, bards, artisans and herbalists (Millind Bokil, 2002). According to Renke Commission, there are 1500 nomadic and semi-nomadic communities in India along with 150-198 de-notified communities.

The kind of stigma the members of this group were suffering could be lessened due to the suggestions by the Backward Classes' Commission appointed by Government of India. The significant suggestions were:

- a) Criminal tribes to be called as De-notified Tribes (*Vimukta Jatis*).
- b) On the basis of distinct social features, these tribes should be included in Scheduled Tribes, Scheduled Castes and Backward classes.
- c) Resettlement in batches and gradual integration in the larger society.
- d) Educational status to be proper to help their integration in the Indian Nation.

- e) Reform activities to help the community.
- f) Collective criminal activities and individual criminal activities should be distinguished to deal with.
- g) Proper education and employment of the children to be ensured.
- h) Economic rehabilitation should be taken care of.

Thus the Acts and the subsequent commission recommendations helped the De-notified communities to elevate their status in the social sphere. It also helped them to get necessary reforms and rehabilitations to enable them for national integration and socio-economic incentives through educational facilities and employment avenues. Several examples are there about the successful mainstreaming of these groups.

Nomadic groups are the communities who have no permanent habitation. They move from place to place for their livelihood as herders, hunters, pastorals, and other specialised occupations as smiths or snake charmers. There are no clear distinctions between the de-notified and nomadic tribes' culture and occupation. Very often these are not different but similar groups.

The Raika-Rabari is closer to the pastoral caste known as Bharwad in Gujarat. Similarly, some other nomadic communities like Gadia Lohar, Banjara have a mix of the local characteristics as well as the unique features of their own community which are common across their hamlets in other parts of the country (*Religion of the Raika*- Vinay Kumar Srivastava). We can refer to the discussion as part of the report of national commission to know more about their culture. According to National Commission for De-notified, Nomadic and Semi-nomadic Tribes:

“The nomads are known for their cultural richness, special cultural identity and diversity but Globalisation and modernisation have greatly influenced them socially, culturally as well as economically. In spite of this, these communities are trying to preserve their cultural integrity by organising festivals in order to remember and keep alive their history and traditions. The social and cultural characteristics of nomadic communities are closely related with their economic activities. Most of the communities follow a traditional system of moving in groups of five to twenty with a senior member who is responsible for settling disputes, leading each group. Each of these sub groups travelled independently on different routes in order to earn their livelihood. In some communities there is a system of meeting on annual customary camping, where reunions, marriages and even cattle trading take place. The nomadic way of life revolves around socio-economic necessity, ranging from making tools and utensils, supplying basic goods (salt, wool), providing medicines, and herbs, to entertaining people. The available accounts indicate that these nomadic communities were an integral part of the society and its economic processes around the middle of the 19th century. With their skills and ability to travel for long distances with their kin, they provided essential goods and services to sedentary agrarian communities. The sedentary and nomadic way of life coexisted together in the society since ancient times. The nomadic way of life was not unacceptable in society and even the sedentary part of society practiced nomadism on certain occasions. One point of view is also that nomadism emerged in response to change in climatic factors such as

drought and flood. During the colonial period, the sedentary lifestyle become more acceptable and the nomadic communities started facing dishonour and the stigma, continues till date” (December, 2017, pp. 25-26).

1.5 PARTICULARLY VULNERABLE TRIBAL GROUPS (PVTGS)

These tribal communities are facing certain problems and are in trouble. The entire population is suffering and are at the verge of extinction. Earlier known as the primitive tribal groups, these groups are characterised as Particularly Vulnerable Tribal Groups (PVTGs). On the basis of vulnerability, the criteria of identifying these groups stated by Ministry of Home Affairs in 1979, the important features are:

- a) Pre-agricultural level of technology and economy
- b) Declining population
- c) Low rate of literacy
- d) Subsistence level of economy

Among more than 705 tribal groups, there are 75 of 18 states and union territory of Andaman and Nicobar Islands. According to a statistical profile of Scheduled Tribes in India, published by the Ministry of Tribal Affairs, the PVTG population was 27.68 lakhs of seventy one (71) communities. About nineteen communities have less than 1,000 populations, of which Sentinelese (15) and Great Andamanese (44) are having the least number. Most of the PVTGs live in Madhya Pradesh, Chhattisgarh, Odisha, Andhra Pradesh and Tamil Nadu. However the Maria Gond of Maharashtra and Saora of Odisha are having comparatively larger population among all PVTGs. Taking into account of their livelihood and ecological systems, these groups are comparatively isolated with their distinct culture. Hunting, food gathering, fishing, pastoralism, shifting cultivation are in practice for the subsistence.

Some communities which are grouped under Scheduled Tribe in one state in India but are not so in other States. Because of the constitutional attributes, the same tribe are grouped under backward classes. “In view of the vulnerability and special needs of PVTGs, separate schemes for economic uplift and imparting education have been envisaged for them (Venkata Rao, 2015). Also the committee report submitted by Virginius Xaxa and referred to by V.K. Srivastava, states that one of the important issue is concerned with identifying the criteria that could be used for defining tribal communities (Srivastava, 2015).

The PVTGs are 13 in Odisha, 12 in Andhra Pradesh, 9 in Bihar and Jharkhand, 7 in Madhya Pradesh and Chhattisgarh, 6 in Tamil Nadu, 5 in Kerala, 5 in Gujarat, 3 in West Bengal, 3 in Maharashtra, 2 in Karnataka, 2 in Uttarakhand. Rajasthan, Manipur and Tripura have one PVTG each. The following table will give an idea of the state wise and union territory wise tribal communities declared as PVTGs.

Source: <https://tribal.nic.in/downloads/PVTG/State-wise%20List%20of%20PVTGs.pdf>

State-wise list of Particularly Vulnerable Tribal Groups (PVTGs)					
Name of States/Union Territory	S.No	Name of the Particularly Vulnerable Tribal Group	Name of States/Union Territory	S.No	Name of the Particularly Vulnerable Tribal Group
Andhra Pradesh (including Telangana)	1	Chenchu	Maharashtra	41	Katkaria /kathodi
	2	Bodo Gadaba		42	Kolam
	3	Gutob Gadaba		43	Maria Gond
	4	Dongaria Khond	Manipur	44	Maram Naga
	5	Kutia Kondha	Orissa	45	Chukutia Bhunjia
	6	Kolam		46	Birhore
	7	Konda Reddi		47	Bondo
	8	Kondasavara		48	Didayi
	9	Bondo Porja		49	Dongaria Khond
	10	Khond Porja		50	Juang
	11	Parengi Porja		51	Kharia
	12	Tothi		52	Kutia Kondha
Bihar (including Jharkhand)	13	Asur		53	Lanjia Saura
	14	Birhor		54	Lodha
	15	Birjia		55	Mankirdia
	16	Hill Kharia		56	Paudi Bhuiya
	17	Korwa		57	Saura
	18	Mal Paharia	Rajasthan	58	Saharia
	19	Parhaiya	Tamil Nadu	59	Irular
	20	Sauria Paharia		60	Kattunayakan
	21	Savara		61	Kota
Gujarat	22	Kolgha		62	Korumba
	23	Kathodi		63	Paniyan
	24	Kotwalia		64	Toda
	25	Padhar	Tripura	65	Raing
	26	Siddi	Uttar Pradesh (including Uttrakhand)	66	Buksa
Karnataka	27	Jenu Kuruba		67	Raji
Kerala	28	Koraga	West Bengal	68	Birhor
	29	Cholanaikayan		69	Lodha
	30	Kadar		70	Totos
	31	Kattunayakan	Andaman & Nicobar Island	71	Great Andamanies
	32	Koraga		72	Jarawa
	33	Kurumbas		73	Onge
Madhya Pradesh (including Chhattisgarh)	34	Abujh Maria		74	Sentinelese
	35	Baiga		75	Shom Pen
	36	Bharia			
	37	Birhor			
	38	Hill Korba			
	39	Kamar			
	40	Sahariya			

A total number of 75 communities having a population of 27.68 lakhs have been declared as the particularly vulnerable tribal groups. Various schemes for restoring the population and their culture are continuously in process by the Indian Government. Academicians are also preparing documents in the form of reports, ethnographic records, and journal papers, to assess their situations from time to time.

1.6 SUMMARY

Tribe as a word or term is conceptualised by different scholars world over. In India, these groups are better understood as Adivasi (original settlers) and scheduled tribe (anusuchit janajati). In academics it is popular as “Tribe”. The total population of tribe in India is about 8.6% (10,42,81,034) of the total population.

The tribes with comparatively larger population are Bhils, Gonds, Santhals, and Meenas. The geographical distribution is not uniform and very often spreads to more than three states.

The De-notified, Nomadic and Semi-nomadic groups are classified through Reke Commission and National Commission for Denotified, Nomadic and Semi-nomadic Tribes. Since ages, tribals are in continuous contact with non-tribals. In India, as we have discussed earlier in this unit, tribe-caste continuum is one of the significant feature of its culture. Therefore academicians are still working to bring clarity to the term “Tribe” which has developmental and socio-cultural perspectives. The members of these groups are the carrier of indigenous knowledge which is also the storehouse of the stages of evolutions and experiences towards growth of human culture.

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1.8 ANSWERS TO CHECK YOUR PROGRESS

- 1) Refer to Section 1.1
- 2) Refer to Sections 1.1 and 1.2



UNIT 2 IDEA OF INDIGENOUS COMMUNITIES*

Structure

- 2.0 Introduction
- 2.1 Meaning and Definition of Indigenous Peoples
 - 2.1.1 Meaning of the Term “Indigenous”
 - 2.1.2 Defining Indigenous Peoples
- 2.2 International Organisations and the Concept of Indigenous Peoples
- 2.3 History of Indigenous Peoples’ Rights and International Law
- 2.4 Summary
- 2.5 References
- 2.6 Answers to Check Your Progress

LEARNING OBJECTIVES

After going through this unit, you will be able to:

- identify who are indigenous peoples;
- understand the meaning and definition of “indigenous people”;
- comprehend the concept of indigenous peoples in the context of rights;
- be familiar with the emerging international policies and laws for the protection of indigenous peoples; and
- learn about the rights of indigenous peoples under international law.

2.0 INTRODUCTION

Since anthropology emerged as a scientific discipline in the nineteenth century, indigenous and tribal people have been its major focus. Many anthropologists have spent their professional lives working with indigenous and tribal people whose traditions, language or ways of life differ from those of people from politically dominant ethnic groups.

According to the United Nations Permanent Forum on Indigenous Issues there are more than 370 million indigenous people spread across 90 different countries worldwide. Most of the indigenous people live in remote areas of the world. Out of 370 million indigenous people, about 70% live in Asia. They occupy only 20% of the world’s land but consist of and nurture about 80% of the world’s cultural and biological diversity. In the world, there are over 5,000 ethnic cultures of indigenous peoples ranging from the forest people of the Amazon to the tribal people of India, from the Inuit of the Arctic to the Aborigines of Australia. Indigenous people are characterised by the distinctiveness of their unique traditions. They have their own social, cultural, economic and political

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institutions that are distinct from those of the dominant and larger societies in which they live.

Some examples of indigenous peoples are:

- the Lakota in the USA,
- the Mayas in Guatemala,
- the Aymaras in Bolivia,
- the Inuit and Aleutians of the circumpolar region,
- the Saami of northern Europe,
- the Aborigines and Torres Strait Islanders of Australia and
- the Maori of New Zealand.

Some of the indigenous peoples in Asia are:

- hill tribes of Thailand,
- scheduled Tribes of India,
- numerically small people of the North Siberia,
- national minorities of China,
- cultural minorities of Philippines,
- isolated and alien people of Indonesia,
- aboriginal tribes of Taiwan,
- aborigines of Malaysia, and
- natives of Borneo.

According to Colchester (1995), most of these groups now claim to be 'indigenous', for the term is less prejudicial than the aforementioned labels and it links them all in a common struggle.

These and most other indigenous peoples have retained their distinct characteristics which are different from those of other segments of the national populations. Spread across the world, they are the descendants - according to a common definition - of those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived. The new arrivals later became dominant through conquest, occupation, settlement or other means.

Indigenous peoples often have much in common with other neglected segments of societies. Like them, they

- lack political representation and participation,
- are economically marginalised and poor,
- lack access to social services and
- face discrimination.

Despite their cultural differences, diverse indigenous people share similar problems related to the protection of their rights. They strive for recognition of their identities, their ways of life and their right to traditional lands, territories and natural resources. Contrary to other ethnic minorities, that struggle to protect their rights on individual level, indigenous people have always stressed the need to recognise their collective rights.

Despite some positive developments, the rights of indigenous peoples as a whole have traditionally been ignored. As a global reality, efforts of indigenous peoples to have their rights recognised or further developed are relevant in both developing and developed countries. Indigenous peoples suffered from historic injustices due to colonisation and dispossession of their lands, territories and resources, preventing them from exercising their right to development that meets their own needs and interests. In general, indigenous people are disproportionately represented, even among the poorest of the poor, in both industrialised and developing countries (Victoria Tauli-Corpuz, 2001).

The rights of indigenous peoples are recognised through various international declarations or conventions such as:

- The 1989 International Labour Organisation Convention No. 169 concerning the indigenous and tribal people in independent countries,
- The 1992 United Nations Convention on Biological Diversity, and
- The 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted in September 2007 by the General Assembly, is the most comprehensive and advanced of international instruments dealing with indigenous peoples' individual and collective rights. It is the latest addition to a growing body of international human rights law. UNDRIP is comprehensive in the sense that it covers the full range of civil, political, economic, social, cultural and environmental rights under international law. The Declaration not only elaborates on these rights but also imposes obligations on states and international organisations and inter-governmental bodies as well (International Work Group for Indigenous Affairs, <http://www.iwgia.org/culture-and-identity/identification-of-indigenous-people>).

In the context of this framework, the present unit deals with the most disadvantaged and vulnerable group of people in the world today, the Indigenous peoples. The unit is divided into three parts: The first part will describe the background, meaning, definitions and concept of indigenous peoples, while the second and third parts focus on the legal context of the rights of indigenous peoples, including an analysis of the content of the Declaration.

2.1 THE MEANING AND DEFINITION OF INDIGENOUS PEOPLES

In this section, the meaning and different definitions of indigenous people put forth by scholars and international organisations will be introduced.

2.1.1 Meaning of the Term “Indigenous”

Etymologically, the term “*indigenous*” derives from the Latin word “*indigena*” made up of two words, namely *indi*, meaning “within” and *gen* or *genere* meaning “root”. In other words, the term “indigenous” refers to “born in”, “something that comes from the country in which it is found”, “native of”, or “aborigine”, in contrast to “foreign” or “brought in” (see Albert Kwokwo Barume: 2010, 2014).

