

TRIBAL STUDIES IN INDIA: INTERDISCIPLINARY PERSPECTIVES AND APPROACHES

Lecture30

Lecture 30: Tribes in Post-Colonial India I: Constitution Making and the Role of Tribes: Part I

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Good evening everyone. Welcome back to NPTEL online course, Tribal Studies in India, Interdisciplinary Perspectives and Approaches. Today we will be looking at a very interesting topic and theme, which is tribes in post-colonial India with an emphasis on the constitution making and the role of tribes. Now, a very important part of any national or any nation's history, particularly when we are talking about formerly colonized countries, is the making of the Constitution. Now, the Indian Constitution, particularly has been one of the most important documents, and not only for us Indians, but also for the world in terms of what the Constitution offers to its citizens.

Now, the constitution, many scholars have really looked at the legal history of the making of the Indian constitution, the role of many prominent individuals, many prominent thinkers, and also the kind of ideas that shaped or that went into the making of the Indian constitution. So the Indian Constitution, therefore, is a very, very important document, not only for us Indians, but also for the world in terms of what it offers to its citizens. And today, when we talk about the making of the Indian Constitution, definitely the first person that comes to our mind is Dr. B.R. Ambedkar, who was the chairman of the drafting committee. And we also know a lot of other leaders who have significantly contributed to the making of the Indian Constitution. Now, many times, you know, we think that the constitution is being

made, drafted, and written by people who possess, you know, certain degrees and knowledge.

But in this lecture, we will be examining the role of several communities, particularly tribal communities for the purpose of this lecture. And how they have played the kind of roles they played in the making of the Constitution of India. Now this is a history or an issue that is not often talked about, and even in many works that actually look at the independence movement to the making of the Indian Constitution, The role that communities like tribal tribes contribute to the making of the Indian constitution does not always find a place in many of the scholarships that we have on the constitutional history in India. So, in the next three lectures—lectures 30, 31, and 32—we will specifically look at the different ways in which tribes have actively played an important role in the making of the Indian Constitution.

So, in lecture number 30, we will essentially lay the groundwork, and in lectures 31 and 32, we will examine specific case studies regarding the leadership of tribal communities and their contributions to the making of the Constitution of India. Now, as I said, to understand the national history of formerly colonized countries, one must discuss the making of the Constitution. It is a legal document, but at the same time, the idea and vision of the nation are written into the Constitution. Therefore, one must always revisit the foundation, as it defines what the nation is. So, the idea of drafting the Indian Constitution by a Constituent Assembly originated in the British Cabinet Mission Plan of 1946.

This decision was made to ensure a peaceful transfer of power to India. By the 1940s, we had the Quit India Movement and the entire public was against the colonial state. For the British, it was no longer possible to hold on or deny freedom to Indians. Therefore, to ensure a peaceful transfer of power from the British to the Indians, the colonial state needed to facilitate the process of drafting the Indian Constitution, which would become the foundation of the new nation-state to be born in 1947. The Constituent Assembly aimed to incorporate diverse views and voices, particularly from marginalized communities, to outline welfarist provisions in the Indian Constitution.

Now, India, as we know, is a very diverse country—linguistically, religiously, regionally, and so on. So, there is no end to diversity in India. Now, therefore,

there was this realization early on that it is very important to incorporate diverse views and voices. So, there were a lot of consultations happening, and representatives from different regional, linguistic, and cultural backgrounds were asked to give their voice, share their ideas, and contribute to the making of the Indian Constitution. One such community that significantly contributed to the making of the Indian Constitution was the tribal communities.

Now, as a result of these constitutional deliberations, tribes became part of the Indian political system with special provisions and a governing system primarily to preserve their distinct cultural practices and traditional customs of governance. Now, these constitutional deliberations enabled tribal communities and leaders to raise their issues, voice their concerns, and ensure that, due to their distinct culture, identities, and way of life, special constitutional provisions were inserted to preserve their cultural practices and traditional governance customs. Now, regarding this, the discourse of distinct tribal identity in the contemporary period is seen as a continuation of colonial policies of tribal isolation, introduced through the Scheduled District Acts of 1874 and the Government of India Acts of 1919 and 1935, which included provisions to declare certain tribal areas as partially excluded or excluded, allowing different administrative governance structures. Now, one cannot go back to the colonial period. We have already discussed these legislations introduced by the colonial state, particularly the Government of India Acts of 1919 and 1935.

