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Aims and Objectives

As part of the celebration of the World Indigenous Peoples Day, Ethnic Community Development Organization (ECDO) has made an object to publish a journal entitled "*Journal of Ethnic Affairs*" annually. In order to accelerate and preserve research outcomes on indigenous peoples particularly in greater Sylhet region ECDO has taken this initiative. From now on every occasion of World Indigenous Peoples Day its issues will be published at regular basis. ECDO plans to make this publication as the leading academic exercise on ethnic peoples issues. Number of academic experts on indigenous issues from the Dhaka, Rajshahi and Sha Jalal University of Science and Technology have been included in editorial board of the Journal who will be supported and guided by an advisory board of renown professors of the above three famous public universities in Bangladesh.

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Psycho-Social dimensions of ethnicity :

The situation of the Garo community in Bangladesh

Dr. Tulshi Kumar Das¹

Abstract:

This paper presents various aspects of ethnicity, especially the psycho-social dimensions of ethnic communities. It also investigates the causes on the basis of which identity integration, identity differentiations and identity collaboration take place in a society. The characteristics of the Garos living in Bangladesh have been analyzed in the paper in order to understand the process of an ethnic group formation. Identity crisis of the Garos and its effects in the larger society have also been explained here. The paper suggests that synergic pluralism should be practiced in a democratic country to maintain independent identities, equal status and collaborative relationships among the people belonging to different ethnic communities.

Ethnicity and the Garo Community :

Since the Garos living in Bangladesh are usually recognized as an ethnic community, therefore we need to define the concept of ethnicity at first, and then only we would discuss Garo community. It is also necessary to understand as to why the Garo community is known as an ethnic community. Glazer and Moynihan (1975:5) suggest that "the steady expansion of the term 'ethnic group' from minority and marginal subgroups at the edges of society-groups expected to assimilate, to disappear, to continue as survivors, exotic or troublesome-to major elements of a society". Talcott Parsons (1975) maintains "the organization of plural persons into distinctive groups, ... and solidity and loyalty of individual members to such groups". He defines ethnicity as "diffusely solidary collectivity (Ibid, 1975)". According to Anthony Giddens (1994: 252-53) "ethnicity refers to cultural practices and outlooks that distinguish a given community of people. Members of ethnic groups see themselves as culturally distinct from other groupings in a society, and are seen by those others to be so". Different language, history or ancestry (real or imagined), religion, caste and styles of dress or adornment, are usually considered as the basic characteristics of an ethnic group.

There are as many as 30 tribal communities living at different parts of Bangladesh (Rabidas, babul, 2002). The Garos are one of them. They mostly live in Mymensingh, Netrokona, Tangail, Sylhet and Sunamgonj districts of our country. The Garos are an ethnic group of 'Tibbati Borman' belonging to the Mongolian human race. The aboriginal dwelling place of Mongolian is believed to be the adjacent areas of mid-Asia and most of the ethnologists have opined that the same place is also the aboriginal dwelling place of Garo community. Probably the origin of Garos could be found in Sinkang, a province of China, located in northwestern side of China. Later on, they come to live in the northern side of 'Tibet' and stayed there for many decades. Thereafter, they migrated themselves to the northeastern area of India through Bhutan. Garos were found living at the feet of Garohill in northern area of Bangladesh during 9th century, establishing the empire of Garo at Durgapur from 9th to 13th century (Jengcham,

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Subbash, 1994: 1-3). Another study shows that the original home of the Gros was in Assam of India, and the appearance of the Garos indicate that they may be the successors to the Khasis, Nagas and Manipuris of Assam (Sattar, 1971: 164).

The very name 'Garo' has come into being from Garo Hills. There are two basic groups among the Garos; namely *Achhick* or Hill Garo and *Laadani* or Plain Garo. The place where the hill Garos live is thickly clothed with forest, and the Plain Garos are found at the base of Garo Hill in the greater Mymensingh. A portion of Garos also lives at the hilly sector of Madhupur in Tangail district (Ibid, 1971). We do not know the exact member of Garos living in Bangladesh at present, but 'Tribal Welfare Association' of Mymensingh (Sangma, Udoy, 1998) shows around 1,05,000 Garos were living in our country in 1997.

