

Cultural Homogeneity and Economic Disparity: A Case of Discriminatory Approach in Social Transformation

J.S. Bhandari

The empirical reality of Indian social structure has been enshrined in the Constitution of India, by providing constitutional safeguards*, to certain categories of its social groups by way of "discriminatory" protection for development. The avowed aim of such constitutional measures is to pave the way for an accelerated pace for ending the social and cultural hierarchy leading to economic disparity that characterizes the lowest segment of Hindu society and also to guarantee rapid economic and social transformation to that group of people viz., the tribal people who had supposedly been left out even from the ambit of India's traditional economic benevolence. These two segments of Indian Society are identified as the Scheduled Castes and Scheduled Tribes.

During the British Raj assemblance of protection was provided to certain "tribal regions" by making them "non-regulated" areas. The reason for having a different administrative policy for these tribal regions was not for their development, but for keeping the tribal people out of the purview of the laws made for rest of the colony. This administrative measure was for the protection and preservation of the "Primitive Tribes". It was a policy of *laissez-faire* as far as the "tribal customs" and the way of life were concerned. This colonial policy was, of course not entirely benevolent, and protective because the administrative policies that augmented the revenue of the state were vigorously pursued in the tribal areas too. For instance, the policies pertaining to forest, excise and mining etc., were detrimental to the tribal economy and yet were relentlessly pursued regardless of their impact on the tribal communities. Policies to declare

"non-regulated areas" were initiated in 1833 in Chota Nagpur and in 1874 the process was further pursued with the implementation of the Scheduled Districts Act. The intention of these Acts were, in fact, to keep the natural process of culture contact between different segments of society at bay. The tribal economy had been already shattered due to economic policies and what was preserved was only the customary life of the tribal societies. The colonial policy favoured the continuity of cultural traditions rather than economic progress.

With the initiation of decadal census (1871) an entirely new genre of information was gathered which was aimed at finding out the minutest variation that characterized different categories of people. The important implication of all these officially sponsored documents was to make the people aware of the distinction between them and other.

They took great pains to classify and categorise the innumerable communities of India and to describe their social and cultural characteristics. It was, of course, not just an academic exercise but had great administrative significance as well because it provided them with the key to rule India's social structure which according to policy makers of the time had inherent divisive tendencies. "Primitive Tribe" as a distinct socio-cultural group became an official category in these census from 1871. In 1891, the number of "Forest Tribes" was 16 million. It was in the 1931 census that a serious attempt was made to make a list of Primitive Tribes which numbered 22 million. According to the Government of India Act 1935, these tribes were called Backward Tribes and those living in frontier and border regions were wholly excluded from the normal administration and those living in the inland with some concentration were ruled under "partially excluded areas". Officially, it was for the protection of these people.

*Articles 15, 16, 17, 18, 23, 25, 29, 38, 46, 164, 244, 244A, 275, 320A, 330, 332, 334, 335, 338, 339, 340.
Article 341 - List of Sc. Castes
342 - List of Sc. Tribes

Although certain reservations were made for the Depressed Castes (as the Scheduled Caste of today were called) but there was no such reservation made for the tribals, because it was argued that no useful purpose would be served by reservation because tribes were too backward and no suitable person would be available for the posts under the Government. But in December 1947, instructions were given to give chance to tribal candidates with the quota reserved for minorities. Following Independence of the country, the framers of the Constitution took cognizance of the social, cultural, economic and political factors in developing a perspective of Indian society. They incorporated a number of articles in the Constitution that provided "protection and safeguards" to those communities that were to be included in the Schedule to be made as provided by Articles 341 (Scheduled Caste) and 342 (Scheduled Tribe).

In pursuance of the provision laid down in Article 341 and 342, the President for the first time made two orders in 1950 called

- i) the Constitution (Scheduled Caste) Order 1950; and
- ii) the Constitution (Scheduled Tribe) Order 1950.