The word ‘indigenous’, used in a purely adjectival sense, has the common meaning of “from” or “of the original origin” or group or culture regarded as coming from a given place. Anthropology defines the term ‘indigenous’ as referring to someone or something that is native or originating from a given place or the original inhabitants of a specific geographical area.

The word *Indigenous* was adopted by aboriginal leaders in the 1970s after the emergence of indigenous rights movements around the world as a way to identify and unite their communities and represent them in political arenas, such as the United Nations. *Indigenous* was chosen over other terms that leaders felt reflected particular histories and power dynamics, or had been imposed by the colonisers. The word “peoples” is used instead of the word “population” because this term recognises the existence of organised societies with an identity of their own rather than mere groupings sharing some racial or cultural characteristics (ILO: 1998).

Since the 1980s the term indigenous and indigenous people has evolved beyond its specific empirical reference. Combined with the term knowledge and people, it has come to signify a social science perspective as well as a philosophical and ideological position, which rests on recognition of the role of knowledge in the power relations that have come into being by the expansion of Europe.

Activity

Define the term ‘indigenous’.

Indigenous peoples are peoples, communities and nations who claim a historical continuity and cultural affinity with societies endemic to their original territories that developed prior to exposure to the larger connected civilisation associated with the Western culture.

While the term “indigenous peoples” is used in international instruments, these people are often known as

- tribes,
- natives,
- original,
- first people/nations,
- aborigines,
- ethnic groups,
- adivasi, janajati,
- indios,
- pueblos originarios,

- original population,
- hunter-gatherers,
- nomads,
- hill people.

Having been politicised, the term indigenous is a highly contentious term and it is still far from clear.

During the late twentieth century, the term *indigenous people* evolved into a legal category, which refers to culturally distinct groups that had been affected by the processes of colonisation. To reach its current understanding in international law, the meaning of the term “indige-nous” seems to have evolved through several distinct phases (see Albert Kwokwo Barume; 2010, 2014).

Activity

Identify various generic terms used for indigenous people.

2.1.2 Defining Indigenous People

The term indigenous or its equivalent has been used in anthropology to describe groups called tribes for quite some time. However, there is no universal agreement on the definition of the word “indigenous peoples”. Many prominent scholars have developed their definitions with different elements to characterise indigenous people. However, there is no consensus on the definition of the term “indigenous people” in international law. This is because it is almost impossible to create one simple definition to describe a large number of very different communities, each existing within unique social, political and geographical situations.

In her acclaimed work, *The Indigenous Voice in World Politics*, Ranke Wilmer examined the global historical process of moral exclusion undertaken by Western powers against indigenous peoples. She defines indigenous as peoples:

- with tradition-based cultures;
- who were politically autonomous before colonisation;
- who, in the aftermath of colonisation and/or decolonisation, continue to struggle for the preservation of their cultural integrity, economic self-reliance, and political independence by resisting the assimilation policies of nation-states.

Anthropologist John Bodley developed an even more inclusive definition of indigenous people by simply describing them as a group of people who identify themselves with a specific, small-scale cultural heritage.

In 1972 the United Nations Working Group on Indigenous Populations (WGIP) accepted as a preliminary definition a formulation put forward by Mr. José Martínez Cobo, Special Rapporteur on Discrimination against Indigenous Populations.

Box:1 Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit

to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural, social institutions and legal systems.”

The limitations of the definition were subsequently noted by the organisation. The definition applied mainly to pre-colonial populations, excluded other isolated or marginal societies. In 1983 the WGIP enlarged this definition (E/CN.41Sub.2/1983/21Add paragraph 3. 79) to include the following criteria:

Box:2 (a) they are the descendants of groups, which were in the territory at the time when other groups of different cultures or ethnic origin arrived there; (b) precisely because of their isolation from other segments of the country’s population they have almost preserved intact the customs and traditions of their ancestors which are similar to those characterised as indigenous; (c) they are, even if only formally, placed under a state structure that incorporates national, social and cultural characteristics alien to their own.

In 1986 it was further added that any individual who identified himself or herself as indigenous and was accepted by the group or the community as one of its members was to be regarded as an indigenous person (E/CN.4/Sub.2/1986/7/Add.4.para.381). The draft Universal Declaration on the Rights of the Indigenous peoples prepared by the DWIG does not provide a specific definition of indigenous peoples or populations. According to the Chairperson, Ms. Erica Irene Daes, Rapporteur of the Working Group, this was because “historically, indigenous peoples have suffered, from definitions imposed by others” (E/CN.4/Stib.2/AC.4/1995/3, page 3) (Sylvie Motard, 2007).

There is no universal definition of indigenous and tribal peoples, but ILO Convention No. 169 takes a practical approach to the issue and provides objective and subjective criteria for identifying the peoples concerned (see Article 1 of the Convention). These criteria can be summarised as:

Table 1.1: Objective and subjective criteria for identifying the peoples concerned

Box: 3	Subjective criteria	Objective criteria
Indigenous peoples	Self-identification as belonging to an indigenous people	Descent from populations, who inhabited the country or geographical region at the time of conquest, colonisation or establishment of present state boundaries. They retain some or all of their own social, economic, cultural and political institutions, irrespective of their legal status.
Tribal peoples	Self-identification as belonging to a tribal people	Their social, cultural and economic conditions distinguish them from other sections of the national community. Their status is regulated wholly or partially by their own customs or traditions or by special laws or regulations.

Source: https://www.ilo.org/global/topics/indigenous-tribal/WCMS_503321/lang—en/index.htm

A description of indigenous people given by the World Bank (operational directive 4.20, 1991) points out that,

Box:4 Indigenous Peoples can be identified in particular geographical areas by the presence in varying degrees of the following characteristics:

- a) close attachment to ancestral territories and the natural resources in these areas;
- b) self-identification and identification by others as members of a distinct cultural group;
- c) an indigenous language, often different from the national language;
- d) presence of customary social and political institutions; and
- e) primarily subsistence-oriented production.

As can be seen, no universal definition of indigenous peoples exists and because of the history of political repression, discrimination, and assimilation policies by states, indigenous peoples usually reject to be defined by external agencies. In order to identify rather than “define” indigenous identities, most of the researchers use the working definitions provided by the International Labour Organisation (ILO) Convention 169 (Tomei and Sweptson, 1996) and the Draft UN Resolution on Indigenous Rights. Both approaches emphasise that self-identification by indigenous peoples should be used as the main criterion, while at the same time underlying the following commonalities shared by indigenous identities, including

- i) historical continuity with pre-colonial societies;
- ii) strong link to territories;
- iii) distinct social, economic, and political systems;
- iv) distinct language, culture, and beliefs; and
- v) self-identification as different from national society.

From an indigenous perspective, the right to self-identification is essential to ensuring that they are respected as peoples with their own identities, cultures, languages, worldviews, and religions (Stavenhagen, 2002).

International organisations more closely follow IWGIA’s (*International Work Group for Indigenous Affairs*) definition in their work programmes. The International Labour Organization (ILO), the United Nations (UN), and the World Bank also use the above definition in their work programmes with indigenous peoples. The World Bank further recognises that because indigenous people live in various contexts, there may not be a universally accepted definition for indigenous peoples. Therefore, the World Bank also recognises minority groups that governments have labelled as “indigenous ethnic minorities,” “aboriginals,” “hill tribes,” “minority nationalities,” “scheduled tribes,” or “tribal groups,” to be indigenous communities or peoples.

Check Your Progress

- 1) Discuss the meaning of Indigenous Peoples.

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2.2 INTERNATIONAL ORGANISATIONS AND THE CONCEPT OF INDIGENOUS PEOPLES

As noted earlier, since there is no universally accepted definition of indigenous peoples, it leads to varying interpretations by states. As a result, UNDRIP (2007), though regarded as an authoritative declaration on the rights of indigenous peoples, does not provide any form of formal definition of the term ‘indigenous peoples’. It identifies “indigenous peoples” as being the beneficiaries of the rights contained in the Declaration, without defining the term. Considering the diversity of indigenous peoples, an official definition of “indigenous” has not been adopted by any UN system/body. Instead, the system has developed a modern understanding of this term based on the following criteria:

Box: 5

- self-identification as indigenous peoples at the individual level and accepted by the community as their member;
- historical continuity with pre-colonial and/or pre-settler societies;
- strong link to territories and surrounding natural resources;
- distinct social, economic or political systems;
- distinct language, culture and beliefs;
- form non-dominant groups of society; and
- resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.

Source: United Nations Permanent Forum on Indigenous Issues, Indigenous peoples

According to the United Nations the most fruitful approach is to identify rather than define indigenous peoples. This is based on the fundamental criterion of self-identification as underlined in a number of human rights documents.

The International Labour Organization (ILO) has adopted a definition of the concept of indigenous peoples on two occasions: the statements of coverage of Convention 107 (1957) and Convention No. 169 (1989). When treaty law is examined for a formal legal definition of indigenous peoples, we see that Article 1 of the 1989 ILO Convention 169 provides some clarity (see Box: 3).

Indigenous and tribal peoples are often known by national terms such as native peoples, aboriginal peoples, first nations, adivasi, janajati, hunter-gatherers, or hill tribes. Given the diversity of peoples it aims at protecting, the Convention uses the inclusive terminology of “indigenous and tribal peoples” and ascribes the same set of rights to both groups. In Latin America, for example, the term “tribal” has been applied to certain afro-descendent communities.

The ILO definition includes both historical disruptions caused by colonisation and situations outside that context during the formation of the present state boundaries. This definition could apply to both European settler states as well as Asian or African states. Nevertheless, according to treaty law, this definition applies only to those states who are party to the convention. As of June 2012, ILO Convention 169 was ratified by only 22 countries and the only Asian state that remains a party to this Convention is Nepal, which joined this treaty regime in the year 2007 (ratification ILO C169). Therefore, this definition cannot be termed as established within international law. At the most, it applies only to those states which are party to the convention.

Further, in the earlier ILO Convention 107 (1957), Article 1(b) provided that: “members of tribal or semi-tribal populations in independent countries which are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation and which, irrespective of their legal status, live more in conformity with the social, economic and cultural institutions of that time than with the institutions of the nation to which they belong”. Here the definition of indigenous refers to populations who are descendants of those who inhabited the region at the time of colonisation. The convention remains in force for only 17 countries including a few Asian countries such as India, Bangladesh and Pakistan. Therefore, this definition also cannot be taken as standard within international law. At the most, it applies only to those who are party to the convention.

The description of “indigenous peoples” in Convention No. 169 contains several elements which are not found in its description of “tribal peoples”:

- *historical continuity* (pre-conquest/colonization societies);
- *territorial connection* (their ancestors inhabited the country or region at the time of conquest/colonisation/creation of the state); and
- *distinct social, economic, cultural and political institutions* (they retain some or all of their own institutions).

However, these conceptual dissimilarities have no legal implications under Convention No. 169 as far as the actual rights of these two groups are concerned; both groups are entitled to the same rights under the Convention. This however may not be the case in the application of other international instruments; in particular the UN Declaration on the Rights of Indigenous peoples.

The statement of coverage of Convention No. 169 is largely based on criteria developed by José Martínez Cobo, whereas Convention No. 107 identifies indigenous peoples as a sub-category of “tribal”; the two groups are separate in Convention No. 169. Moreover, article 1 (2) of Convention No. 169 – similar to the Cobo definition – establishes self-identification as indigenous as a fundamental criterion for determining the groups that are to be identified as indigenous peoples.

Convention No. 169 also describes indigenous peoples as ‘people’ – whereas Convention No. 107 identifies them as ‘populations’.

Article 1 (3) of Convention No. 169 specifies that the use of the term peoples in the Convention shall not be construed as having any implications as regards the rights which may be attached to the term under international law. The objective of this reservation is to avoid challenging international legal questions related to the concept

of ‘people’ — in particular the right to self-determination, which under international law is acknowledged as a right of ‘all peoples’. This reservation, or the application of the other provisions of Convention No. 169, shall not – according to article 35 of the Convention – affect the rights of the peoples concerned pursuant to *other* international instruments or national legislation (UN Document A/61/L.67 12 September 2007). The reservation in article 1 (3) demonstrates the close link between the problem of finding an international agreement on how indigenous peoples should be identified and legal issues.

Although there is no general agreement on the need for a definition, there are several definitions that are widely accepted as guiding principles for the identification of indigenous peoples, including the Cobo definition, and the statement of coverage of the ILO Convention No. 169 (article 1).

While conducting a special study on the problem of discrimination against indigenous peoples, the Special-Rapporteur of the UN Sub-Commission on the Promotion and Protection of Human Rights, José Martínez Cobo, 1986, formulated a working definition of indigenous peoples (see Box 1).

Though this definition was the result of a comprehensive study conducted by the Special Rapporteur on the problem of discrimination against indigenous populations under the recommendation of the Sub-Commission, it was merely a recommendation report (For Cobo’s report, see *supra* note 52) submitted to the UN Working Group on Indigenous Populations and therefore could not be called a legal document. As shown in chapter 6, there is no apparent and uniform state practice and *opinio juris* concerning this definition; accordingly, the definition of Martínez Cobo cannot be said to have attained the status of customary law (José Martínez Cobo 1986).

The Special-Rapporteur outlined a number of factors that may be relevant for identifying indigenous peoples. This emphasises their historical continuity, for an extended period reaching into the present, and includes:

- occupation of ancestral lands;
- common ancestry with the original occupants of these lands;
- culture;
- language; and
- residence in certain parts of the country, or certain regions of the world.

The Special-Rapporteur included self-identification as ‘indigenous’, as a fundamental criterion:

An indigenous person is one who belongs to an indigenous peoples through self-identification as indigenous (group consciousness) and is recognised and accepted by the group as one of its members (acceptance by the group).

According to Benedict Kingsbury, Cobo’s approach to the definition was controversial due to its requirement of “historical continuity with the pre-invasion and pre-colonial societies that developed on their territories.” This approach reflected the classical European case of colonial settlement in the western settler states such as the United States, Canada, Australia and New Zealand. This requirement did not reflect the reality in many Asian and African countries where there was no clear cause of historical

disruption by colonial settlement. The views of Asian states and groups (claiming to be indigenous) greatly differ from Cobo's definition of indigenous peoples.

Many Asian states opposed the application of the concept of indigenous peoples within their territories and endorsed the definition laid down by Cobo. China, for example, agrees with Cobo's definition while claiming that "the question of indigenous peoples is the product of European countries' recent pursuit of colonial policies in other parts of the world" (UN Doc. E/CN.4/WG.15/2 (1995). Here China affirmed the test of 'Salt-Water' colonialism, which was a standard test of determining 'Colonialism' during the time of decolonisation and self-determination in the 1960s.

The term "indigenous peoples" is not officially recognized or used in India the way it is applicable in America, Canada, Australia and Africa. India ratified the ILO Indigenous and Tribal Populations Convention, 1957 (No. 107) in 1958. The position of the Government of India with regard to the usage of the term as understood in the United Nations is that all Indians are indigenous to India (Bijoy, C.R., and Tiplut Nongbri, 2013).