The Garos have a different socio-cultural tradition in comparison with that of mainstream society of Bangladesh. Their family pattern, marriage inheritance laws, norms and values, habits, dressing, housing structure, language~ cultural and religions festivals etc are different from any other tribal community, and of course not consistent with the tradition of mainstream Bangladeshi common people (Milton, 2002). The nature of Garo family is matriarchal and therefore, women are head of the family, having the ownership of the property too. Children adopt *mahari* (descent) of their mother instead of their father, and the females usually enjoy highest status in the family as well as in the community (Chakma, Sugat, 2000: 101). Sometimes Garo women play a dual role, performing domestic duties along with working outside the family to earn livelihood. But it must be mentioned that there is no reason to believe that the women of Garo community have equal rights with their male counterparts or they are able to participate in the decision making process of the family according to their will (Sarker, Jerome; 2002). The above discussion makes it clear that the Garo people have a distinct identity in terms of their socio-cultural characteristics and that is how they are treated as an ethnic group in Bangladesh.

Psychological Formation of the Garos :

Ethnicity could be understood through there major psychological process; namely integration, differentiation and collaboration. Integration helps. to consolidate the identity of a particular group, and the differentiation is a kind of feeling which presents the image and stereotypes, identity boundaries, and a distinction between in-group and out-group. On the other hand, collaborative helps us to realize inter-group conflicts and inter-group collaboration relationship (Pareek, Udai; 1989). The Garos are a very small ethnic community, and they are well integrated among themselves. This integration has even become stronger due to the negligent attitude of the mainstream society towards the Garos. Therefore, the Garos often think that they are not a part of the mainstream society of Bangladesh since they do not belong to religious majority community. This feeling makes the Garos frustrated, helpless and very often than not alienated. Most of the Garos express their dissatisfaction for not being given due human dignity by the Bengalis, and this is of course one of the main reasons as to why the Garos feel for each other and are always united to fight any evil design conspired by any group of miscreants belonging to mainstream society.

It is not that there is no division found among the Garos living at different parts of our country. Garos are divided firstly along the line of religion. Though most of the Garos are Christian, a significant portion of their community still believes in their traditional religion called *Sangsarek*. During British rule in India, Christian missionaries preached Christianity among the Garos in the Garo hill area of

Mymensingh. Initially, the missionaries were not successful in preaching Christianity, rather they faced stiff opposition, but gradually in course of time most of the Garos got converted to Christianity. Along with preaching Christianity the missionaries also tried to extend education and health care facilities among the Garos. Christian Garos are found to be advanced with regard to education, health care, economic condition and progressive attitude. On the other hand, the Garos belonging to *Sangsarek* religion are background with regard to the same indicators. The Christian Garos usually think that *Sangsarek* Garos should give up practicing traditional religion, worshiping ancestor, natural forces and duties. But the *Sangsarek* Garos denounce the Christian Garos for getting diverted from the right path of their original religion, asking them to be respectful towards those Garos who are spiritists or animists. But surprisingly Garos of both religions do not have any problem to mix with each other and, in fact, they have been living together peacefully for many years, interacting with each other frequently.

As it is mentioned that collaborative relationship among the Garos is very much existing. The Garos are also eager to maintain a harmonious relationship with the mainstream society of Bangladesh. They usually live peacefully along with the members of religious majority community and hardly found any violent clash between the two communities reported anywhere in the country. It is also significant that many Garos invite the members of mainstream society to attend their traditional festivals, and the Bengalis also invite the Garos in the same manner. Interestingly, both the members of different community usually attend and celebrate the festivals of each other (Abdus Sattar; 1971, Abdul Jalil; 2002).