The order for Uttar Pradesh was passed in 1967. Prior to this there were no Scheduled Tribes in U.P.

In 1950 the number of Scheduled Tribes was only 212, by 1971 the total number had risen to 427.

The population of Scheduled Tribes in 1951 was 2,25,11,854 which was 6.23 per cent of the total population of the country. In 1981 the total Scheduled Tribe population was 51,628,6388 which was 7.76 per cent of the total population of the country.

The list that was made in the Schedule was incorporated from the earlier lists without any modification or thinking about the "concept" of tribe. The Constitution does not define tribe, though 'primitiveness' and 'backwardness' were indicative markers to specify a tribe. The common criteria for identifying a tribe are :

- (1) Tribe origin
- (2) Primitive way of life
- (3) Habitation in remote areas
- (4) General backwardness in all respects

There has been a serious controversy in academic circles regarding the concept of tribe and many viewpoints have been put forward in this regard. However, the Government of India's view of a tribe has nothing to do with the anthropological concept of tribe. The official view of tribe was based on the criteria that conceptualized tribe in a relative sense, in relation to those communities which formed part of the majority communities defined in terms of total cultural concept *viz.*, religion, language, economic interdependence, value system, history and myth. Thus the communities which had a distinct cultural, linguistic, institutional, economic, historical and folk history and were believed to be socio-cultural isolates were designated as tribes. This view was based more on 'folk category' rather than on analytical perception of social reality. The folk category was in fact based on a certain bias which in turn was based on the notion of 'distance' from those societies that were deemed to be the core. Thus the tribe was a "peripheral society" in the context of the core society. The peripheral nature of the tribe was characterised by its economy, institution, language, religion, customs and rituals and also its physical contacts with the core society. Since most of these peripheral societies were also identifiable units, operationally it was simpler to put them in the schedule. It may therefore be said that incorporation of certain communities in the Schedule was based on their distinctive peripheral existence and not on any anthropological concept of tribe. There are many Schedule Tribes which have structural characteristics of a tribe and there are others which are outside the conceptual framework. It is therefore not proper to scrutinize the list of the communities included in the schedule for being tribe in rigorous analytical terms. Some of them may and some of them may not stand the test of academic conceptualization. The list contains by and large those communities which due to unique historical reasons deserve the safeguards provided in the constitution. However, with the passage of time, more and more communities were included in the Schedule which was done basically from many considerations,

except perhaps from strict anthropological academic perspective.

The state of Uttar Pradesh (U.P.) initially refused to recognize any community in U.P. as a tribe. It was only in 1967 that U.P. gave its recommendation for recognizing five communities as Schedule Tribes. The five Schedule Tribes in U.P. are Bhotia, Tharu, Buksha, Raji and Jaunsari (The Constitution Schedule Tribes) Uttar Pradesh Order 1967. Uttar Pradesh has the lowest percentage of tribal population among those states where scheduled tribes are recognized. The total population of Scheduled Tribes in U.P. is only 232,705 which is 0.21 percent of the total population of U.P. (1981 census). The highest concentration of Scheduled Tribes is in Dehradun district (76,085) and Nainital district comes next (73,998). Other districts where there is a sizeable concentration of Scheduled Tribes are Kheri (17,789), Gonda (11,457), Pithoragarh (17,337) and Chamoli (9,164) and Bahraich (6,340). In some other districts their number is less than 5,000.

Dehradun district, as mentioned above, has the largest concentration of Scheduled Tribes (76,065). In this district they inhabit Jaunsar-Bawar Pargana, Chakrata *tehsil*. According to 1971 census, Chakrata had 56,089 Scheduled Tribes, out of which 54,304 were Jaunsaries, 102 Bhotias and 47 Bhukshas.