India and Bangladesh also denied the status of indigenous peoples within their territories by claiming that "indigenous peoples are descendants of the original inhabitants who have suffered from conquest or invasion from outside." Asian groups continue to claim recognition and status of indigenous peoples within their countries despite strong oppositions from governments. Thus they tend to go beyond Cobo's narrow definitional requirement of colonial disruption or conquest. As a result, there is no consensus on the definition laid down by Cobo.

However, this draft definition was not adopted as Martinez Cobo's definition later became the working definition of the UN Working Group (Copenhagen: IWGIA Document No. 80, 1996). Even though this earlier definition is not legally binding, it can be said to have reflected the intent of the working group members at the time to make the concept of indigenous peoples more universal and applicable beyond classical western colonisation. Alternately, one could also conclude that since this definition was replaced by the latter, it does not reflect the consensus of the group members.

With regard to general principles of law as a source of international law on the definition, there is no literature available presently that argues the possibility of any particular principle of law lending its force, in order to determine a definition of indigenous peoples. Likewise, judicial decisions and scholarly writings, as subsidiary means of determining law, do not point to the existence or emergence of a particular definition as established in international law.

An additional source that provides a definition of indigenous peoples is the World Bank's *Operational Policy 4.10* on indigenous peoples (see Box: 4). This definition can also not be termed as binding in international law because the policies of the Bank are considered more of an internal policy guideline than a binding norm of international nature. Also, the application of the Bank policies are to be observed (in good faith) only by states funded by the Bank. Therefore, the World Bank definition of indigenous peoples cannot be termed as binding in international law.

It is clear that there is no universally accepted and binding definition of the term "indigenous peoples" in international law. With regard to the Asian context too, there is no agreement among states and groups within these states claiming to be indigenous, on the definition.

As discussed earlier, declarations of the UN General Assembly, per se, do not have the binding effect of law. Nevertheless, the significance of the UNDRIP cannot be understated, as it was adopted after decades of consultation and participation from both state parties and indigenous peoples in a legitimate process of norm-building in the field of indigenous rights. Therefore, such a declaration, having been solemnly adopted by the majority of member states of the United Nations, may arguably have a formal status nearing that of the 1948 Universal Declaration of Human Rights. According to James Anaya:

Box:7

It is possible, at least arguably, to understand the Declaration as related to legal obligation within standard categories of international law. First, the Declaration is a statement of rights proclaimed by the vast majority of U.N. member states, through the General Assembly, within the framework of the general human rights obligations established for states by the U.N. Charter, a multilateral treaty. With this status, the Declaration can be seen as embodying or providing an authoritative interpretation of norms that are already legally binding and found elsewhere in international human rights law, including in various human rights treaties.

According to Siegfried Wiessner and James Anaya, indigenous peoples' "right to demarcation, ownership, development, control and use of the lands they have traditionally owned or otherwise occupied and used" has attained the status of customary international law. Thus, it is crucial to examine the customary status of these rights in order to understand the implications of their eventual application to a wider world of indigenous peoples.

Check Your Progress

- 2) Define the concept of indigenous peoples.

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- 3) Describe a few definitions of indigenous peoples.

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2.3 HISTORY OF INDIGENOUS PEOPLES' RIGHTS AND INTERNATIONAL LAW

The Universal Declaration of Human Rights (UDHR) was adopted on 10 December 1948 is still working on to ensure freedom, equality and dignity for all. The universal ideals contained in the Declaration's 30 Articles range from the most fundamental – the

right to life – to those that make life worth living, such as the rights to food, education, work, health and liberty. Emphasising the inherent dignity of every human being, its Preamble underlines that human rights are “the foundation of freedom, justice and peace in the world” (see <https://www.standup4humanrights.org/en/article.html>).

Though the issue of indigenous peoples seems to have received greater attention after World War II in literature, a number of writers describe a long tradition of recognition of the status and rights of indigenous peoples within international law. According to early writings, the contemporary emergence of indigenous rights is not so much the progressive development of new law, but rather the restoration of rights previously existing and recognised.

The international community has shown increasing concern for the protection of the rights of indigenous peoples. Conventions and declarations of the international community provide a broad framework, as well as specific statements regarding the protection of indigenous peoples and their interests, cultures, ways of life, cultural survival and development. It may be noted that some international instruments relating to indigenous peoples have not been ratified by large numbers of the international community.

The emergence of the concept of “indigenous peoples” was a long process. From the year 1920 indigenous peoples have tried to raise the issue of their marginalisation and discrimination. The first international organisation to deal seriously with indigenous peoples’ rights issues was the International Labour Organization (ILO). Within its framework, the ILO Convention Concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (ILO Convention No. 107) was adopted in the year 1957. It was the first binding document in the field of indigenous peoples’ rights protection.

Convention 107 contained important provisions on land use and inheritance, social security, health and the right to education. After 30 years, ILO Convention No. 107 was revised by the Convention Concerning Indigenous and Tribal peoples in Independent Countries (ILO Convention No. 169). Convention 169 makes the first attempt to define indigenous peoples based on their descent from the population which inhabited the country or geographical region at the time of conquest or colonisation.

Ever since then, the prominence of indigenous peoples and their rights in international law has progressively increased. At the beginning of the 1970s, the United Nations began examining the issues concerning indigenous peoples in a more detailed way. More and more indigenous peoples’ organisations started to receive consultative status with the United Nations Economic and Social Council (ECOSOC). This allowed them to participate within the United Nations’ system alongside other non-governmental organisations.

Beginning in the 1970s, non-governmental organisations in Geneva launched ad hoc initiatives on specific human rights issues concerning indigenous peoples. But gradually, the human rights bodies of the United Nations started to look more seriously at the problem as well.

In the Year 1971, the Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed a Special Rapporteur (Mr. José R. Martínez Cobo of Ecuador) to undertake a study of the problem of discrimination against indigenous populations. Martínez Cobo concluded that existing human rights standards are “not fully applied” in the case of indigenous communities. It is stated in the report that self-determination

must be one of the basic pre-conditions for indigenous peoples' rights as well as the right to keep the territories they possess.

In 1982, ECOSOC created an ad hoc subsidiary organ of the Sub-Commission devoted to indigenous peoples: the Working Group on Indigenous Populations. The aim of the working group was to review the existing standards on indigenous rights protection and contribute to their development. The working group, composed of representatives of governments as well as indigenous peoples and organisations, is one of the largest human rights forums in the U.N. system, bringing in its fold more than seven hundred participants regularly. Its tasks include the building of dialogue between governments and indigenous peoples, reviewing national situations, and developing international standards concerning the promotion and protection of indigenous peoples' rights.

The next landmark in the history of indigenous rights recognition is the Draft Declaration on the rights of indigenous peoples, produced in 1993-1994 based on eight years of documentation of reports to the working group. Among its major achievements, the working group developed a Draft United Nations Declaration on the Rights of Indigenous peoples, which is being submitted to the United Nations Commission on Human Rights (through another ad hoc working group of the latter). The working group consists of more than 200 indigenous organisations which participate and meet once a year. The process should lead to the adoption of the Declaration by the United Nations General Assembly (UNGA).

Another declaration on the rights of indigenous peoples is also being developed at the regional level, within the Inter-American system.

In the year 1985, the UNGA established the Voluntary Fund for Indigenous Populations to enable representatives of indigenous organisations to attend the sessions of the relevant U.N. bodies dealing with indigenous issues. The 1992 Rio Conference on Environment and Development (UNCED), commonly referred to as the Earth Summit, was a turning point for indigenous peoples. Not only were they recognised as a "major group" of civil society but, for the first time, they were able to participate and influence processes relating to the environment.

Agenda 21 adopted by the UNCED in 1992 recognises the actual and potential contribution of indigenous and tribal peoples to sustainable development. The 1992 Convention on Biodiversity calls on contracting parties to respect traditional indigenous knowledge with regard to biodiversity and its sustainable use. The Vienna Declaration and Programme of Action emerging from the 1993 World Conference on Human Rights recognise the dignity and unique cultural contributions of indigenous peoples, and strongly reaffirm the commitment of the international community to the economic, social, and cultural well-being of indigenous peoples and their enjoyment of the fruits of sustainable development.

As a sign of the increasing importance of indigenous issues, August 9 was proclaimed International Day of the World's Indigenous Peoples by the United Nations, first in 1994, to promote and protect the rights of the World's Indigenous Population. This day also commemorates the achievements and contributions that Indigenous peoples make in the world. August 9 also marks the first time the UN Working Group on Indigenous Populations met in Geneva in 1982. Its goal was to facilitate the General Assembly's adoption of the Declaration by 2004. In 1995, it launched the International Decade of the World's Indigenous peoples (1995-2004). The International Day of the

World's Indigenous peoples is observed on August 9 every year during the International Decade of the World's Indigenous peoples (resolution 49/214).

The period of 1995-2004 was proclaimed as the International Decade of Indigenous peoples with the theme "Indigenous peoples: partnership in action". In 2001, a "Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples" was appointed to receive information and communications on violations of indigenous peoples' rights.

A U.N. Permanent Forum on Indigenous Issues has also been established (as an advisory body to ECOSOC) in order to focus on global issues related to indigenous peoples, especially in the fields of human rights, economic and social development, culture, education, health, and the environment. After taking more than 20 years to draft and to accept the draft, The Declaration was adopted by UN General Assembly in September 2007. It establishes the rights of Indigenous peoples to the protection of their cultural property as well as the rights to education, employment, health, religion, language, and more. The adoption of the Declaration caused controversies, especially regarding its regulations relating to land rights for indigenous communities. However, it represents a global instrument of indigenous peoples' rights protection.

Moreover, apart from ad hoc initiatives and instruments, the diversity of indigenous peoples has been taken into account by other general instruments on human rights, as well as within the realm of international environmental law and cultural diversity. The process of drafting engaged the representatives of indigenous communities who got the possibility to promote their own views on the rights that should be granted to them (Alessandro Fodella 2006).

The Draft Declaration on the Rights of Indigenous peoples: This is the most comprehensive statement of the rights of indigenous peoples to date, establishing collective rights to a greater extent than any other document in international human rights law. It establishes the rights of indigenous peoples to the protection of their cultural property as well as the rights to education, employment, health, religion, language, and more. It also protects the rights of the indigenous peoples to own land collectively.

The Declaration testifies to the commitment of the international community to the protection of both the individual and collective rights of indigenous peoples. It emphasises their right to maintain and strengthen their institutions, cultures and traditions and to pursue their development in accordance with their aspirations and needs. It has become a major tool for Indigenous peoples to defend themselves against discrimination, racism, oppression, marginalisation and exploitation.

Among the human rights the Declaration defines and protects, the following are of particular importance to indigenous peoples:

- The right to self-determination.
- The right to collective rights.
- The right to development.

The full text of the draft Declaration, consisting of 46 Articles, was divided into 9 parts as given below.

- Part 1. Fundamental Rights: Non-discrimination, equality, self-determination (Articles 1-3)

- Part 2. Life and Security (Articles 4-7)
- Part 3. Culture, Religion, and Language Laws (Articles 8-13)
- Part 4. Education, Media, and Employment (Articles 14-16)
- Part 5. Participation and Development (Articles 17-24)
- Part 6. Land and Resources (Articles 25-29)
- Part 7. Self-Government and Indigenous peoples (Articles 30-36)
- Part 8. Implementation (Articles 37-42)
- Part 9. Minimum Standards (Articles 43-46)

Many human rights advocates regard Article 3, the right of self-determination, as the most significant feature of the Declaration, with all other rights supporting that essential freedom. The complete text of the Declaration on the Rights of Indigenous peoples can be downloaded at <http://www1.umn.edu/humanrts/instate/declaration.html>.

The issue of the rights of indigenous peoples has thus slowly but steadily gained importance for the international community. This has led to an international legal framework that is comprised of individual and collective rights stemming from general and ad hoc instruments, deriving from different sources, and belonging to different areas of international law.

Check Your Progress

- 4) Name the organisations that contributed to the rights of indigenous peoples.

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- 5) Explain briefly about the definition related problems in international law.

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2.4 SUMMARY

There are approximately 370 million indigenous peoples in the world, belonging to 5,000 different groups, in 90 countries. Indigenous peoples live in every region of the world, but about 70 per cent live in Asia. Indigenous peoples have historically been among the poorest and most excluded demographic group in the world. They have not only faced serious discrimination in terms of their basic rights to their ancestral property, languages, cultures, and forms of governance, but also in terms of access to basic social services (education, health and nutrition, water and sanitation, housing, etc.) and the essential material conditions for a satisfying life.

Presently, there is no universally accepted definition of the word “indigenous peoples.” However, many development agencies and institutions have developed their own definitions with different elements to characterise indigenous peoples. Considering the diversity of indigenous peoples, any specific definition may have the effect of excluding some indigenous groups from the category. A strict definition may also serve as an excuse for governments not to recognise indigenous peoples in their jurisdiction. Hence, no legal definition of indigenous peoples is either necessary or desirable, remains a prevailing view.

As a global reality, efforts of indigenous peoples to have their rights recognised or further developed are relevant in both developing and developed countries. Indigenous peoples suffered from historic injustices due to colonisation and dispossession of their lands, territories and resources, preventing them from exercising their right to development that meets their own needs and interests.

In general, indigenous peoples are disproportionately represented among the poorest of the poor in both industrialised and developing countries. The rights of indigenous peoples are significantly recognised through various international declarations or conventions, such as

- The 1989 International Labour Organization Convention No. 169 concerning the indigenous and tribal peoples in independent countries,
- The 1992 United Nations Convention on Biological Diversity,
- The Draft UN Declaration on the Rights of Indigenous peoples, and
- The 2007 United Nations (UN) Declaration on the Rights of Indigenous peoples.

The above international laws are particularly relevant to the recognition and protection of the rights of indigenous peoples.

The landmark document ‘The 2007 United Nations (UN) Declaration on the Rights of Indigenous Peoples is the culmination of decades of drafting and negotiations by the Working Group on Indigenous Populations in which more than one hundred indigenous organisations and thousands of indigenous individuals participated. The Declaration testifies to the commitment of the international community to protect both individual and collective rights of indigenous peoples. It emphasises the right of indigenous peoples to maintain and strengthen their institutions, cultures, and traditions and to pursue their development in accordance with their aspirations and needs. It has become a major tool for indigenous peoples to defend themselves against discrimination, racism, oppression, marginalisation and exploitation. Among the human rights the Declaration defines and protects indigenous peoples, these are of particular importance to indigenous peoples.