Now, all these legislations continue to find their place, albeit in a different form, under the Constitution of India. But what tribal leaders and representatives essentially sought to ensure was that special provisions specifically catered to their communities. Now, these provisions largely informed the post-independence adoption of the Fifth and Sixth Schedules in the Indian Constitution. And so, when discussing the making of the Indian Constitution in relation to tribes, one of the primary issues for tribal leaders and representatives was governance—specifically, the issue of autonomy. Now, under the Constitution of India, two schedules were introduced: the Fifth Schedule and the Sixth Schedule.

Now, the Fifth Schedule and the Sixth Schedule were almost like a reincarnation of the partially excluded and excluded areas because it was mostly in these regions where, you know, the Fifth Schedule and the Sixth Schedule were

imposed in the post-colonial period. So, most of the partially excluded areas were in mainland India, particularly in the Chhattisgarh region, for example, states like Jharkhand and Chhattisgarh. Now, in the context of excluded areas, these are mostly regions which were inhabited by tribal communities in the northeastern part of the country that came under the Sixth Schedule of the Indian Constitution. Now, there are two ways, you know, of gaining insights into how the scheduling of tribal-dominated areas was achieved. First is through the Constituent Assembly debates, and the other is how the political context outside the Constituent Assembly shaped the debate and decisions which resulted in the incorporation of institutions.

Now, what happened? What kinds of events are there? There were so many things happening at once at the dawn of India's independence. Many communities, given the diversity—almost all communities, almost all regions, almost all political leaders—had their issues and concerns. Now, India, for instance, had around 562 princely states at the time of its independence.

Now, therefore, one can imagine the kinds of events that were happening at the dawn of independence. So, during the late colonial period, a glance over the development shows the discourse of what is termed as tribal cohesion, dominated by territorial and administrative isolation, in opposition to the assimilation debate, popularly known as the Elwin-Ghurye debate. Now, specifically for the tribal communities, on one part, at the broader level, the national leadership was thinking about how to integrate all these 562 princely states. Areas which are outside of the princely states include communities like tribal communities who were governed differently or separately as compared to the other communities in India. Now, how do we bring all these people together?

That was one of the questions that the national leadership was asking. But at the same time, in the context of tribal communities, what was the question? What was the most persistent issue that was there? What kind of debate was happening? Now, this debate can be largely positioned around two frames.

One is the assimilation perspective or the assimilation position, and the other is the isolation position. Now, these positions were taken by two very important individuals: one was Verrier Elwin, the anthropologist, and the other was the sociologist G.S. Ghurye. Now, the debate emerged on the ease of integration of

diverse communities in the newly formed nation and revolved around what would be the most appropriate tribal policy in the post-independence period. Now, Elwin was very sympathetic to the tribal communities, whereas Ghurye saw that assimilation was something inevitable. Since Elwin was very sympathetic to tribal communities as an anthropologist, he lived with the communities.

He was studying them. He was writing about them. So he was very sure, very clear that these communities have a different culture, have a different way of life. But for Ghurye, he takes a different position. He recognized that, you know, these tribal communities have different cultures and traditions, but then assimilation to the national mainstream is something that is inevitable.

so more broadly, despite the divergent positions that these scholars take, the larger question they were trying to address is what will be the most appropriate policy for tribal communities in India or what policies should the Government of India follow when it comes to tribal communities. So, therefore, opinion was divided. They were a section of people. So, Ghurye and Elwin were some of the most prominent names, but there were many other people who were actually in favor of either Elwin or Ghurye. So, like I said, Elwin was, you know, someone who has lived with the tribal communities.

He has written extensively not only on one tribal community but also on different tribal communities and groups. He has traveled extensively, got married with, you know, tribal, has a lot of experience, you know, when it comes to the tribal people. Now, Elwin saw tribal society; therefore, he was convinced that these communities, this society, who are distinct from the dominant Hindu society, and therefore, he was advocating that there is a need for protecting the distinct tribal identity and culture. If there is assimilation happening, if tribals are made to integrate themselves then what will result is that their way of life will get destroyed, and they will get assimilated and submerged under the larger national culture. So, on the issue of development, Elwin was in favor of community-driven development while respecting tribal traditions.