THE JAUNSARI SCHEDULED TRIBE

Until 1967, Jaunsar-Bawar in Chakrata *tehsil* had no special status. In 1965 a Parliamentary-Sub Committee visited the area to assess its position for being declared tribal area and its inhabitants Scheduled Tribes. The sub-committee recommended that the 'original' inhabitants of Jaunsar-Bawar may be declared a 'Scheduled Tribe'. They were duly declared a Scheduled Tribe in 1967 along with some other communities in other parts of U.P. (The Constitution (Scheduled Tribes, Uttar Pradesh) order 1967, Co. 78).

The official designation of the newly designated Scheduled Tribe is "Jaunsari". The term Jaunsari does not connote a single caste or a homogenous group but has a territorial

connotation, implying "the inhabitants of Jaunsar-Bawar".

The people of Jaunsar-Bawar are organized into a number of castes having more or less the same structural characteristics as are found elsewhere in the country. The various castes may be grouped in a three-tier hierarchy viz., the higher castes (Brahman and Rajput), the middle castes, (Badoi, Bajgi, Sunar etc.) and the lower caste (Koltas, Doms etc.).

However, the most significant institution of the entire Jaunsar-Bawar irrespective of any caste distinction was the prevalence of adelphic polyandry, which has consequently determined the structure of other institutions like the domestic group, kinship structure, household economy and rules of inheritance; the position of women-both in terms of their role in production as well as in reproduction. Polyandry also has demographic implication by keeping the population growth low.

The institution of polyandry which has a certain mythical legitimacy in Jaunsar-Bawar, over generations has given rise to an entirely new cultural ethos which is typically Jaunsari viz., institution of bridewealth and easy divorce and remarriage of women without any stigma; child marriage and heavy divorce-compensation to the husband etc. The people of Jaunsar are distinct in terms of their rituals, ceremonies, beliefs and practices.

These were some of the factors that might have weighed heavily in the minds of the members of Parliamentary Sub-Committee which recommended that inhabitants of the Jaunsar-Bawar area to be declared Scheduled Tribe.

As we have said earlier, it is not easy to justify inclusion of several communities in the list of the Scheduled Tribes if an anthropological perspective of a tribe is kept in mind. "Jaunsari" scheduled tribe surely does not fit into an ideal, typical model of a tribe, and yet it is definitely a distinct socio-cultural reality compared to any other ideal-type caste-based territorial region.

(One might argue as to why were the matrilineal Nayar not treated as a Scheduled Tribe. They are also distinct, but here one has to keep in mind that the Nayar-Namboodri

relationship was part of the system of the marriage in Kerala and the Nayar were not a 'peripheral society' but part of the core system itself). Now if we have justified the inclusion of 'Jaunsari' as a Scheduled Tribe on the basis of their social, cultural, economic and geographical situation, we have to look for certain glaring omissions that persists even today. I am alluding to the region that is popularly known as Rawain-Jaunpur.

Jaunsar-Bawar and Rawain-Jaunpur is situated on the eastern and western banks of the river Yamuna. Jaunsar-Bawar is situated between the eastern bank of Tons and western bank of Yamuna river. It is flanked on its southeast by the plains of Doon valley and on the orth-western boundary by the Ravain area of Uttarkashi which has its boundary with Himachal Pradesh (H.P.) in the west and China (Tibet) in the east. The Jaunpur region is situated on the eastern side of the river Yamuna and is further removed from the plains of Doon valley in the South.

This region of central-western Himalayas in the valley of the river Yamuna is a distinct and uniform cultural region of Uttar Pradesh. The entire region is topographically, geographically, linguistically, socially, culturally and economically homogenous, though administratively they fall in three districts viz., Dehradun, Tehri-Garhwal and Uttarkashi. Historically Jaunsar-Bawar was part of Dehradun; and Rawain-Jaunpur region was part of Tehri state until 1949 and later upon its merger with the Union of India they became part of Tehri-Garhwal district. In 1962, when a separate district of Uttar-Kashi was created, the entire Rawain area along with two revenue circles of Jaunpur became part of his district.