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2.6 ANSWERS TO CHECK YOUR PROGRESS

- 1) Refer to Sub-section 2.1.1
- 2) Refer to Section 2.2
- 3) Refer to Section 2.2
- 4) Refer to Section 2.3

Refer to Section 2.3

UNIT 3 CHARACTERISTICS AND GEOGRAPHICAL DISTRIBUTION OF TRIBES*

Structure

- 3.0 Introduction
- 3.1 Northern Himalayan Zone
- 3.2 Eastern Zone
- 3.3 Western Zone
- 3.4 Central Zone
- 3.5 Southern Zone
- 3.6 Island's Zone
- 3.7 Summary
- 3.8 References
- 3.9 Answers to Check Your Progress

LEARNING OBJECTIVES

After going through this unit, students will be able to:

- understand the geographical distribution of tribes in India along with their cultural characteristics in the present context;
- get a holistic view of the ethnic diversity of different eco-cultural zones including Union territories and island communities; and
- compare the similarities and differences of the culture of the northern, southern, eastern, western, and central regions in India.

3.0 INTRODUCTION

More than seven hundred tribal communities constitute 8.6% of the total population in India who are unequally distributed in India with exceptions to Delhi, Punjab, and Haryana. For better understanding, ethnic groups are divided on the basis of geographical, linguistic, racial, and economic characteristics that they share in their ecological set up. However, even within the same eco-cultural zone, there exist differences in terms of physical appearance, customs and traditions, socio-cultural processes, etc. Hence, the present chapter attempts to highlight the socio-cultural characteristics of tribal communities that are distributed in different geographical regions of the country, such as

- i) Northern zone extending from Jammu and Kashmir, Uttarakhand, Himachal Pradesh to Uttar Pradesh.

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- ii) North-East zone consists of Tripura, Meghalaya, Nagaland, Manipur, Arunachal Pradesh, Mizoram and Assam.
- iii) Central/Middle zone represents the states of, Chhattisgarh, Madhya Pradesh, and parts of Andhra Pradesh, Telangana, Maharashtra, Uttar Pradesh, etc.
- iv) Western zone includes the states of Rajasthan, Gujarat and Maharashtra.
- v) Eastern zone represents West Bengal, Bihar, Jharkhand, and Odisha
- vi) Southern zone includes newly created Telangana state along with Andhra Pradesh, Tamil Nadu, Kerala, and Karnataka
- vii) Island's zone: Andaman Nicobar Islands and Lakshadweep.

Major tribes like Gond, Bhil, Santhal, and so on are distributed in more than one region with the growth of population, migration, industrialisation, etc. Variations of socio-cultural processes are distinct with the influence of regional or local cultures. For example, Gond of Bastar are still leading a very primitive way of life whereas Raj Gonds of Madhya Pradesh are totally assimilated in Hinduism who claim *kshatriya* identity. Taking ecological and cultural factors into consideration, the present unit highlights the socio-cultural characteristics of the tribes who are residing in the above regions.

Activity

Identify the distribution of major tribal communities in various states on a map of India including Andaman & Nicobar and Lakshadweep Islands. For this, Scheduled Tribes distribution map prepared by Anthropological Survey of India on the distribution of tribal communities with census data will be useful to the students.

Check Your Progress

- 1) Discuss the geographical classification of tribes given by Indian anthropologists with suitable examples.

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3.1 NORTHERN HIMALAYAN ZONE

The northern region covers Jammu and Kashmir, Uttar Pradesh, Uttarakhand, and Himachal Pradesh. This zone falls in the Himalayan ranges where tribes inhabit the hilly areas and possess a rich culture which is distinct from that of the plains' population. It is covered with mountain valleys on the eastern and western frontiers having border with Pakistan, Afghanistan, Tibet, and Nepal. The high lands of this region facilitate *nomadism* and tribes such as Gujjar, Bakarwal, Bhedi, Balti, Changpa, and Dogra resort to pastoral mode of economy for survival. Though majority of them resort to similar kind of pastoral subsistence i.e., rearing of sheep, goat, cows, buffalos, there exists a major difference in their cultural characteristics.

Activity

Whenever students confront a *trans humane* along with their flock, they may interact to understand their way of life, seasonal route, permanent settlement, and the challenges that they face while moving from one place to another place especially during Covid-19 pandemic lockdown.

The geographical and climatic conditions of Jammu and Kashmir facilitate pastoralism as means of subsistence strategy. In this mode of economy, they resort to seasonal migration in hilly terrains by arranging temporary habitats. For example, Bhotias move from their *mati* situated at the upper reaches of the river valleys in summer to *gunshas* situated at lower altitudes in winter. They observe peculiar funeral rites known as *dudung* which is an admixture of Hindu *shraddha* and native customary practices. But now days this practice is slowly vanishing in favour of purely Hindu form of *shraddha* which is conducted by Brahmin priests. *Rangbang* is a dormitory system of Bhotiyas of Darma, Byans, Chaudanspattis Gujjar who are also trans humancing between two distinct ecological zones without much change in their subsistence.

The pastoral communities in Himalaya are adapting to the precarious climatic conditions of high altitudes through animal husbandry. Barter exchange is still practiced with local communities for sharing the grazing lands. Further, these pastoral communities are possessing rich traditional knowledge of medicinal herbs that are immensely used for controlling the diseases affecting humans as well as livestock. They used to construct their summer dwellings (*kachakotha*) where women engaged in processing of milk produces and the men flock their cattle in alpine areas.

Gujjar and Bakerwals belong to the same tribe but they got separated on the grounds of subsistence as the former rear cattle and the latter rear sheep and goat. Even settled Gujjars also migrate in summers to the slopes of Himalayan *dhoks* (lower elevations) and *margs* (higher elevations). Some patches of land are fenced with wooden twigs and they grow maize and vegetables.

Gaddis of Himachal Pradesh are semi-nomadic who move with their sheep to higher elevations though they have permanent villages at lower heights. At higher elevations they do possess temporary structures like Bakerwals. Since their dwellings are so near to forests, they possess knowledge about medicinal herbs.

The tribes of Uttarakhand also depend on pastoral economy as well as cultivation by women. The pure pristine living off the forests relies on transportation of goods on the small backs of goats and sheep. Besides pastoralism, they also engaged in handicraft making, and rearing of livestock. Though forest is lifeline to the cattle bearers, the afforestation programmes under joint forest management, climate change, terrorism are limiting the age-old pastoral economy.

North-East Region/Zone

River Brahmaputra divided the regions, north of which falls the tribal belt of Bhutan and North East Frontier Agency; while south of it is the important belt of Naga and Lushai. The valley of Manipur is the meeting point of both tribal and Hindu castes. Northern border coincides with China while eastern with Burma; in north-west are Bhutan, Sikkim and Nepal; in south west Assam border of Garo coincides with international border of Bangladesh. Majority of the tribes of north-eastern region are

of *mongoloid* origin. However, the presence of *austriac* race such as Khasi and Jaintiya of Meghalaya, Moran of Assam also exists. The Negroids, who are believed to have migrated via China constitute the present day Naga of Nagaland.

Tribes living in hilly areas practice *jhum* (shifting cultivation). Though Buddhism and Christianity have made inroads into tribal society, but still glimpses of *animism* can be found. Among the tribes of Arunachal Pradesh *mithun* (wild ox or domesticated gaur) is revered as a sacrificial animal. Hinduism made great inroads into Manipur with its unique character of indigenity. They eat fish but will not touch flesh and profess to be very particular in their social and religious observances. *Maibaism* is related to the traditional Manipuri faith. *Engah*, *reenanai*, *oodooeeyung* are some of the traditional festivals of Manipur. The unique feature of *reenanai*, is separate cooking in the absence of their spouses. Weaving and handmade embroidery is a household activity for both men and women.

Nagas of Nagaland are ferocious whose war dance is famous in north east which gives insight into their rich cultural heritage. They follow clan exogamy but Konyak Naga chiefs who are considered so sacrosanct that their principle wife must be women of the same clan. Tattooing is practiced by Konyak, Chang, and Phom Naga. *Moatsu* festival is celebrated after sowing is over. *Sekrenyi*, *sankarni*, *tsukhenye*, *kundanglem* and *naknyulem*, *tsokum* are some of the important festivals celebrated with pomp and show by Naga.

Lepcha, Bhotiya and Nepalese of Sikkim believe in bone or *Mune* faith which is based on spirits or good or bad. The polyandry marriages are permitted amongst Lepchas. Assamese local *Bihu* and *Satriya* folk dances are a part of great traditions. Bamboo and cane made handicrafts such as mats, baskets of various sizes and shapes, winnowing, fishing traps, musical instruments, and so on are popular through-out north east. *Matai-katar* the supreme deity of Tripura is identified with *Shiv Mahadev*. In *Karchiadker puja*, all entrances to the capital are closed for two days and all people obliged to remain in their houses. On this occasion, they were allowed to go outside only twice that too for a few hours only, without putting on shoes, to light a fire, to dance and sing. Similar kind of tradition is observed by Nicobarese of Nicobar Islands who generally do not venture outside the village in case of funeral rites of the village.

Kur (clan) is the matrilineally related exogamous unit of Khasi and play an important function in marriage. Since the tribe is matriarchal, women are socially and politically dominant. Traditionally *kakhadduh* (youngest daughter) is eligible to inherit the ancestral property. Maternal uncle play an important role in upbringing of the children. *U Blei* is referred as Khasi main deity. Rings or betel nut bags are exchanged between the bride and bridegroom to mark the sacred union. Similarly, Garo are also matrilineal and the line of inheritance is traced through females. *Nokpante* is a youth dormitory where boys are trained to become mature adults. Jaintias of Jaintia hills share the customs and traditions of Khasi with little variations. Making spirit from the distillation of rice or millets is common among them.

Mizo society is ruled by traditional chiefs and the presents given to him are treated as common property. *Zaulbuk* is a youth dormitory, where common pass time activities, story-telling, singing, dancing, wrestling, etc. are held. *Tlaumngaihua* is a custom by which people are bound to help others who are in need. With different nomenclature, such cooperation mechanism exists at lineage, clan, or village level among the majority of the tribes in India.

Check Your Progress

- 2) Mention the geographical characteristics of Himalayan region with special reference to north-east tribes.

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3.2 EASTERN ZONE

States like Bihar, Jharkhand, West Bengal, and Odisha fall under this zone. Tribes of Odisha linguistically belong to Indo-Aryan, Dravidian, Tibeto-Burmese and Austric family. Despite this, they have lots of commonalities in their socio-cultural life. Classificatory kinship system, patrilineal inheritance is the rule of law. Position of priest village headman is hereditary. Marriage by capture, elopement, purchase, service and negotiation are found among them, of which, marriage by negotiation is preferred by majority tribes. Religion is an admixture of *animism*, *naturism*, *fetishism*, *shamanism* where they practice animistic practices. Dormitory system such as the *majang* of Juangs, *dindaghar* of Kondhs, *dhangarabasa* of Bhuyans and *ingersin* of Bondos is most popular. *Gaur*, *gotar*, *pushpenei*, *kedu*, *karam*, *chaitparab*, *maghaparab* are some of the important ceremonial activities observed with utmost faith.

Juang, Santhal, Kondh, Gadaba and Paraja are well known for their exogamous patrilineal totemic *dan* (clan) organisation. Saoras have an extended family called *birinda* descended from a common ancestor and not a *dan* system. Saora women belong to their father's family after marriage and not to her husband's *dan*. *Sarul* is important festival and each tribe has a distinct style of performing it. They reckon descent through male line wherein daughters are deprived of the right to property. Every village has in one of its corners a sacred grove called *jahel* or *sarna*. The village priests who officiate at sacred groves are known as *pathan*, *deuri*, *naik*, *kelo*, and so on. Most of the tribes worship *Singh Bonga* who creates and destroys the world whenever he likes. In Santhal *bapla* (marriage) it is forbidden to marry within his or her own *parish* (*sept* or sub-division of clan) but there is no restriction with regard to marriage age of the bride or groom.

3.3 WESTERN ZONE

Gujarat, Rajasthan, Maharashtra, and the union territories such as Goa, Dadra and Nagar Haveli come under this zone. Major portion of it is covered with arid regions and Thar Desert but towards central India hilly forests are inhabited by majority of tribes. Rabaris are cattle breeders who claim Rajput ancestry and are believed to have migrated from Sindh and Marwar. *Banni* is a place where Rabari art work represents varieties of embroidered patterns and designs where one can witness their socio-cultural rubric. Bhils of Gujarat are socially organised into *Valvi Bhils*, *Vasava Bhils*, *Garasia Bhils* and *Bhilala* since each has a distinct culture and mode of living. They are organised into a number of large patrilineal clan groups known as *Atak*, *Odakh*, *Got*, or *Kul*

who claim descent from the same mythical ancestor. Family is the basic unit of social and religious life among Bhils. Mainly their social life is controlled by traditional councils known as *panch*.

Dhodia are located in extreme southeastern district of Gujarat. Now majority of them have given up nomadic lifestyle and settled into farming. Forest labours, trade labour, hunting, and fishing are practiced during the leisure of agriculture. Kunbis inhabit the Dangs forest regions and their women are fascinated for jewelry. Warli, is a sub-tribe of Bhil, are a primitive tribe living in the same forested regions. Each tribe has its ancestral god and goddess and offer *novej* at particular hours. *Holi*, *gokul*, *aatham*, *akhatrij*, *divaso*, and *vasantotsav* are the festivals of seasonal importance.

Plateau region in central Maharashtra is largely populated by major tribes such as Bhils, Mahadeo Kolis, Gonds, and Warlis. Once food gatherers, Warlis are now engaged in modern livelihoods. They believe in the power of mother goddess. Their wall paintings represent typical human figures, and are a clear expression of daily and social events of the Warli tribe of Maharashtra.

Union Territories such as Goa, Dadra and Nagar Haveli, Daman and Diu are having distinct identity in terms of its geographical location as well as cultural features. Goan tribes live in segregated villages and are engaged in agriculture, fishing and animal husbandry. The endogamy principles at group level, exogamy at population level, are the rules of marriage. Family is the basic social unit. The form of marriage prevalent in Goa is monogamy among Hindus and Christians whereas it is social contract among the Muslims. In northern part of Goa, *Saddo* ceremony is observed to cut the cloth to be worn by the bride in the house after the wedding.

Dadra and Nagar Haveli is a land locked union territory which lies besides Gujarat and Maharashtra. Major tribes of Maharashtra and Gujarat are found here. Four-fifth of the population belongs to ethnic communities who attract major income in the form of tribal tourism. Though agriculture is the major economic activity, tribal tourism is the major attraction in Silvassa where *gheria* of Dubla is the centre of attraction. Daman and Diu lie on the sea side and both are enclosed by Gujarat. Like Dadra and Nagar Haveli, Dhodia, Dubla, Naikda, Siddi, and Varli are the major tribes of this union territory. Most of the tribes are concentrated in heavily forested areas and are dependent on subsistence agriculture, hunting and gathering, etc.

Check Your Progress

- 3) Distinguish the geographical characteristics of eastern and western India.

