

# Editorial

Friday, January 11, 2019

## When Govt. disregard Constitutions....

Preamble of the Indian constitution says "WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation.

It is this preamble that the nation's constitution was framed 395 articles in 22 parts and 8 schedules at the time of commencement. At present the nation's constitution consist 448 articles in 25 parts, 12 schedules, 5 appendices and 98 amendments. All amendments are done under the preamble.

The equality mention here envisages that no section of the society enjoys special privileges and individuals are provided with adequate opportunities without any discrimination. All are equal in front of law. The word secularism which was added later says that India is a country where any citizen can choose any religion.

As promise during parliamentary election campaign of 2014, where Narendra Modi spread across the country, the BJP led government has tabled Citizenship (Amendment) Bill, 2016, which allows illegal migrants from neighbouring country on the basis of religion is something which is equivalent to dishonoring the Constitution of country. The Bill says that illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christian from Afghanistan, Bangladesh and Pakistan will be made eligible for becoming the citizen of the country.

This concept of accepting only some particular community (illegal Migrants) on the basis of religion is a direct blow to the so call secular character of the constitution.

Article 14 which stated that all citizens are equal before law and that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India and also prohibit discrimination on grounds of religion, race, caste, sex or place of birth.

The Citizenship (Amendment) Bill, 2016 is the direct violation of this Article 14 of our constitution.

The Bill also stated illegal migrants from Afghanistan, Bangladesh and Pakistan. When it comes to the state of Manipur it is already a known fact that Protected Area Permit System which have been imposed in the state has been lifted but continue for foreign tourist from Afghanistan and China. When the country restrict tourist from Afghanistan in visiting the state of Manipur, what actually is the agenda of accepting the illegal migrants base on religion from Afghanistan be granted citizenship if they stay for 7 years.

This concept of staying in the country for seven years is also illogical when there are Foriegners Prohibition Act.

On the other hand, the post election political drama in the state of Karnataka keeps many political analysts brainstorm on what went wrong in the practice of democracy in the country. It is not because that the governor of the state Vajubhai Vala inviting BS Yeddyurappa of BJP which got single majority but fails to reach the magic number to form the government. It is about differences of the conduct of Governors of each state which indirectly indicate support to ruling political party at the center.

The Karnataka episode had raised an issue in the state of Manipur, with opposition Congress coming up to point out that the way the Governor of Manipur invited BJP legislature leader which won only 21 seat to form government as violation of the constitutional provision. If Karnataka Governor is right from the perspective of the law of the land than Governor of Manipur can never be right and can be stated that the governor had violated and showed disrespect to the constitution of India.

Now the question that we as an observer wanted to know is - Where is the so call check balance of power gone? Which pillar of the democracy is going to save the sanctity of the Indian Constitution which keeps on protecting the country since the time became an independent republic?

Whether it is those with leftist or Righteous or those in the middle ideology, it is times for all to think on the matter to protect the sanctity of the Indian constitution.

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Contd. from yesterday issue

## "Humane Journey into the Nature of Human Culture: A Personal Narrative"

This article is the lecture delivered by Dr. S. B. Chakrabarti, Former Deputy Director, Anthropological Survey of India, Government of India General Secretary, The Asiatic Society, Kolkata, on the @nd Gangmumei Kamei memorial Lecture

In the backdrop of what has been said in the preceding paragraphs, it will perhaps not be out context to proceed with a discussion regarding the word 'tribe' and 'development'. There is no doubt that even now we carry uncritically the intellectual legacy of defining or refining these two important terms for a comprehensive understanding.

