



# ASECA CHANNEL

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## Editorial

The simple and peace loving communities sometimes display an act which is not commensurate to general impression about them. The virtues of gender equality in adivasi community are well known fact and appreciated by all. The social milieu is such that women in adivasi community are not fully dependent on others as they look after themselves. They equally work and share the burden of family responsibility with the men folk. Though equally contributing in the society, women are subject to social oppression and level of subjugation varies from place to place and community to community. Atrocities on women, however, are reported occasionally. It is heartening to see the plight of adivasi women who in spite of their major contribution to the family and in turn the society are being subject to harassment and ill treatment. They are harassed in the name of witch craft and moral degeneration. The common perception in adivasi community is the presence of witch and possession of a malevolent power by the women folk who can take someone's life. With this understanding and thought in mind, people at micro level see each other as their worst enemies. The environment in their neighbourhood also fails to instil in them an understanding and confidence that there cannot be a malevolent force who would be able to take away some person's life. The contradiction and dilemma is so high that it needs better communication with such groups as part of confidence building exercise.

It has been seen that people surrender in police station with an axed head of a woman terming her as a witch. Judiciary is taking a lenient view considering the ignorance of the accused. This is also one of the reasons why one is not afraid of taking one's life. It is in fact an outcome of momentary fit of rage or unable to withstand some pressure. The irony is that it is not the illiterate only who is swayed by such belief but a sizable educated population of the same society also accept such belief. This is the reason why it is not being addressed in the respective society. The educated masses also are yet to be convinced fully on the non-existence of the witchcraft. The issue has such deep rooted imprint that logic also does not help. Most of the time it is expressed that people who are staying in the urban centre would talk like this but when they come to the remote place (native village), they

tend to take the view/side of the village folk. One logic is germane to be highlighted among people that is if it is so easy to possess some malevolent power and one can take another person's life, then adivasi groups could not have been grown in millions. They would have destroyed each other through this power. The message should be put across among the people in a more convincing manner and it should be an inner group activity. The deep rooted belief could be eradicated through a dialogue process and that also from the persons from within. Outer agencies obviously cannot have an impact on the people. The learning process should be from a source that could be relied fully.

Other type of practice like parading a woman naked blackening her face or after tonsuring her head. This type of tyranny and ill treatment though is not occurring frequently, it is still thriving in the society. One of the reasons cited is the lack or little interest of the intellectual mass from the respective community to address the issue. It may be expected to see this tendency in most primitive group, but it is unfortunate to see the prevalence of such practice among more progressive and educated tribal groups.

Few days back a senior Indian Forest Service Officer from Bilaspur was narrating a TV channel telecast of a girl being paraded naked somewhere in the Birbhum district of West Bengal. The plight of the girl is not less than a sacrificial goat. The scene and helplessness of the girl had moved this gentleman to such a level that he expressed his utter displeasure and regretted that such practice is still in vogue in the society. His only urge was to do something to educate people about such mean level of responsibility and tolerance. A girl of around 16-18 years cannot be punished in this way as there cannot be such crime being committed by her which would call for such drastic and inhuman treatment. The society has failed to protect the dignity, modesty and honour of a woman and this is the important and focal point, intellectuals, should ponder over. The administrator as well as judiciary on their part should also not show leniency as it cannot be a social order of a particular group nor can be ignored terming it to be a part of customary practice. The atrocities on women must stop in the Indian society.

## Scheduled Communities: A social Development profile of SC/STs (Bihar, Jharkhand & W.B.)

(Source: Planning Commission)

*{Continued from August 2010 issue}*

Differentiation between the Scheduled Castes is much larger when it comes to gender-gap. At one extreme we have the Musahar and Chaupal having a larger earner status for females; at the other end we have gender gaps ranging from 31.1 percent (Konai of West Bengal) to 38.7 percent (Dhoba of West Bengal).

A very interesting pattern that emerges from the study is a general, if not invariant, inverse association of earner status of with gender gap (in earner status) of scheduled communities. Simply stated, high earner status of a scheduled community is generally associated with small gender gap between male and female earner status, and vice versa.