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3.4 CENTRAL ZONE

Geographically speaking central India covers Madhya Pradesh, Chhattisgarh and its contiguous areas including South-eastern Rajasthan, northern Telangana and Andhra Pradesh, south-western West Bengal, Bihar, Jharkhand, Orissa, southern Uttar Pradesh,

and northern Maharashtra. Of which, Madhya Pradesh and Chhattisgarh contain majority of tribal population whereas Odisha contains more number of tribal groups.

The Gond are the largest ethnic population found throughout central region when compared to Baiga, Kol, Panika, and Agaria. Bastar which falls in Dandakaranya region is predominantly occupied by sub-tribes of Gond known as Maria and Muria. The tribal populations can distinguish themselves from one another in terms of physical appearance, material culture, language, folklore, myths and legends, etc. Though south Indian tribes belong to Dravidian linguistic family, some of the tribes from central region also speak the same language especially Gond and Khond who live on shifting cultivation.

The tribes of central India possess rich cultural heritage which is depicted through various socio-cultural activities. Generally, they used to worship their gods and goddesses in the form of natural resources such as hill, forest, streams, trees and animals. Religion is a mechanism to cure the diseases, protection from natural calamities and wild animals, good harvest, and prosperous living. Most of their rituals are related to their economy and satisfaction of psychological and spiritual needs. Usually, family and lineage deities are worshipped by the head of family at individual level whereas the clan members worship at village level collectively. Conventionally, each tribe has its own supreme god followed by its tribal pantheon. For example, the *Bada-dev* is considered as supreme god of Gond; the *Aadamma* (the mother goddess) is the major deity Panika, etc. Baiga is Dravidian tribe inhabiting the eastern hills of Satpura have peculiar customs to testify the marriage ceremony. To ascertain whether the union will be auspicious, two grains of paddy are dropped into a pot of water. If the points of grain meet almost intermittently, it is considered that marriage will be highly auspicious. Cross cousin marriage is popular as *doodh lautawa* among Gonds. As Majumdar explained, that these kinds of cross cousin marriages are observed to avoid exorbitant bride-prices and to protect the familial property. But due to industrialisation and modernisation, majority of the animistic beliefs and rituals are changing and slowly they are adopting Hinduism, Christianity, and other cults surrounded by tribes of central India. Tribes of Bastar region do observe marriage ceremony wherein it is customary to observe *neerchaparana* by bringing water from the earmarked aquifers and sprinkle over the newly married couple. Economic organisation of some of the tribes still revolves around gathering, shifting cultivation, and settled cultivation.

3.5 SOUTHERN ZONE

This zone located in south of the Vindhya ranges covering both Eastern and Western Ghats. The newly created Telangana, Andhra Pradesh, Karnataka, Kerala, Tamilnadu, and the Union Territory of Pondicherry fall under this zone. Majority of the tribes are of Dravidian origin except Coorgs of Karnataka and the Toda of Nilgiri hills who still retain their distinct identities.

In Andhra, once the nomadic Lambadis who are also known as Sugali originally migrated from Rajasthan and are distributed in rural areas of Telangana and Andhra Pradesh, whose hamlets are popular as '*thandas*'. Agriculture is the mainstay of all the tribes. Some of the vulnerable groups such as Chenchu, Kolam, Konda Reddy, and so on still rely on forest for their subsistence besides agriculture. The nomadic hunting gathering tribe Chenchu is now settled in plain areas. Besides Hindu deities, they do worship local deities. Nuclear family is their basic social unit which consists of husband, wife and their children. Konda Reddy inhabit the highlands of Godavari still surviving on

podu (slash and burn cultivation). They are highly cooperative which is evident from the management of common property resources and celebration of joint ritual activities. Kolam, inhabiting northern most districts live in similar conditions to Konda Reddy who speak *gondi* dialect. Their social organisation is based on a system of exogamous *septs*. *Ayak* is their cult deity but referred to be as *Bhimal* or *Bhimana*. Naikpods of Adilabad district had their own language known as *kolami* but majority are well versed in *telugu*.

In Karnataka, typical Coorg exhibit distinct physical and cultural characteristics when compared to other tribal communities. Jenu Kuruba have their own dialect known as *jenunudi*. Tribal households are mostly nuclear in nature but cultivation is organised jointly. Wayanad in Kerala has predominant tribal population with distinct language and culture. Majority of them are matrilineal in nature but maternal uncle plays an important role in socialising the child in a family. Many tribes had their language or dialect, traditions, customs, myths, ritual practices etc. Tribes of Kerala today are mainly agriculturalists although forest is still an important part of their lives. Endogamous marriages are considered as taboo and severe punishments are meted out to those who deviate the rule. Among Irular of Palghat, the whole community performs a type of group dance which is famous as *kurumbalam* during marriage and death. Among Kurichyar, bow and arrow are compulsory in all life cycle rituals. Paniyar scare about the dead souls and hence observe *nikalattam* to pacify the dead spirit. Tattooing among tribes of Kerala is unique in nature as ink used is made from the mixture of human breast milk, castor oil, and carbon collected from oil lamps. In Tamil Nadu, Todas of Nilgiri hills are distinct from the rest of tribal community as they still depend on pastoralism for survival. They are interdependent with Kurumba, Kota and Badaga and exchange milk products to procure other essentials.

The tribes of south India observe clan exogamy which is based on the settlement and territory. But Kadar have no such clanship and their temporary local groups and families are the units of social organisation. They place emphasis on the members than any institutional mechanism. Even the Mal Pandarams are also not having any such clans, marital alliances were held with the distant people who have little or no blood relation. Among Toda, social organisation is divided into endogamous moieties such as *tharthazoll* and *thevelioll*. Each moiety again consists of number of exogamous clans. These clans are further divided into *kudrs* and *polms* for ceremonial purposes.

Fraternal as well as non-fraternal polyandry is the marked feature of Toda, Kota, Nair communities in south India. But with the changing conditions in and around Todas of Nilgiri hills, the present generation is showing interest towards monogamy as they feel embarrassed when compared to their neighbouring marriage customs. Demography, infanticide, bride wealth are factors for this matrimonial custom. In this groom agrees to give an amount in the form of cash or kind to the parents of the bride. To prevent the exorbitant rates of bride wealth and uneconomic agriculture in mountains by a single husband, this mode of marriage system might have come into existence. Among Toda, sociological fatherhood is considered most important one than the biological fatherhood. To fix such kind of fatherhood, they observe bow and arrow ceremony. On this occasion, all the brothers and a common wife gather in presence of whole village in the fourth or fifth month of pregnancy. On consensus, one of the brothers presents a set of bow and arrow to the wife as a part of declaration of sociological fatherhood to the ensuing child.

Check Your Progress

- 4) Classify the tribal communities of south India based on western and eastern ghats.

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3.6 ISLAND'S ZONE

Besides the mainland India, there exists some indigenous communities in far-away regions like Andaman and Nicobar Islands and Lakshwadeep that are very much part of Indian subcontinent.

Tribes of Andaman and Nicobar Region

The union territory of Andaman Island consists of more than 572 islands both inhabited and uninhabited lying in south eastern part of the Bay of Bengal. The topography is generally hilly and the soil with little water holding capacity. The islands are home to the paleolithic tribes such as Great Andamanese, *Ang* (Jarawa), Onge, Sentinelese who are the remnants of *negrito* stock. They are typically live-in bands foraging in the forests in search of food, in similarity with neighbouring Semans of Malaya and Aeta of Philippines. In 1888, Great Andamanese were having more than 2,000 population and occupied major portion of Andaman Island. But now they are having 74 individuals, of which 56 constitute Mendalian stock and remaining 18 are having mixed population physical characters. Due to their endangerment, they are now rehabilitated in Strait Island by providing *pucca* built houses and supply of ration. Now they have undertaken employment and are cultivating coconut, betel nut, vegetables along with poultry farming.

According to 2011 census, Jarawa tribe is having a total population of 380 with 194 males and 186 females inhabiting the coastline of south and middle Andaman whereas Sentinelese inhabit north Sentinel Island. Onge of Little Andaman are having a population of 101 with 52 males and 49 females. The Sentinelese are not head counted so far due to their hostility and isolation. Majority of them are forest nomads who rely on gathering mode of economy. Great Andamanese and Onge rely on government aid and are engaged in horticultural activities. Varieties of fish, octopus, turtle, crabs, *molluscus*, edible roots and tubers, and so on mainly come from the island coastal ecology. Jarawa used to live in bands and build temporary thatched huts which are popular as *chadda*. The settlements consist of one comparatively semi-permanent community hut mainly used by the family members surrounded by two small semi-permanent huts on either side. One belongs to adolescent boys' dormitory (*dahchadda*) and the latter belongs to the adolescent girls' dormitory (*abelachadda*). One small hut like structure is found at the backside with the storage of fishing materials and dried honey combs.

In the main hut, there exists one big center fire place along with multiple fire places besides sleeping beds. It indicates the cohabitation of band in semi-permanent hut with clear demarcation of nuclear families. The day-to-day functional materials like fishing nets, large number of *Tohad* (knives) pierced on the thatch roof, sleeping beds with wooden logs, cane baskets, wooden buckets, huge number of skulls of hunted wild

pigs tied in nets which are suspended from the thatch roof and wooden post, iron plates, bunches of empty mineral water bottles, fuel wood, utensils packed gunny bags, elevated structures for keeping articles etc., are also found in the main *Chadda*. There exists some open fire place where boulders are kept beneath the fire place where jack fruit is roasted and preserved underground for consumption in lean season. Whenever they hunt wild pig or gather wild produces in large quantity, they are shared within band members. The honey collected with beehive combs by the members of the *Chadda* is stored nearer to the camp which is to be consumed on the ceremonial occasion like marriage or get together of two bands simultaneously. Now administration is providing vessels used for boiling collected fish, crab, *molluscus*. Contact with settler community made them to consume banana, coconut, rice, and other consumable items.

The Nicobarese and Shompen are the inhabitants of Nicobar Island. It is a conglomeration of twenty-two islands that are categorised into north, central and southern groups. Majority of the Nicobarese dwell in Car Nicobar which is having 14 villages. Chowra, Teressa, Bompuka, Katchal, Camorta, Nancowry and Trinket islands constitute the Middle group. The southern group islands are known as Kondul, Pulo Milo, Little Nicobar, and Great Nicobar. Nicobarese dwell in all these islands whereas deep forest areas of Great Nicobar are inhabited by Shompen. Compared to other islands, Car Nicobar is flat whereas the central and southern islands are having uplands towards interior. Hence population is sparsely distributed in these islands.

The Nicobarese language is classified as Austro-Asiatic sub-family. Whitehead (1924) classified the Nicobarese into six linguistic groups. The Roman script introduced in Car by Bishop John Richardson along with George Whitehead with the assistance of Bishop Richardson has become a '*lingua franca*'. Horticulture is the mainstay of the Nicobarese. All the Nicobarese resemble similarity in physical features, culturally they are distinct. Nicobarese society is organised as maximal lineage system which is popular as *tuhet* which facilitate the collective cooperation and group cohesion. *Inlom* is a kind of bi-local residence which is paving for in and out migration. Nicobarese possess art of making baskets and canoes. Though majority of them converted to Christianity and Islam, they still maintain animistic practices. They have belief in magical powers despite of conversion to Christianity. Southern group is characterised by animistic belief in fetishes known *ashentukui* and *kareava* and offer worship along with animal sacrifice.

Kinrooka (reburial ceremony) is an important ceremonial activity among Central Nicobarese which is celebrated to dig-out the bones of the dead and the same was reburied in another place. Whenever the concerned *tuhet* procure sufficient resources, they decide the date for its celebration. But the 2004 earthquake and tsunami have made tremendous impact on the traditional culture of the Nicobarese. At present such kind of traditional feasts are very rare as their habitat and resources were washed away in giant tsunami waves. In the newly built rehabilitation shelters, they are facing problems in observation of traditional ceremonial events.

Tribes of Lakshadweep Region

Laccadive, Aminidivi, and Minicoy together form a Union Territory of Lakshadweep, 220 kilometres off Calicut. The inhabitants of Minicoy are ethnically and culturally similar to Maldivians' group. Majority of the tribes resemble the physical features of the tribes of Kerala and the existing custom of matriliney is a testimony to this fact. Archaic form of Malayalam with distinct Arab accent is a popular language but in Minicoy *mahl* is popular. This region was divided into four divisions such as Minicoy, Kavaratti,

Amini, and Andrott. Koya, Malmi, and Malacheri are the major tribes of Laccadive group of islands; Manikfan, Thakur and Raverie in Minicoy; Tarwad, Tanakam-Pranaver, Kudiat and Melacheri in Amini. The peculiar matrilineal kinship system followed by a duo-local residence is a characteristic feature where husband was a night visitor to his wife's house where she lived with her matrilineal kin. In course of time Hinduism is replaced with Islam, but this rare form of matriliney has survived. Islam provided flexibility with existing matrilineal system in Lakshadweep. Most of the settlers belong to four major ethnic groups of Kerala i.e., Nair, Nambodri, Mukuvaan, and Tiyya. Koya were the land-owning class who own boats and claim origin from Nair and Nambodri Brahmin. The Malmi who are navigators and tenants the Melacheri are coconut pluckers and toddy tappers descended from *tiyya*. Relations between high and low groups were marked by a kind of discrimination and social distance but not by notions of ritual purity and pollution. Membership in *tharvad* is traced through female line and on property no individual has exclusive rights rather it is a communal one used for the welfare of its members. *Karnavar*, a male member of *tharvad* play an important role in maintenance of the lineage. But his authority could not normally be overbearing. Despite of contact with new faith, the local people retain the socio-cultural moorings. Coconut is the mainstay of the inhabitants of these islands followed by fishing.

Check Your Progress

- 5) Write a brief note on the Island tribes along with their topographical conditions.

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3.7 SUMMARY

Thus, the present unit provides a vivid picture of geographical and cultural characteristics of tribes in India. Though the cultural features have largely evolved with the influence of surrounding ecology but within the same ecological zone variation is observed from the above- mentioned zones. The high lands in the Himalayan zone facilitate pastoralism rather than settled cultivation and had developed barter exchange with the plains population. More or less hill tribes of north east following *jhum* cultivation whereas those in the plains have become settled cultivators. But, the Baiga of central India resort to *dabha* cultivation where agriculture is undertaken in shifting cultivation high lands. In southern zone, instances of polyandry exist among the Toda whereas the neighbouring ones are having different structure. Even the marriage customs, rules, worshipping patterns seem to be similar in eastern zone, but linguistic as well as religious variations are noticed. The existence of Negroid population is still a mystery for the anthropologists in Andaman Islands since this zone is close to south east Asian countries where mongoloid population is predominant. With the contact of mainland population and the introduction of alien food habits and diseases the language and culture of these tribes are being endangered. The island ecology facilitates the horticulture ecology among the Nicobarese and the tribes of Lakshadweep along with fishing. Thus, geographical distribution coupled with unique cultural characteristics contributes the cultural mosaic of the country.