The popular notion of tribe in fact emerged with the rise of colonialism during the late eighteenth century carrying a racist stereotype with reference to the people of Asia and Africa. Attempt was made during 1931 census operation to enlist the primitive tribes. The number of forest tribe in 1891 was 16 million. The number of tribe in 1931 became 22 million. These people were called as the backward tribes under the Government of India Act in 1935. Since then and till date it has taken a long journey to understand the problems of the tribal population of India, which present nearly eight percent of the total population. In some states of North-East India, as you already know, the tribal population remain as the decisively dominant group in the percentage of the total population. By and large the question of intimate relationship of the tribes with forest needs to be discussed in a detailed analytical perspective. Since this issue itself is a broad topic for study and research, I will not take up that discussion here excepting a minimal reference to the point just mentioned. The symbiotic relation of the tribes with forest is well known. The Report of the Committee on Forest and Tribals in India prepared under the directive of the Ministry of Home Affairs in the early 1980s noted that, "this symbiotic relationship suffered a setback during the colonial rule when forest was looked upon only as a source of maximization of profit and not as a vital link between human habitat and the larger environment....There cannot be any development of forests without development of the forest dwelling tribal communities..The scheduled tribes live mostly in forest areas...Therefore, the two directive principles of the Constitution, namely Article 46 and Article 48A, which seek to protect the economic interest of the forest tribes remain mutually reinforcing".

Integrated development of the forests and tribes have been the major concern right from the Dhebar Commission of 1961, the National Commission on Agriculture of 1976, the Central Board of Forestry from time to time between 1950 to 1980, the National Forest Policy of 1988, the National Tribal Policy of late 1990s to the Scheduled Tribes (Recognition of Forest Rights) Bill of the early 2005. It is interesting and important to note here that while the British Forest Policy of 1894 recognised the rights and privileges of the tribes on forest resources, this became rights and concessions at a later phase. Subsequently, only concessions were granted to the forest dwellers. Now, in the latest Act, the earlier condition of granting right of the forest tribes on forest resource came back for serious re-consideration. Forest, specially in North-East India, has become a subject of prime importance in the backdrop of its rich bio-diversity on the one hand and systematic depletion of green cover on the other. Macro politico-economic forces are operative in a big way in the process of manipulation

towards the ruin of ecological balance. This has obviously become a great challenge for the local tribal communities to put up a formidable resistance against such destruction and to save themselves from the resultant economic exploitation and legal deprivation.

There are some important dimension when we discuss development in general and tribal development in particular. The meaning of development as such is highly relative in its content. Its actual message presupposes certain indicators that may be actualised in a specific situation. General emphasis is put on the economic aspect of the problem- both from indigenous and the induced point of views. There are other concomitant parameters like social, cultural, educational and even political which demand to be considered with equal importance. There is further one more distinction between the approaches of 'welfare' and 'sustainable development' so far the economic programmes are concerned. A cursory look into the tribal development programmes initiated since the first Five Year Plan till the eleventh Plan period would justify the point made above. This has invariably gone through various stages of experiment from the local to the national level, namely from sub-plan in the fifth Five Year Plan to Antyodaya under Integrated Rural Development Programme (IRDP) in the 1980s. What is actually important to take into cognizance is the ration of the total investment between the expenditure on the programme itself vis-a-vis the expenditure to maintain the infrastructure in order to carry out such programmes. This angle of interpretation will perhaps take us close to go for some alternative paradigm for tribal development which will keep pace with the national development perspective. This prelude will help understand the human culture in a larger canvas.

I will now enter into another domain of my field journey. This is the major livelihood activities of the largest section of population in the country, i.e. agricultural production. I will place my observations in brief on my fieldwork in the peasant villages in West Bengal, Karnataka and the Andhra Pradesh. My purpose in these studies primary was to enquire into the socio-cultural context behind the major economic livelihood activities centring around the cultivation of soil. Since the agricultural production is organised covering a wide range of specific dimensions, such as techno-operational, organisational, national or perceptual and ritual, it requires one to understand this huge universe mainly in terms of people's cognition, their technological operation from preparing the soil to the reaping of the harvest. These entire human activities are ultimately controlled to a large extent, visibly or invisibly, by the market forces and its designed network. Therefore, the dynamics of this whole agrarian situation warrants a close scrutiny, intimate understanding of the involved