This entire region Jaunsar-Bawar and Jaunpur-Rawain, was divided into five blocks in 1954. They were Kalsi, Cahkrata (Jaunsar-Bawar) Purota and Nangaon in (Uttarkashi) and Jaunpur in Tehri Garhwal.

In spite of its administrative division, the autochthonous of Jaunsar-Bawar and Rawain-Jaunpur belong to a homogenous cultural zone, the most distinctive feature of which is the polyandrous basis of the domestic family and property relations. The caste structure of

both these areas is the same. The intermarriage between the Brahman and Rajput is also common in this area as is in Jaunsar-Bawar. In Rawain-Jaunpur, polyandry is the normative as well as operative pattern of marriage and family. Polyandry is practised by all castes.

Since polyandry is the basis of domestic economy as well as property relation, what is relevant for the development of Jaunsaris is equally relevant for the Jaunpur-Rawain people. In fact it is more so in this area.

We have to take note of the history of this entire zone in order to have a proper perspective. Chakrata region as part of Dehradun district was more accessible, it had a Cantonment since late 19th century, it was better connected with the towns like Dehradun. On the other hand, both Rawain and Jaunpur were part of princely state Tehri Garhwal until 1949 and formed one of the most backward regions of a backward state. The tenurial system of this area was quite distinct from Jaunsar-Bawar which also accounted for more backwardness of the region. During the days of the state, this entire region was hardly accessible, was without any civic facility of school or hospital. It was visited only by petty state officials-Patwaries, forest people etc. Due to its lack of infra-structure facilities - roads, schools, hospitals etc., the area was completely left in utter poverty and darkness until the merger of the princely state of Tehri-Garhwal. However, even after 40 years of Independence, this entire area, more so the Rawain area does not have any person in any 'respectable government job'. Although now there are high schools and colleges in this area but the number of students from Jaunpur-Rawain region is lower than Jaunsari students from across the river.

Thus a comparison of Jaunsar-Bawar and Jaunpur-Rawain is like that of two opposite ends, which are as far as the structural and cultural factors are concerned, mirror images, but when it comes to recent changes and development, they are at opposite poles.

This is primarily because of the irony of administrative decision. If they declared Jaunsar-Bawar people a scheduled tribe, one does

not understand why the people of Jaunpur-Rawain were totally ignored when they really deserved to be considered more sympathetically ! Because of this administrative anomaly the people of these two regions have been given undeservedly contradictory treatment. However, with the mounting pressure from the people of this region, the Government recognized the anomaly and in 1976 declared five blocks-Chakrata and Kalsi in Jaunsar-Bawar (which were declared tribal area in 1967) and Jaunpur in Tehri, Purola and Nangaon in Uttarkashi as Tribal Development Blocks. This has resulted in special assistance from the Government for various developmental activities. However, the most important "protective measure" viz., reservation in services, educational institutions and other concessions guaranteed under the Constitution are still denied to the Jaunpur-Rawain people. The area is declared tribal area but the people who are inhabitants are not recognized scheduled tribe. Thus this half-hearted measure is not in line with the prevailing situation and the act of declaring the people of Jaunsar-Bawar a Scheduled Tribe should have incorporated the people of this region as well.

KEY WORDS Tribe. Scheduled Tribe. Jaunsar-Bawar. Jaunpur Rawain. Development. Reservation.

ABSTRACT Focussing on the Scheduled Tribes of Jaunsar Bawar, this paper shows that in terms of structural and cultural factors, Jaunsar-Bawar and Jaunpur-Rawain are mirror images, but are placed at polar ends with respect to recent changes and developmental aspects. The people of Jaunsar-Bawar constitute a Schedule Tribe, but not of Jaunpur-Rawain. One does not understand this anomaly except that it is an irony of administrative decision. Although some blocks of Jaunpur are tribal development Blocks, but the people are not given the 'protective measures', i.e. reservation in services, educational institutions, and other concessions guaranteed under the Constitution of India.

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Author's Address: J.S. Bhandari, Professor, Department of Anthropology, University of Delhi, Delhi 110 007, India.