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3.9 ANSWERS TO CHECK YOUR PROGRESS

- 1) Refer to Section 3.0
- 2) Refer to Section 3.1
- 3) Refer to Section 3.3 and 3.4
- 4) Refer to Section 3.5
- 5) Refer to Section 3.6

UNIT 4 ANTHROPOLOGY AND TRIBES OF INDIA*

Structure

4.0 Introduction

4.1 Defining the Tribes in India

4.2 Tribal Studies in India

4.2.1 Historical Significance

4.2.2 Academic Significance

4.2.3 Administrative Significance

4.2.4 Anthropological Significance

4.3 Classical Socio-Cultural Studies of Tribal Communities in India

4.4 Summary

4.5 References

4.6 Answers to Check Your Progress

LEARNING OBJECTIVES

In this unit, you will learn about the followings:

- importance of tribal studies from various vantage points such as historical, academic, administrative, and anthropological;
- role of anthropology in the tribal studies in India; and
- anthropological contributions in understanding the tribes of India.

4.0 INTRODUCTION

India has 8 per cent of the total tribal population of the world. As the tribes are listed in the fifth and sixth Schedule of the Constitution of India they came to be known as Schedules Tribes (STs). The tribal population is spread across the country in almost all the states in India. The tribal population in India, like anywhere else in the world, is considered distinct from the 'mainstream population' of the country. Their culture, religion, language, world views differ drastically from the 'others.' They are considered to live in coherence with nature, closed, isolated, egalitarian (social, economic, and gender) smaller communities that are mainly confined to the forest and hill areas. The social organisation of the tribal societies is considered to be drastically different from that of the village societies.

When anthropologists discussed the evolutionary theory, they needed societies and cultures that they considered primitive or in infant stages of society. Placing their own societies and cultures in advanced and civilised, the colonial anthropologists viewed the native communities that were living in other continents as primitive. The evolutionary theory strongly advocated that societies and cultural traits pass through specific patterns

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and progress in a particular direction. The colonial anthropologists believed that their society too passed through these designated stages and arrived at the complex, advanced and civilised society stage. Nonetheless, they need to understand the primitive communities and their social structure and organisation. Therefore, they flocked to study the communities considered to be native in African, Australian, American, and Asian continents. The presence of the British administrators as colonisers also favored the anthropologists to come to India.

Those who came to India as administrators and anthropologists were flabbergasted with the diversity of ideas, cultures, and people they encountered. They were unable to understand why some people prefer to live far from the so-called modern infrastructure, why some people could not comprehend the preaching of the modern religion. Why do some tribal communities (Rampa Fithuri in Rampachodawaram in Andhra Pradesh led by Alluri Seetha Rama Raju, or the Munda Rebellion in the Erstwhile Bengal Province led by Birsa Munda) resist the British and their authority over them, while most of the mainstream population accepts it? These are a few of the reasons British anthropologists focused on understanding the society and culture of the tribal population in India. Post-independence, our Indian Government too encouraged the studies on tribal communities to come up with welfare measures and empowerment policies for the tribal population in India.

The first and foremost problem that arises is defining India's tribal population is defining and identifying who they are and how they are different? Why administratively and anthropologically the tribes should be considered separate categories becomes imperative for two reasons: (i) administratively, to provide necessary assistance for their overall welfare; and (ii) anthropologically, to understand the social structure and organisation of the tribal societies and also to offer solutions for the problems faced by the tribals in this modern world.

4.1 DEFINING THE TRIBES IN INDIA

An attempt to define anything results in understanding that concept significantly. Many anthropologists spend considerable time providing definitions to their area of study. Defining the tribes across the globe (in Australia, the Americas, and Africa) was not necessary as there is a traceable history of non-indigenous people migrating or colonising the indigenous lands. Apart from the traceable history, the indigenous and non-indigenous populations' racial features are quite stark in comparison. Hence, the anthropologists that studied the indigenous populations in these continents never focused on defining 'tribals' in their respective studies.

However, the tribals in Indian society are a little different when compared with their counterparts from the other continents. Tribal societies are different from mainstream societies (or village societies), and tribals managed to preserve their culture and cultural traits from the acculturation process from the mainstream societies. The tribals and non-tribals share more or less the same regional, racial features. Tracing the history of migration of the non-tribals to the tribal areas is next to impossible. This is because the local population is as much indigenous as the tribals themselves. Applying the term indigenous to the tribal population in India is also highly debatable. Many scholars and activists are aware of it and use terms such as '*Vanvasi*,' '*Adivasi*,' and '*Girijan*,' indicating their place of living and the claim that they were present in these lands much before the influx of the non-tribals into their area.

Andre Beteille makes a great attempt to define tribes with special reference to India. He points out that our Indian Constitution does not define who tribes are but merely states in article 342(1) that:

'The president by public notification, specify the tribes or tribal communities or part of or groups within tribes or tribal communities which shall for the purpose of this constitution be deemed to be scheduled tribes in relation to the state of union territory as the case may be.'

He further adds that Constitution Article 342(2) states,

'Parliament may by law include in or exclude from the list of scheduled tribes specified in a notification issues under clause (1) any tribe of tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.'

This article and the two clauses fail to provide the definition required to identify the tribal communities. It is merely left to the discretion of State Government to recommend to President through the Governor, who can be considered and who cannot be considered as tribes in their respective states. This presents a major confusion and makes the State Government often depend on the expert commissions to decide whether a particular group/community is a tribe or not?

Andre Beteille also tries to analyse the vague explanations provided by the various expert committees from time to time in identifying the tribal communities. He adds, in 1951, the commission for SCs and STs proposed common elements to the definition of tribes as *'tribal origin, primitive way of life, remote habitation and general backwardness in all respects'*. In 1965 Lokur Committee says *'indication of primitive traits, distinctive culture, geographical isolation, and shyness of contact with the community at large and backwardness'* are the criteria for identifying a tribe. These are considered a vague interpretation of the definition of tribes in India as they can be counter-argued. Some examples of tribes that may be presented suggest otherwise, other than the above provided definitions.

Andre Beteille also analyses the social conditions compared to the non-tribal societies and tries to offer a comprehensive definition. *'The tribes as a society with a political, linguistic and somewhat vaguely defined cultural boundary; further, as a society based upon kinship, where social stratification is absent.'* However, Andre Beteille also warns us that there are no ideal types of tribes as conceptualised by anthropologists. The tribes are evidently in transition. Therefore, the tribes in India should be defined by considering several factors. One cannot fit them into a blanket definition that fits all the tribal communities in India. Their 'Historical Perspective' should be taken into consideration when studies attempt to understand or define the tribal population in India.

Check Your Progress

- 1) What are the key aspects that one needs to keep in mind before defining tribes in India?

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4.2 TRIBAL STUDIES IN INDIA

A systematic and scientific study of the tribal areas was carried out by Western scholars in British and post-British India. Continuing the legacy, Indian anthropologists too took a special interest in understanding the tribal communities in India. The discipline of anthropology emerged as synonymous with tribal studies. With anthropology venturing into vast areas of studies, Indian academia came up with a specialisation of tribal studies to focus their research exclusively on the tribals. The tribal studies are carried out for various reasons in India. We can broadly divide tribal studies having significance from historical, academic, administrative, and anthropological vantage points.

4.2.1 Historical Significance

Carrying out tribal studies in India has a very important historical significance as the concept of tribe is little different from the other parts of the globe. Understanding how India's tribal communities and mainstream society learned to co-exist and learn from each other cultures could be a crucial lesson for the world. The tribal and non-tribal conflict is still a reality in most of the world. In the past, the indigenous communities were subjected to cultural and physical genocide by the colonisers who tried to take over indigenous lands.

In India, it is evident that the tribals are a very important part of the Indian civilisation as they have been mentioned in famous mythologies. Moreover, there is strong evidence suggesting that they were a part of the administration and governance in many of the princely states before the pre-Mughal and Mughal eras.

Tribals are one of the first communities to rise in rebellion against the British administration and their policies in various parts of India. This is during the time the mainstream societies more or less accepted the supremacy of the British. The British, as a response, adopted a separate tribal administration and governance policy and started to treat them as separate entities in the Indian civilisation. British created excluded areas and partially excluded areas to govern them. Following the British, our Constituent Assembly in independent India tried to understand why the British came up with this governing policy towards tribals and suggested that independent India follow the British's footsteps and govern the tribals separately. This study on the tribal from the historical perspective facilitated the creation of the Fifth and Sixth Schedules, which prevent the tribals' exploitation by the non-tribals.

Understanding tribals from a historical point of view is imperative in formulating and implementing the policies. This will help us develop policies to help them preserve their culture and address the rapid cultural transformation that the tribals are subjected to through the process of modernisation and globalisation.

4.2.2 Academic Significance

Tribal studies should be incorporated as a major part of study in anthropology and exclusive centers of tribal studies and should also be made a part of the other social science subjects. The tribals and their contribution to the independence movement has

been ignored and neglected. The tribals' way of life offers a deeper philosophical understanding of how to live with nature and how to become part of nature rather than considering ourselves as masters of nature. The tribal way of understanding life has been pursued under various headings such as minimalism, sustainability, gender equality, focusing on the present rather than stressing the future, and various other modern discourses have been based on the ways of tribal communities.

The academics also benefit from understanding the indigenous knowledge and its significance in advancing science and decolonising the mind from various aspects. Tribal economy, tribal polity, and tribal environmentalism are undoubtedly other areas where academicians would benefit from studying the tribal communities. It also becomes imperative for mainstream and non-tribal societies to be educated about tribals and their culture to minimise the conflicts that may arise because of lack of understanding between these parties.

4.2.3 Administrative Significance

There is a dire need for tribal studies to be carried out to provide better tribal administration. The forest department takes a cue from the colonial era laws and conceptions about the forest and still considers and treats the tribals as trespassers and illegal residents. With the enactment of '*The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006*,' the harassment against tribal communities seems to have been minimised. However, the harassment is continuing to date in various forms. The non-tribal population that is posted in various administrative posts treats the tribal communities as inferior. The policy formulation and implementation are carried out with the notion and approach that tribals do not know anything and need to be given 'development' by the outside intervention.

The non-tribal functionaries working in the tribal areas need to be sensitised about the tribal life and culture. Not unless the non-tribals understand and step into the shoes of the tribals they will be able to provide sensible administration to the tribals. Having realised and acknowledged the significance of tribal welfare and development, many states came up with special Tribal development programs and are allocating considerable funds in this regard. Nonetheless, time and again, the Government reports kept on considering and reporting that tribals are still backward compared to the general population in various parameters such as education, health, life expectancy, etc.

In order to avoid leakage and wastage of funds, administrators are required to adopt the decentralisation and inclusive approach. They need to talk to the tribals to find out what they need and try to customise the administration as per the requirements of the tribal people. One of the main hurdles for implementing the '*The Provisions of the Panchayats (Extension of the Scheduled Areas) Act, 1996*,' which came to be known as the PESA Act of 1996, are politicians and the bureaucrats in the tribal regions. PESA Act allows the formation of local governance structures in the form of panchayats in the tribal and scheduled areas. Instead of facilitating the process of decentralisation and self-governance among the tribal areas, the politicians and the bureaucrats act as barriers to implementing the PESA Act. This is because of the various misconceptions prevailing about the tribals and their culture.

'*The Particularly Vulnerable Tribal Groups in India: Privileges and Predicaments*' (2016) report by Anthropological Survey of India mentions that there is no baseline survey of 35 PVTG communities in India. Base line survey provides basic information

about the demographic and other important features of a community that will aide in the policy formulation and implementation that cater to their needs. Tribal studies are pivotal for providing better administration for the tribals; a country can not claim to be on the path to advancement when a considerable population is left behind.

4.2.4 Anthropological Significance

Anthropology as a discipline claims to have a fourfold approach in understanding a concept or a topic. Studying the tribal communities from the fourfold approach offers a comprehensive insight that any other discipline cannot provide. The anthropologists are pioneers in studying the tribal communities across the country. The tribal studies in anthropology started with identifying and defining tribal communities. Then, later anthropologists advanced the tribal studies by understanding the social structure and organisation of the tribal societies to a deeper level. Tribal communities were considered and shown as a critical or indigenous dimension of the Indian civilisation. Furthering the studies in tribal areas, anthropologists also focused on understanding cultural change, transition, and transformation. They also identified the external and internal factors that are propelling the process of cultural change among the tribal societies.

Our National Tribal Draft Policy, 2006, starts with a dilemmatic question *‘in preparing any policy for the Scheduled Tribes in India is how to strike the right balance between preservation of tribal identity, culture, and values, protecting the tribes from being swamped by mainstream lifestyles while increasing and ensuring their access to mainstream education, health care, and income generation so that the quality of their life is improved.’* Anthropological knowledge can provide solutions for such dilemmas with their tribal studies and strike a balance between bringing development while preserving their culture and identity. Anthropology has been involved in providing amicable solutions for the Government and the tribals with their extensive knowledge of various conflicts that arise between both parties.

Check Your Progress

- 2) What is the anthropological significance of tribal studies in India?

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4.3 CLASSICAL SOCIO-CULTURAL STUDIES OF TRIBAL COMMUNITIES IN INDIA

The nature of studies on the tribal communities varies from time to time. The earlier anthropologists were mainly concerned with identifying and briefly introducing the tribal communities to the academic and general world.

Sarat Chandra Roy, the father of Indian Ethnography with his work the *Munda and their Country* (1912), has kick-started the scores of anthropological works being carried out. SC Roy has enthused many anthropologists (both Indian and abroad) with his meticulous explanations to emphasise tribal studies. It set the growth of anthropology as a discipline and laid the foundation for tribal studies in India.

Scholars such as Ananth Krishna Iyer contributed to tribal studies in India with his works, *The Cochin Tribes and Caste* (Vol. I & II, 1908-1912); *Ethnology of South India, a Contribution to the Encyclopedia of South India* (1920); and *Mysore Tribes and Caste* (Vol. I to IV, 1926-1931).

Christoph von Furer-Haimendorf, the Austrian anthropologist and ethnographer, wrote many books on the tribal communities of India. In the researcher's capacity and the empowered advisor to the Nizam, he suggested various measures to address the problems of the Raj Gond tribe in the Adilabad district of the current Telangana state. His works include *Tribes of India: The Struggle for Survival* (1982); *The Chenchus: Jungle folk of Deccan* (1943); *The Raj Gonds of Adilabad: Myth and Ritual* (1948); *The Reddis of the Bison Hills: A Study of Acculturation* (1945); *The Gonds of Andhra Pradesh* (1979). However, latter anthropologists also criticised him for being ethnocentric and also for portraying the tribal communities in exotic and bad light for the world anthropologists.