intricate processes and finally a logical interpretation of the total system of production, consumption and distribution. In the studying this system of management of land and its produce cultivators' knowledge about the climate, quality of land, livestock, varieties of seeds, agricultural implements, optimum condition of field operation are very important. Next comes the question of social organisation of production and management of labour. In each step one finds the involvement of a number of categories of people. There are absentee landlords, who own substantial amount of land but are not directly involved in the cultivation. There are land owners who live in the villages but only supervise their engaged labourers or share-croppers. Likewise we find a category of landowners who directly cultivate their lands. This is followed by other categories, such as small owners of land who combine their cultivation as the share-croppers of others' land; then there are share-croppers of small patches of land who also work as agricultural labourers; and finally, there are agricultural labourers of three kinds - (i) those who work for a land owner throughout the year, (ii) those who work as the migrant labourer against a specific contract, and (iii) those labourers who work on daily wage rate (cash, kind or both). This hierarchy of engagement of rural population in cultivation almost goes close with the existing social hierarchy in the villages - whether it is in eastern or southern Indian region as observed by me. Invariably the upper layers of Hindu castes would belong to the landowning groups of people, while the people in the relatively lower rung in local social hierarchy would form the main force of the agricultural labourers. But in rural set up all of them were seen to share a kind of a common cultural canopy so far their understanding of the universe of agricultural activities, their beliefs and ritual engagements were concerned. That is why even after the pace of industrialisation and urbanisation, the majority of Indian rural population who are substantially engaged in the agricultural production share among themselves distinct cultural traits. They have somehow withstood the massive techno-economic onslaught emanating from the mechanisation of agriculture and commercialisation of its produce. They have managed to continue to a great extent their traditional agro-emotional living wading through various phases of experimental planning for rural development. The life of the rural cultivators (peasants of all categories) appear to be culturally articulated with everything that surrounds their immediate environment.

The cultivators' socio-economic and cultural domain may be captured on two settings- natural and super natural. Natural setting in composed of three elements - physiographic, organic and super organic. Physiographic elements include land, climate etc. The land is really the mother to a cultivator. They show moral and cultural obligations to land while cultivating their crops. Even

during sale or purchase a piece of land they perform many obligatory rituals. They have developed their own perceptions about climate, rainfall and other geographical eventualities base on generative knowledge and practical experiences accumulated through proverbs, folklore, myth, rhymes and oral traditional handed down to them through generations.

The organic elements include plants and animals as well as human being. They have developed a set of notions guiding their optimal operation for growing various crops from selection of seed to the harvest of produce. Similarly they have stored in their knowledge pool the ideas about milch animals and drought animals. They look upon themselves significantly as a moral community vis-a-vis the outsiders, specially the urbanites so far their own cultural core of rural living is concerned.

The super organic elements have both endogenous and exogenous categories. The former includes micro socio-cultural parameters, such as traditional technological know-how for labour intensive production, self-consumption and internal redistribution. They show the capability of rationalising as to what to produce, when to produce, where to produce, how to produce and why to produce. This approach is equally applicable to their choice and decision regarding the pattern of self consumption and mode of internal redistribution of the produce. The latter i.e. the exogenous category includes macro politico-economic parameters, such as the management of modern techno-economic inputs for capital intensive production, surplus mobilisation and external commercialisation. Most of the average cultivators more often than not feel threatened by these emergent factors and forces slowly thrust upon them by the encroaching agents of the penetrative market network. This is somehow beyond their control to check, therefore, they have no option practically other than to be subjected to such an unbearable condition form which they cannot even afford to withdraw themselves immediately. The internalization of the modern inputs of agricultural production (improved seed, fertilizers, pesticides etc) and the externalization of the output i.e. the produce (not only the surplus production, even the quantity kept for self consumption) take place through a chain gradually built into the operative system. The supernatural setting is composed of two types of elements namely, gross and subtle. The cultivators by and large participate in a number of observable ritual performances which are connected at each step of cultivation. These rituals are believed to have protective, prohibitive and promotional effects of the expectations of the cultivators for good harvest and well being of all kinds of livestock as well as safe human life. The gross element is super natural setting assumes all mundane aspects. The subtle element assumes supra-mundane aspects which are not immediately observable but based on a perennial belief system transcended across the generations. There are specialists, priests or others, who mediate between the cultivators and the invisible outer domain through worship, prayer and so on. (To be contd.....)