One proposition that is often stated is that, as the earning status of a social group increases, particularly in the agrarian economy, the earner status of the group declines, in which female withdrawal from work participation is more pronounced than male. The Dhobi of Bihar and West Bengal provide a classic illustration of this trend. They have the highest earning status, and among the lowest earner status, with low female earner status and a large gender gap.

**Table 7.2: Earner status and gender gap in earner status between male and female earners in the three States**

Bihar			Jharkhand		
Caste	ES (1%)	Gender gap in ES (%)	Caste	ES (1%)	Gender gap in ES (%)
Musahar	52.8	(-)7.8	Dom	38.8	5.4
Chaupal	52.7	(-)1.4	Chamar	31.5	24.7
Chamar	43.7	11.9	Tribe		
Dusadh	37.6	11.4	Santhal	56.6	3.2
Dhobi	28.4	31.5	Ho	53.7	2.8
			Lohara	47.2	7.2
			Mahali	57.2	Nil
			Oraon	36.8	12.0
			Munda	34.1	21.4

West Bengal		
Caste	ES (%)	Gender Gap in ES (%)
Kami	62.0	7.0
Sarki	59.4	12.6
Bhuiyan	54.6	13.0
Bauri	51.3	11.0
Bagdi	50.2	27.1
Dom	43.4	27.6
Mal	40.8	24.9
Patni	39.2	32.0
Konai	36.0	37.1
Dhoba	29.6	38.7
Chamar	24.7	37.0
Tribe		
Munda	63.6	17.3
Mahali	58.8	5.6
Oraon	57.6	Nil
Lodha	54.3	4.7
Bhumij	51.4	15.8
Santhal	48.7	12.6

Note : ES = Earner status

(-) represents female predominant earner status.

**Literacy** : A basic, time tested formulation is that literacy and education levels provide value additions for human resource development, thereby empowering people to alter the conditions of their life and living, contributing to social change and development. In our study we have enquired into educational levels of the scheduled communities, from the 'incomplete primary' stage to higher education at the graduate and post-graduate levels. Since a very small percentage of our population have attained the higher levels of school and college education, we propose to focus on the literacy level. The *literacy rate* in our analysis covers the whole gamut from 'incomplete primary' level of exposure, to the highest level of education.

We wish to examine how literacy level of the scheduled communities relate with their earning statuses. Does literacy make a difference in their

earning status? Similar to the classification of earning and earner statuses we have classified literacy levels from 'low' to the 'highest' in five categories. We have then taken literacy level as the independent variable to examine the earning statuses of the scheduled communities.

If we relate literacy levels with the earning status of scheduled communities we have three situations. First, in which the level of literacy of the scheduled communities is proportionate to their earning status. This represents a normal distribution. In the second situation, communities have earning status incommensurably higher than their literacy level. In the last situation, the earning status level is incommensurably lower than their literacy level.

Our findings provide an interesting pattern. In the first situation of normal distribution we have the Konai of West Bengal who have low literacy as well as a low earning status. The Chamar of Bihar; the Bauri and the Mal of West Bengal; and the tribal community of Ho in Jharkhand; all have moderate literacy level with moderate earning status. Among those who have high literacy and high earning status, we have the Dom of Jharkhand; and the tribal communities of Munda and Santhal of West Bengal. Finally the Dhobi of Bihar is the only scheduled community which combines highest literacy level with highest earning status.

In the second situation we have those scheduled communities which have earning status comparatively higher than their literacy level. The Chaupal of Bihar combines moderate earning status with low literacy, while the Musahar of Bihar combines high earning status with low level of literacy. The tribal Lodha of West Bengal have high earning status with moderate level of literacy, whilst the tribal Mahali of Jharkhand the highest earning status with moderate literacy. Amongst those who have very high earning status with high literacy level are Dusadh of Bihar and tribal Santhal of Jharkhand. In the third situation, we have those scheduled communities who have lower earning status in comparison to their literacy level. The Chamar of West Bengal combines high literacy level with low earning status. The Dom and Bagdi of West Bengal;

the tribal communities of Lohara in Jharkhand; and the Mahali and the Oraon of West Bengal have high literacy level combined with moderate earning status.