Verrier Elwin, with his extensive fieldwork among the central India tribes and tribal communities of Odisha, has contributed enormously to tribal studies in India. Some of his works are, *The Agaria* (1942); *The Baiga* (1939); *The Muria and their Ghotul* (1974); and *Tribal Myths of Orissa* (1954). With his extensive knowledge of tribal culture and society, Verrier Elwin also contributed to the formulation of the *Panchasheel* in collaboration with Prime minister, Jawaharlal Nehru. *Panchasheel* acts as an unofficial tribal policy to govern the tribal communities in post-independent India. He also strongly advocated for the isolation approach in governing the tribal populations and played a key role in the formulation of the Sixth Schedule of the Constitution that provides autonomous Tribal Councils for some of the northeastern states in India.

W.H.R. Rivers studied the socio-cultural aspects of *The Todas* (1906) of Niligiri Hills. He explains the social organisation, religious practices, polyandry, and inter-ethnic relations the Todas share with the other communities in the Nilgiri hills of Tamil Nadu. This book is still considered a benchmark for carrying out ethnographic work among the Todas and many other tribal communities in India.

A.R. Radcliffe-Brown studied '*The Andaman Islander*' (1922) and contributed to understanding the less studied tribal communities of the Andaman and Nicobar Islands. Following this study, many scholars realised the importance of studying the tribal communities in these islands.

Following the lead of the league of scholars that have contributed enormously for the tribal studies in India, many scholars such as N.K. Bose, D.N. Majumdar, L.P. Vidyarthi, T.N. Madan, and so on have carried out fieldwork among the tribal studies and contributed to the understanding of the tribal cultures and societies. Several other scholars also focused on cultural change, problems faced by the tribal communities in the modernisation, industrialisation, and globalisation era. Hundreds of dissertations on tribal studies are being submitted every year across the universities in the country.

In addition to this, time and again, Government appoints committees to recommend measures to be adopted for the overall betterment of the tribal communities in India. '*Report of the High-Level Committee on Socio-Economic, Health and Educational Status of Tribal Communities of India*' (2014), chaired by Prof. Virginius Xaxa commissioned by the Ministry of Tribal Affairs, Government of India, takes into account the current tribal conditions and suggests measures for the improvement of their condition in India.

Anthropological Survey of India carries out periodical studies on tribal communities. The *Particularly Vulnerable Tribal Groups in India: Privileges and Predicaments* (2016) edited by Prof. K.K. Misra throws light on the conditions of the PVTGs in India and emphasises the prevailing conditions and the need for the Government's immediate attention towards these tribal communities.

The Idate Commission Report 2017, headed by Bhiku Ramji Idate, submitted to the National Commission for Denotified Nomadic and Semi Nomadic Tribes in India, stressed the importance of studying the nomadic tribes, denotified nomadic tribes and semi nomadic tribes in India.

It is next to impossible to list all the classical socio-cultural studies of tribal communities in India. This section attempted to provide a gist of the tribal studies that have been carried out by various scholars and anthropologists across time. These studies include monographs on tribal communities explaining their socio-cultural issues, studies focused on issues faced by the tribals, or cultural change and its impacting factors, as well as the studies that have been carried out to understand predicaments of tribal population and aim to suggest measures for the overall betterment of the tribals.

Activity

Observe the policies and acts such as National Forest Policy, Forest Right Acts, PESA Act, and Draft National Tribal Policy. Note how the tribes are interpreted both from administrative and the anthropological sense and keenly observe the role of anthropology as a discipline in uncovering the cultural nuances of the tribes and how it aided in policy formulation and implementation.

Check Your Progress

- 3) List any five scholars and their works that throw light on the tribal studies in India?

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4.4 SUMMARY

The tribals and their society and culture are considered to be marginalised not only from the mainstream point of view but also from the academic point of view. There are very few works carried among the tribal societies by the other social science and humanities disciplines such as political science, economics, sociologists, philosophy, and linguists. Anthropology kick-started its academic journey in India by evidently studying the tribal communities and culture. For various reasons, the discipline of anthropology was often equated with and used as synonymous with tribal studies in India. As anthropology ventured into other areas of study, exclusive centers aiming at studying the tribal communities have emerged within the academic discourses.

It is imperative to understand the tribal communities and carry out studies among the tribal population from various vantage points such as academic, administrative, historical, and anthropological. Either for formulating or implementing a policy or welfare measure among the tribal studies, one needs to have a comprehensive understanding of the

tribal communities. Anthropology, with its contributions from various works on tribal society already established that it can offer a different perception about the tribal societies and culture with its four-fold approach.

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4.6 ANSWERS TO CHECK YOUR PROGRESS

- 1) A group of people who live as a society based on kinship; social stratification is absent and they function with their own political, linguistic, and vaguely defined cultural boundaries viewed from the historical perspective; can be defined as tribes in India. Refer to section 4.1
- 2) With the fourfold approach, anthropology attempts to offer a comprehensive understanding of the tribes, their problems, or their cultural transition and transformation in the era of modernisation and globalisation. Refer to section 4.2.4
- 3) Refer to section 4.3

A.R. Radcliffe-Brown- *The Andaman Islander* (1922)

WHR Rivers— *The Todas* (1906)

Christoph Von Furer-Haimendorf— *The Chenchus: Jungle folk of Deccan* (1943)

Sarat Chandra Roy— *Munda and their country* (1912)

Verrier Elwin— *The Agaria* (1942)

UNIT 5 TRIBAL ORGANISATION*

Structure

- 5.0 Introduction
- 5.1 Tribal Social Organisation
 - 5.1.1 Marriage
 - 5.1.2 Family
 - 5.1.3 Kinship
 - 5.1.4 Gender Roles
- 5.2 Tribal Economic Organisation
 - 5.2.1 Characteristics of Tribal Economy
 - 5.2.2 Forms of Tribal Economy
- 5.3 Tribal Political Organisation
- 5.4 Law in Tribal Society
 - 5.4.1 Features of Law in Tribal Community
 - 5.4.2 Tribal Customary Laws
- 5.5 Tribal Religion
- 5.6 Tribal Literature and Art
- 5.7 Summary
- 5.8 References
- 5.9 Answers to Check Your Progress

LEARNING OBJECTIVES

After going through this unit, you will be able to:

- learn about tribal culture, importance and distinctions of tribal culture, and various organisations within it; and
- understand about some of the important organisations like socio-cultural, economic, law and political.

5.0 INTRODUCTION

Culture is the important component of human community, containing various aspects of Socio-cultural life which are essential for survival and sustainability. It defines the responsibilities and learning procedures, practices and performances. Therefore, Culture is defined as complex whole..... by E.B. Tylor. It includes all the best experiences that are experimented through ages and continuously being added. Tribal communities are thought to be the earlier settlers. They are the initiators of cultures around different geographic and climatic conditions. The kinship and egalitarian principles are the base of their societies. The communal ownership of property, simple technology, and household economy determines their sustainability. Varieties of economic systems

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including hunting-gathering, shifting cultivation and terrace land cultivation, fishing, and pastoralism. Nature worship and belief in ancestor worship are the fundamental basis of their religious life. Leadership like clan/lineage head, village head, priests/shaman are the popular kind prevalent among tribal communities.

Towards understanding of tribal culture, we have to discuss various important organisations like social, economic, religious, political, and law. This can give the details of varieties of structures to make the organisations functional and the corresponding performances by the individual members within it. In India we have diverse systems within organisations, depending on the tribal community to which it belongs to. We will discuss some of the vital organisations of the Indian tribes. Different geo-climatic zones are also responsible for the varieties of organisational attitudes/behaviours and customs within it.

5.1 TRIBAL SOCIAL ORGANISATION

5.1.1 Marriage

Marriage, family, and kinship are the main components of social organisations among tribes. Marriage is the institution that facilitates the formation of family, the nucleus of society. Social organisation and social structure is essential to each other. Social structure defines the principles of social organisation/s, having the necessary arrangements. The activities of the individual and community are regulated by the structures. Indian caste system is the most elaborated form of socio-cultural platform. The tribal community has different marriages like marriage by service, by exchange, probationary marriage, marriage by capture, marriage by elopement, marriage by intrusion, widow marriage. Incest taboo is the basic principle that guides the marriages. Breaching of incest taboo, results in punishment like excommunication, fine of various kinds and the like.

Apart from the above, Levirate (marrying deceased husband's younger brother) and Sororate (marrying deceased wife's younger sister) marriages are also prevalent among tribals. The varieties of marriage are in practice to facilitate the community to help themselves in finding alternatives during the time of critical situations or unavoidable circumstances. We have some case studies about how community members facilitate marriage by elopement and capture if they are unable to pay the amount of bride price required for ideal marriage. In addition to the above, marriage rules of exogamy and endogamy are predominant. The cross cousin marriage is one of the popular one among tribes of India. It is the marriage between the father's sister's children and mother's brother's children.

Check Your Progress

- 1) What is the meaning of social organisation and social structure?

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5.1.2 Family

Family is the centre of all socio-cultural frameworks of human society. It is one of the universal association i.e. present in each and every human community. Tribal in India have the nuclear family, joint family, extended, polyandrous, and polygamous families. We have researched and also observed by many eminent anthropologists that nuclear families are the most prevalent family type among the tribal. But the family members are supported irrespective of the family type. Extended and joint families are best known for the economic activities including household productions for subsistence economy. Division of labour across the gender and age groups, are well defined within the family for the said purpose apart from caring and sharing.

The residence is also marked for the members, particularly after marriage. Patrilocal, Matrilocal, Virilocal, Uxorilocal, and Neolocal are the residence types found among tribal. The locality and the numbers of members are also significant from economic point of view, as it requires the human resources as labour and expertise. The communal ownership of properties, inheritance rules along with the responsibilities of socialisation, are some of the important aspects for the family to deal with.

5.1.3 Kinship

The family and marriage are regulated by kinship. The mechanisms within these are beautifully structured by the tribal communities as per their requirements and also accorded by their experiences. The kin members are defined by the roles given to them and one kin has several roles to play. Again the roles define the status of the kin which changes from time to time, travels through different sequences, and ensues to fulfil the obligations.

Two categories of kins, i.e. consanguine (related through blood) and affine (related through marriage) are termed differently in different tribal communities, and taken into consideration throughout the life and beyond that. Apart from the above, nearer members form a group, from consanguine for example, to execute the marriage rules and rules of inheritance. Kin terms are the best formula to identify kin members and their roles. Kinship usages like avoidance, teknonymy, joking relationships, couvade, avunculate, and amitate are the interesting aspects to understand the kin members and their behaviour. The kinship obligations are based on certain principles of togetherness, mutual help, and social networking. Reciprocity and gift exchange are the significant performances along with the ritual performances. The lifetime education through the practices, are responsible for the traditions maintained, and reflected in tribal cultures. The grouping mechanisms within lineage, clan, phratries, and moieties are some the unique features of their social structure. The clan less nature of Saora kinship is one of the interesting types on its own. The local descent group *BIRINDA* regulates the kinship which is known as *Kheja* or *Punja*. *Bonda* tribe of south Odisha has the moiety.

5.1.4 Gender Roles

In every society the biological differences among the individuals are manifested in the respective roles provided. This also defines the categories of responsibilities assigned to the different sex which are best known as gender roles. Here the biology of the individual is attributed with specific jobs to carry for the smooth running of the socio-cultural processes. Most of the anthropologists agree that position of women in tribal community is relatively higher than the non-tribal communities. In this section we have to consider two genders only as male and female.

Evidences from research shows that matriarchal and matrilineal societies were existed prior to the patriarchal and patrilineal communities. The economic contributions by the female members make them the indispensable category apart from the child bearing and child rearing as the primary contribution.

Gender differentiation and gender division of labour show the power and control of the respective gender. The household is the basic unit that gives the impression of gender roles across the community. These are exhibited in equal participation in rituals and activities, as part of division of labour, and cultural integration of the contributors and performers. Andaman Islanders are the one of the best example of economic participation of the gender.

Inheritance of parental property is also regulated by the descent rules of that community. In matrilineal societies (Khasis, Garos), female members inherit, as it happens for males in patrilineal societies. In tribal communities in India, daughters are also eligible to inherit the valuables of their mothers and grandmothers. Among Saora some of my lady informants also own “Donger” the local word for the hills. Among Kuli, both the gender has contributions in weaving.

Regarding purity and pollution, the female gender has specifications and taboos. They are not allowed to be part of different activities/participation during the pollution period. During menstruation, girls and married women are restricted from many occasions. Similarly in case of mothers, pollution period is observed after child birth, which is specific to the mothers delivered the child. During pregnancy also, some taboos are observed in anticipation of wellbeing of both of the mother and child. Toda of Nilgiri hills have distinct practices of pollution and they observe taboos for females. They do not allow females to prepare milk products supposed to be supplied to temples.

The most interesting part of gender roles are the practice of sorcery, particularly by tribal women. Among Saora, I came across number of female shamans (Dishari) who are also medicine women. Among tribal of Koraput district it is also observed that medicinal practices are by the members, irrespective of gender. Tribals of central India like Gond, and of north-east India like Angami and Ao Nagas, females have higher status.

Thus tribal women have relatively higher status, but it varies from community to community. Females are given significant responsibilities of child bearing and rearing, caring of family members, managing household economy, and other kinship obligations. However mutual cooperation and coordination are expected in every culture. Tribal communities are the best examples as a well knitted unit of defined roles for each gender.

Activity

- a) Identify your kin members with kin terms.
- b) Identify your family type.
- c) List down some rules of marriage followed in your community.
- d) Write about the gender roles in your society.

5.2 TRIBAL ECONOMIC ORGANISATION

5.2.1 Characteristics of Tribal Economy

The simple technology in use among the tribes in India says about the coordination they have engineered with the ecosystem. The non-profit principles are the main factor for the subsistence features in the economy. But the tribal members are known for their self-sufficiency and independence. At different times, they have adapted to the changing situations as well. However some of them called as Particularly Vulnerable Tribal groups (PVTGs) are characterised by simple technology, declining population, low literacy, and subsistence economy. Functioning within a close system, the economic performances surround

- Community specific activities within the geo-climatic conditions,
- Reciprocal exchange through barter and gift exchange,
- Non-profit motivation,
- Division of labour,
- Tribal Markets,
- Village-Kinship=Family obligations,
- Sustainability but low innovation,
- Cooperative unit of functions and interactions.

L.P. Vidyarthi and B. K. Rai (1976) have identified nine structural features that characterise the tribal economies in India. They are as under:

- i) Forest based economy;
- ii) Domestic or familial/mode of production;
- iii) Simple technology;
- iv) Absence of profit motive in exchange;
- v) Community: as a cooperative unit;
- vi) Gift and ceremonial exchange;
- vii) Periodical markets;
- viii) Interdependence; and
- ix) Economic institution of Dhangar.