So, therefore, as I said, he was very sympathetic to the tribal communities. He advocated that it is important that, when it comes to trying to develop tribal communities, it has to come from the community. The community needs to take an active part. The community needs to be at the center of the development

agenda, respecting the way of life and traditions of the communities. Now, Ghurye takes a very different position.

Ghurye did not agree with the position that Elwin was taking. So, he says that he agrees that tribal communities are different. They may have distinct culture and identity, and they are at different stages of integration. But his conclusion is that they are at different stages of integration with Hindu society, and therefore, he calls tribal communities backward Hindus. For the overall development of tribes, Ghurye thinks that it is in the interest of the tribal communities that they are integrated wholly now or in the future with the larger Indian society.

So these two positions continue to influence and shape tribal cohesion in India. And towards the end of the colonial period, the Viceroy Wavell came out with this recommendation for tribes, where he rejected the complete isolation of tribes. So, one position which was more or less taken by Verrier Elwin was that tribes need to be protected. So, therefore, indirectly, he also means that we need to ensure that they are protected and, hence, kept in isolation. But on the other hand, what Ghurye was actually advocating is that they need to be integrated or assimilated into the larger Indian society.

So, in 1949, there was a committee by the name Sapru Committee, which gave a report that focused on governance and politics in India, including minority rights protection. In the committee report, a very important recommendation in relation to tribes was that the administration of tribal areas should come under provincial governments, while the supervisory power, such as releasing special grants, should remain. Appointment of a commissioner to oversee the tribal-inhabited areas. So, this committee report laid the foundation or gave us a hint of the attitudes of the national leadership at the dawn of India's independence. Now, from 1947 onwards, we see that there was a whole lot of debate happening during the period of the drafting of the Indian constitution.

On January 24, 1947, the Constituent Assembly set up the Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas under the leadership of Sardar Vallabhai Patel. The committee was specially tasked with examining and addressing the provisions outlined in the Cabinet Mission Plan 1946 concerning fundamental rights and safeguards for minorities and tribal communities. Within the advisory committee, there were two very important

subcommittees formed, which specifically deal with the tribal question in the provinces of Assam and non-Assam areas. Now, when we talk about tribal communities, Assam is particularly important because today many of the states like Nagaland, Mizoram, and Meghalaya, They were formerly part of, you know, part of Assam before because the colonial state integrated these regions with Assam.

Now, over a period of time in the post-colonial period, it is a different story that these districts, which were formerly districts under Assam, were granted separate statehood. But if you look at it in terms of population demographics, you will see that many majority of the communities who live in the northeastern part of India, particularly in states like Nagaland, Mizoram, Meghalaya, Arunachal Pradesh, they are states which have tribal communities as the majority. So, in Nagaland, for example, there are about 80 to 90% of the population are tribals. Likewise, in Mizoram, somewhere around 65. In Meghalaya, also somewhere around 80 to 90.

So, you will see that, unlike many other states in India, one thing that is very distinct about the tribal, the northeastern part of India is that tribes are actually the majority in most of the states. so, therefore, a discussion on the tribal question in india cannot ignore the northeastern part of india because that is where many tribal communities are concentrated. Likewise, in this advisory committee was also set up to deal with the question of tribal issues in non-Assam areas, particularly in the mainland parts of India. So, by and large, many nationalist leaders were in favor of the Ghurye position essentially because they were very suspicious of the British policy of isolating tribes. So, the British policy of isolation of tribes initiated debates among the national leaders of nationalists who vouch for the assimilation of tribes in the mainstream society and those who shared the anthropological view of relative isolation.

The classification of tribal areas into excluded and partially excluded areas through the Government of India Act of 1919 and 1935 indicated the British view on tribes, that is, keeping tribes and tribal areas largely isolated from the rest of the society. So, they see that, today, tribals are facing this problem of integrating with the larger Indian society essentially because of the colonial administrative policy of isolating tribal communities. So, therefore, the nationalist leaders in India were very suspicious of colonial policies and their attitude towards tribes.