**Table 7.3: Literacy level and earning status of Scheduled Communities in the States of Bihar, Jharkhand and West Bengal**

Literacy level	Earning status	Scheduled Communities					
		Caste			Tribe		
Ascending order		Bih	Jhk	WB	Bihar	Jhk	WB
Low	X Low	-	-	Konai	-	-	-
	X Mod	Chaupal	-	-	-	-	-
	X High	Musahar	-	-	-	-	-
Mod.	X Mod	Chamar	-	Bauri Mal	-	Ho	-
	X High	-	-	-	-	-	Lodha
	X Highest	-	-	-	-	Ma hali	-
High	X Low	-	-	Chamar	-	-	-
	X Mod	-	-	Dom Bagdi	-	Lohara	Mahali
	X High	-	Dom	-	-	-	Oraon
V. High	X High	-	-	Kami Sarki	-	-	-
	X V. High	-	-	Patni Bhuiyan	-	-	-
	X Highest	Dusadh	-	-	-	Santhal	Munda Sant hal
Highe st	X High	-	-	-	-	-	-
	X V. High	-	Chamar	Dhoba	-	Munda Oraon	-
	X Highest	Dhobi	-	-	-	-	-

Note: Ascending order of literacy level is as follows: Low = 20% - 30%; Moderate = 31% - 40%; High = 41% - 50%; V.High = 51% - 60%; Highest = 61% and above.

**{To be continued...}**

## Contemporary Tribal Situation and Issues of Broad Based Discourse at various levels

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PESA does not mention land at all. It speaks about a community but does not define a community. Thus it has been left to the bureaucracy to decide whether the land which has been part and parcel of a tribal village and sanctified by the worship of boundary deity should to be attached to the community recognized by it and in what manner. Flood gate of bureaucratic interference has been opened up by the claim of the pro-pounders of PESA that the community recognize under PESA is the real community once the people who have been living together for generations having their traditional village Council, community festivals, community hunting, mutual aid in house construction unless recognized by the machinery empowered by PESA constitute an artificial community. It is further to be noted that PESA is violative of the Constitution. While the 73rd Amendment of the Constitution stipulated that one third of the elected seats in the Panchayat bodies should be reserved for women PESA makes no such provision. Section 4 (a) of PESA stipulates that “a State legislation on Panchayat that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources”. It is very important to note that this subsection speaks of “traditional management practices” and not of “traditional/historical ownership rights”. Also it may not be fortuitous that it speaks of “community resources” and not of “endowments of nature”. Community resources may be resources placed at its disposal by the State or by an entity like a landlord or a corporate body for being managed by a community, whatever community may mean. The

dangerous potential of this subsection will become clear when subsection (b) of section 4 is examined. Before moving over to subsection (b) some other problems of subsection (a) will be mentioned. “customary law” is a technical word; it is not same as custom. Again though in popular parlance the words custom and tradition go together, they convey different epistemic nuances. In 1999 by a formal resolution the Nagaland Bar Council put on record that some of the judicial pronouncements about the customs and traditions were confusing. The Chief Justice was requested to get the matter clarified in consultation with me. On being invited, I visited Gauhati High Court; I delivered a lecture on the theme in a meeting attended by the judges of the High Court, Advocate Generals of some of the States, leading advocates of the High Court and leading citizens of Gauhati. As before enactment, the draft of PESA was presumably vetted by the Law Ministry. The campaigners for PESA should clarify whether the implications of the choice of words were clarified to the public. The word community has been in subsection (a) and subsection (b). Has it been used in the same sense in the two subsections? The word community has been defined in Santal Parganas supplementary Provisions Act 1999 in a manner which seems to be adequate for subsection (a) and not subsection (b).

A major problem about subsection (a) relates to the identification of the authority who will decide whether a legislation is in consonance with the customary law, and social and religious practices.

{To be continued...}

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