On the basis of the above points, we can discuss the features of tribal economy.

a) Forest Based Economy

Tribal economy harnesses the forest resources with the help of simple implements without much technological aid from the outer world. They collect edible roots, fruits, vegetables, flowers, honey, insects, fish, pigeons, hares, pigs, etc., from the forests for their consumption. The forest dependence of the tribes in the country differs with their economic typology. According to Rai (1967) the Birhors of

Chotanagpur, Chenchus of Andhra Pradesh, Juangs of Orissa, Kadars of Kerala, the Paliyars and Paniyars of Tamil Nadu depend on forests for their survival and sustenance.

b) Domestic or Familial Mode of Production

Family as a unit directly engaged in economic process of production and consumption. The decision-making processes of allocation of labour and units/ items of production are governed by family requirements. Household production is purposefully done for consumption. Both age and gender are the criterions of division of labour.

c) Indigenous and Simple Technology

Being uninventive most of the time, the community members continue with simple technology. They are being trained in traditional way, and indigenous knowledge is the base of these. They nurture the nature and also exploit at the same time. The implements are very often in-house productions of the tribal. It may be the hunting implements of Birhor/ Mankedia, Plough of Bhil, Munda, Oraon or shifting cultivation and terrace cultivation among Saora and in north-east tribal communities. Each community has its own material and implements. For example the hoe culture is present among many that can plough but not deep, and varieties of hoe we can identify from different culture. Other implements of use also follow the same principles.

d) Absence of Profit Motive

Kinship obligations and mutual help are the underlying principles of tribal economy. This is why profit motive is almost absent. Reciprocal exchange and gift exchange, are predominant than market exchange. Monetary transactions are the recent incorporations. In India, Bhil, Santhal, Gond, Ho, Oraon have close networking villages. Cattle herding and vigilance over forest resources are managed through alternative responsibilities of villagers, who devote their time and energy for common property in exchange of food and cereals throughout the year.

e) Community as a Cooperative Unit

Community activities are not for individuals but for every member within it. This is one of the basic principles of tribal economic organisation. These are expressed in the spheres of religious, political, kinship, and the like. The presence of alternative labour groups as discussed below is the best example of indigenously designed labour groups for various purposes. Besides supplying labour; it also provides protection and safety for each other across all types of socio-economic activities.

f) Gift and Ceremonial Exchange

This aspect already we have discussed and also we learned that gift exchange and ceremonial exchange are traditions among tribals. Renowned anthropologists contributed towards the discussion of various elaborated forms working among tribals in different parts of human communities. In India different forms of the above are present in tribal community but not that complex as it is discussed by B.Mallinoski in case of Trobrianders.

g) **Periodical Markets**

Tribal communities rely on week day's market and these are in different regions within the district. In Koraput district, different days for different purposes also happen like special markets. On Monday you can go for buying vegetables in dealer price from Kunduli market. On Sundays Koraput, Sunabeda and Simiiguda are the places for various items. Similar market days happen in Rayagada, Gajapati and Malkanagiri districts. Market in tribal regions is more than transaction of goods. Very often it facilitates the meeting of kin members, friends, boys, and girls for marriage proposals, parties of inter village or intra village for conflict resolutions. These also happen fortnightly. Locally market is called Hat, Pithia, Shandies and the like. Mostly these are placed within maximum of 10-12 kilometres distance.

Exchange of items is still prevalent in various forms. For example agricultural implements are exchanged for grains. Other items are woven cloths, baskets, daily use items for personal or/ and household consumption. Thus apart from hub of interaction market facilitates redistribution of resources takes place though in small scale. Non-tribal members of the region are also the part of this market.

h) **Interdependence**

More than one tribal community facilitate each other in supplying necessary items as they own them as producers and consumers. The discussion under market says about the exchange of items which also says that every item of consumption (use) are not part of every community and this is why they are dependent on other communities for the items they don't produce. Interesting examples are there in almost all tribal communities, even non-tribals in the region. They may be artisan Kotas, Badaga Toda and Kurumba of Nilagiri hills in south or Gadava, Paraja and Dongoria Kondh in undivided Koraput district, or Saoras of Rayagada district of South Odisha, or Rajgond and other tribes of Andhra Pradesh.

i) **Economic Institutions**

The land owners, particularly agriculturists possess labour groups to fulfil labour requirements for various purposes during cultivation. Among Saora "Änteera" does the traditionally instituted labour cooperative, comprising kin members, neighbours, and nearer members. Relatively similar group is called Dhangar among tribes of Jharkhand, and Bhumij of West Bengal. Also identified in other tribes like Tharus of Tarai area, Khasas of Himalaya, Rangma Nagas of North east India. In some communities like Oraon, Munda, Ho, persons are also employed on annual basis to cultivate the lands of the land owner.

Thus economic organisation is the sum total of activities that surround consumption, production, distribution and exchange, to fulfil the basic needs of life. Culture has incorporated every aspect of human needs along with the demand, supply, and distributions of consumables.

5.2.2 Forms of Tribal Economy

Being one of the traditional patterns, tribal economy includes number of systems within it. Food gathering, hunting, agriculture, pastoralism, are some of the major modes of production. Beginning with Palaeolithic era, these evolved and largely depend on the geo-climatic conditions. While evolving from one to another, it is not separated from

the earlier system but moves along with the previous form of economy. We can take the example of the cultivation along with food collection and fishing.

The food gathering communities are the Birhors of Jharkhand, Chhattisgarh, West Bengal, Mankedia and Kharias of Odisha, Munda of Jharkhand, and others. Pastoralism found among Gijjars of Jammu and Kashmir, Rajasthan, Koyas of Odisha and Andhra Pradesh, Toda of south India, Kurumba of Karnataka, and many others. Some tribes like Dogaria Kondh, Gond Angami Naga are some of communities practicing horticulture. In agriculture Oraon, Soara, Santhal, Bhil, Ho, Bhuiyan and others are known for their practices. Plain land, shifting and terrace land cultivation are followed among these cultivating tribal communities.

Apart from the above, tribal also have domestication of animals weaving, basketry, different type of forest collections like wax, honey, roots, tubers, medicinal items and the like.

Check Your Progress

- 2) Name the tribes in India practising hunting and gathering?

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5.3 TRIBAL POLITICAL ORGANISATION

Tribal community is mostly guided by customary law. The public forum/ body of the territory of the tribes is an entity. It incorporates the leaders, territory, custom, and maintenance of peace and order. Anthropologists E.E. Evans Pritchard and R.H. Lowie have immense contributions towards the study of political organisations. Starting with lineage, clan, villages, chiefdom, men's society, secrete society, are some of the examples of political bodies that maintain harmony within community. The various responsibilities of these bodies include: community activities like religious performances, activities relating to different economic systems, resolving disputes within village/ body, protecting members from outside attack, helping members in daily activities by following norms, and the like. In India, different communities have their own system of controlling the members.

5.4 LAW IN TRIBAL COMMUNITIES

Law is the important part of the society and culture and it helps the political establishment of that community/nation. B. Malinowski has clarified the significance of law. The basic functions of law in tribal culture are:

- To control human members within the community;
- To guide the members with their rational choices; and
- To impose control on the behaviour and instincts.

As mentioned above, customary laws regulate human behaviour among the tribes. The body of principles also is the base that allows the leaders/ authorities to enforce them through political and socio-cultural obligations. Both the positive and negative sanctions are the results of the existing customary law and the other. Some of the significant aspects of the tribal communities like, female members, property, are required to be protected for the smooth conduct of the culture specific activities. Hence law provides the platform to ensure safety and stability.

5.4.1 Features of Law in Tribal Community

To control the members, tribal community has different platforms like the moral education, kinship obligations, belief in supernatural forces and related rituals and festivals, and above all the different categories of punishments. The deviations from the law are thought to be the breach of law enforced by the supernatural forces.

Among various modes of punishments, uses of boiling water, jumping from a height, excommunication, imposing fine, imputing body parts of the culprit, are some of the most prevailing ones. Before giving judgements, oath and ordeals are also administered to confirm the culprit.

Among Saora of Odisha, there is a caste like structure but no caste principles are found. Here the leader locally addressed as Gamango, is the head who is responsible to look into the forum of law and order. Other strata like Bhunya, Mandala, Raita, have similar duties and status. However these are also title groups comprising the lineal kin members within it.

S. C. Roy's contribution started with the study of the customary law among Munda community and he had found that it is unique and varies from the modern law.

Giving community feast as part of fine/ compensation for the misconduct is in practice in most of the tribes of Odisha (Kharia, Saora, Kuli, Paraja and others), and the Kamar of Madhya Pradesh. Panchayat, as the village council is popular for the dispute resolutions and also deals with the issues of violations of socio-cultural incidences. One of the administrative unit known as "PIRHA" among Bhuinyas and Juangs, is known for almost all customary law among the tribes for regulatory activities, including the management of resources.

5.4.2 Tribal Customary Laws

We have discussed above the importance of customary laws which says about the tradition, perception about good and bad, and the practices to uphold the customs. As it is assumed and understood, it is not punishable if one breaches the customary law but it is a moral responsibility for each member to perform in the said directions.

The practices and performances are also not uniform in every tribal community, but it is framed by the members themselves out of their experience. The contributions of S.C. Roy are all about the customary law of Munda which helped him to conceptualise the ethnography of Munda, and others in subsequent time. The customary law in social and political spheres, land tenure, rules of inheritance, controlling erratic attitudes leadership pattern, rules of adoption, and many others are the significant part of tribal culture. Several documentations are made on customary law by P.K. Bhowmik, L.K. Mohapatra, Shibani Roy and S.H.M. Rizvi, K.S. Singh, M.C. Sarkar, Mukesh Bhargava, Sri O.S.V.D. Prasad, Walter Fernandes, N.K. Das, and many other scholars.

This helped a lot to understand the tribal culture and appropriate provisions for their welfare and integration.

L.H. Morgan (1877) and Hennery Maine (1871) observed from their empirical findings that kinship is the main principle of controlling the behaviours of its members and also hold them together. On the advent of modern law, customary law is no more given importance, though it works at the local/ community level. Presently members of the tribal community are controlled by the state law which is common to all the communities.

Check Your Progress

3) Differentiate between Customary law and Modern law.

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5.5 RELIGION AND MAGIC AMONG TRIBES

Tribal community has its own belief system in supernatural beings. Sir E.B. Tylor proposed the theories of 'Animism' which is based on belief in soul and worship of nature. It is also noted as system of symbols by Clifford Geertz and unified system of beliefs and practice by Emile Durkheim. Scholars also assumed the power in the objects as "MANA" and it is the factor that leads to religion perhaps. Empirical evidences provide enough clues of belief in nature and power of both animate and inanimate objects. The Shaman, priest, including lady specialists are also considered with respect, and believed to have extraordinary power/capacity than normal human members.

Another important aspect is Totemism, the collection of belief in the power of Totems. These are collective symbols that represent the community with supernatural power. Certain restrictions called Taboos are followed for the Totems in the concerned group or the community. In India, studies among the tribes like Munda, Ho, Garos, Saoras, Kuli, and others, variety of systems are functional around Totems. But we cannot ignore the impact of Hinduism on tribal religion in India. Verrier Elwin, G.S. Ghurye, D.N. Majumdar have contributed towards tribal religion. The selection and/or inheritance of the position of religious head depend on the community practices. The annual calendar of the respective tribe says about the occasions of religious activities and the corresponding engagements of its members. In each and every occasion the belief in supernatural power can be noted along with the ancestor worship. The belief in rebirth is satisfied with naming the new born with the names of the dead ancestors/ancestress. Also Saora of south Odisha celebrate death rituals like, KARYA and GUAR, to appease the souls of deceased members of the kin groups.

The theories of Animism, Animatism, Naturism, Bongaism, and Manaism are within the belief system but Manaism and Bongaism are more prevalent among Indian tribes. Tribal members are also known for various magical practices as well. The fields of cultivation, the hunting expeditions, the name giving ceremonies, the house building and many more are subject to magical practices at their beginning to avoid any negativity. The magical practices are of two types, such as white magic and black magic. The

former one is for the welfare and the later one is to harm others. Again the practices are of two types, such as homeopathic (like produces like) and contagious (once in contact always in contact). In India all these practices are continuing among tribes. But the magical practices of the negative nature are punishable.

5.6 TRIBAL LITERATURE AND ART

Among tribes, Santals are successful in identifying themselves with their own language and literature. Presently academic departments are part of education on Santali language. Several examples are there and some are in process also. Apart from this, non-tribal writers also kept interest in tribal culture and tried to magnify their culture through their literary contributions. These contain the true stories of their insurgency, socio-cultural dynamics, and ecological concerns, aspects of gender in culture, exploitations, and the like. These are in the form of essays, stories, narratives, and poems.

Some of the popular publications are: *Paraja* by Gopinath Mohanty (1945), Mahasweta Devi's *Chotti Munda and his Arrows*, Lummer Dai's *Paharor Xile Xile* (1961), *Prithibir Hanhi* (1963), *Mon Aru Mon* (1968), Y.D. Thongchi's *Saba Kota Manuh*, Mounaounth Mukher Hriday, Mamang Dai's *Legends of Pensam* (2006), J. Malasawma, a Mizo writer contributed *Zo Zia: Ethics and Moral principles of Mizo People* (2003), and *Zonus: Collection of Essays on Mizo Culture*. There are also literatures on tribal life produced by tribal leaders and eminent writers.

Next to literature, tribal art has its own distinctions. The performing arts like dance, music, paintings, and folk songs are part of the tribal culture. In Odisha, Saora art, known among the community as *IDITAL*, is the art form on the inside walls of the houses and differs according to the purpose/occasion. The *Idaimar* is the artist for this art form and it is not in everybody's capacity. The different styles and shapes of the Tattoos are observed, particularly among elderly members and in most elaborated form among females. Various forms of crafts are also in practice among tribes. The designs of ornaments, basketry, hunting and agricultural implements, fishing and hunting nets, varieties of musical instruments, different designs in weaving cloths and dying techniques, utensils, and similar efforts are some of the example of craft among tribes. Documentations on these art and craft varieties are continuously happening by scholars around the world.

5.7 SUMMARY

In this unit, we discussed different aspects of tribal culture such as social, economic, and political organisations, law, religion, literature, and art. All these aspects are not independent but interrelated with each other. The entire discussion tells about the cohesive culture which is traditional and based on simple technology and subsistence.

The religious life is oriented towards nature, and ancestor worship. This belief system is representation of their direct interactions with the ecosystems, and faith in traditions and experiences of elders. The literature explains their way of life, perceptions, and various unique patterns of culture which are different from one community culture to the other.

Art and craft are the material aspects, distinct to the respective culture they belong to. These are also the proof of their ideas of beauty and craftsmanship.

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5.9 ANSWERS TO CHECK YOUR PROGRESS

- 1) Refer to Sub-Section 5.1.1
- 2) Refer to Section 5.2
- 3) Refer to Section 5.4