And they thought that this policy of isolating tribals from the larger Indian society was actually a kind of colonial divide-and-rule policy. So, the colonial state essentially introduced these laws because, first, tribes had a culturally distinct primitive identity.

Second, it was to protect tribal communities from being exploited by non-tribals. Now, however, as I said, the nationalists had a very different viewpoint when it came to colonial policy. They were very cynical about it. and for them, it was nothing but an extension or application of the colonial divide-and-rule policy. For instance, one of the resolutions passed by the Congress stated that it intended to leave greater control of the disposition and exploitation of mineral and forest wealth in those areas with the British state and to keep the inhabitants of those areas apart from the rest of India for easier exploitation and suppression.

So, for the nationalist leaders, it was actually in the interest of the colonial state to keep the tribals in isolation. It was never that the colonial state or the British were caring or concerned about the rights of tribal communities. On the contrary, by keeping the tribes in isolation, it served the interests of the colonial state because it enabled them to exploit the mineral and forest resources on which the tribals depended. At the same time, it was a way to divide Indians into different categories, preventing close integration and contact with one another. So, the Nationalists, by and large, opposed the isolation policy and instead demanded the integration of tribal areas by introducing representational democracy and providing legislative representation in the assemblies.

That aimed at empowering both provincial and central governments regarding tribal administration. Now, the nationalist leaders, all of them, were speaking in one voice, saying that this policy of isolating tribals had to end—this colonial policy of isolating tribal communities. And they believed that the integration of tribal communities was for their betterment because it would allow them to join the larger national mainstream. So, in the Constituent Assembly, discussions on tribal communities revolved around two main perspectives. One advocated for identity-based isolation since they were tribal communities.

Therefore, they must be isolated or need to be isolated so that their identities, culture, and traditions are protected. And the other promoted development-based integration. So, by and large, what we see is that at the dawn of India's

independence, there were many tensions and debates concerning the future policy on tribal communities. Now, because of colonial policies, tribals in many parts of India were kept isolated. And the nationalist leaders and national movements did not actually penetrate many parts of areas dominated by tribal communities.

Now, there were already geographical challenges because many of the areas inhabited by tribes were hilly and forested, making them somewhat remote or geographically inaccessible. That did not enable these national leaders to penetrate into tribal areas. Another limitation was the colonial policies which administratively excluded tribal communities, and for which, you know, many tribal communities in many parts of India were unable to actively participate in the national movement. Now, therefore, at the dawn of independence, on one side, we see that the colonial state was trying to advocate that tribals, because of their distinct cultures and traditions, needed to be protected. Now, in regions like northeast India, there were different plans that were being framed by the colonial state.

The plans definitely did not, you know, materialize. But then there were talks that many of these tribal communities who lived in northeast India, since they were so culturally, ethnically, and racially different, could not be made part of India. So therefore the British had this agenda of trying to create something like a crown colony. Likewise, anthropologists like Verrier Elwin also advocated that, based on his experience, these communities, because of their distinct culture, distinct way of life, and traditions, needed to be protected. Otherwise, if they were integrated without any protection, without any safeguards being granted to them, it would totally destroy the community.

On the other hand, the nationalist leaders were only thinking about how to integrate the vast geography, how to bring these diverse cultures and communities together under one nation. So for them, the most important thing was integrating everyone into the nation. So therefore, they were very suspicious about the kind of proposals that the colonial state was giving. Secondly, they did not want to continue with the colonial policy of isolation. So, on independence, the first thing that one has to do, that one needs to do, essentially, is to break this isolation and bring these communities into closer contact with the larger Indian society, which will facilitate the process of national integration.

So, what we see is that these debates largely shape the tribal cohesion in India. And in the following lectures, we will look at some of the individual pioneer communities. Tribal leaders who have actually taken a standpoint that does not always represent these two positions, but which comes as a voice from within the communities, try to make arguments on the basis that these communities need to be protected, but at the same time, ensure that they also join the larger national mainstream without compromising their distinct culture and way of life. So, in the next two lectures, we will continue with the making of the Indian constitution.

We will specifically look at how certain provisions came to be inserted in the constitution of India, and who the leaders were that played a pivotal role. And in the following lectures, we will also look at how these contributions continue to shape policies toward tribal communities in India today. Thank you so much.