Identity Of the Garos :

Identity is an important component for every individual as well as for a particular group. It is being shaped through the process of a long-term development. According to Udai Pareek (1989) 'Identity provides both uniqueness to the group and a sense of pride to the individuals who belong to that group'. Isaacs (1915) opines that the basic group identity has got two important ingredients: a sense of persons' belonging and self-esteem he deserves to have. Allport (1954) suggests that identity is 'condensed' based on symbols or cues. There is a series of dimensions contributing to the formation of identity. Isaacs (1975) mentions the body, name, history and origin of the group, nationality, language, religion, value system, geography, or topography, etc are instrumental in the formation of basic group identity.

The Garos have a separate identity, which has already been discussed in the paper to some extent. The Garo community does not want to be identified as 'Garo'. Most of the Garos believe that the name 'Garo' has probably been given by the Bengalis and Europeans. They feel this name as humiliating for them (Jengcham, Subbash; 1994). They except to be identified as *Achier* (mountaineer) or *Achick mandi* (Hill tribe) (A, Playfair; 1975). The Garos have different religion and do have their own language. Their language had a written form earlier, but these days no Garo alphabet has been found. They usually speak in Garo language among themselves, but they know Bangla too. Therefore, the Garos could be described as bilingual. Whenever they interact with Bengalis, they speak Bangla only, facing no problem in establishing a smooth relationship with the Bengalis (Udoy, Sangma, 1998).

Matriarchal family pattern is usually seen among the Garos, and that is why kinship bond is dominated along the line of female descent. The Garo children take the surname of their mother and the descent of mother is much more important to the children than that of father. A greater kin group called *Chatchi* based on matrilineal relationship is almost kin relations in Garo society. There are five types of

Chatchi, namely *Sangma*, *Marak*, *Momin*, *Sira* and *Abetty*. Each of these kin-groups has got different tradition, cultural traits, food habits, values and norms. Most of the Garos living in Bangladesh belong to three *Chatchi* like *Sangma*, *Marak* and *Momin*.

A *Chatchi* has got different sub-groups, and each of them is known as *Machong*. Interestingly a particular member of a *Machong* does not marry another member belonging to the same *Machong*. A *Machong* is also divided into different small clans and each of these clans is called *Mahari*. This *Mahari* is relatively a smaller group and the members of a *Mahari* are related to each other through blood. It is to be noted that each group of Garos practices matrilineal family system (Jengcham, Subbash; 1994-11).

Though the Garos are socio-culturally different than that of mainstream society, their cementic separate identity as an strong and recognized ethnic community seems to be losing its ground gradually due to multiple factors. Frustration, alienation and lack of recognition as normal human being from the mainstream society have made the Garos distressed and hopeless, because of which they are trying to come out of their own cultural boundaries, making a bridge with their mainstream counterpart, getting involved in the larger social system of Bangladeshi society. This tendency of the Garos may not be described as an effort made by the community to have assimilation, amalgamation or incorporation with the greater cultural traits of the majority community, rather it could be analyzed as a struggle to earn honor as human being, which is only evaluated in the larger social system of our country.

The Role of the State towards Garo Community:

Frankly speaking, the role that is being played by the state towards the tribal living in this country could definitely be described as 'step-motherly'. After independence, each successive Government and most of the political parties of Bangladesh have more or less frequently tried to pretend as if the indigenous people do not face any kind of problem here. Even, there is a kind of consensus among the ruling elite for not paying due attention to the legitimate human rights of the tribal they deserve. Our state constitution, which was for the first time introduced in 1972 after the liberation, mentioned that citizens of Bangladesh would be known as Bengalis. Manabendra Narayan Larma, a Chakrna tribal leader who was also a member of the Constituent Assembly, vehemently opposed it saying that tribals were living in Bangladesh for generations learned, Bangla, and of course considered themselves as the citizens of Bangladesh, but they never thought of themselves as Bengalis. Mr. Larma expressed his fear that if the constitution designated the tribals as Bengalis, the separate identity of different ethnic groups would gradually be non-existent. But unfortunately his urge was denounced and went unheard.

The situation became worse when military took over the power after the killing of Sheikh Mujib in 1975. General Zia subsequently came to power, amended the constitution, erasing secularism from the list of fundamental principles of state policy of the constitution made in 1972. General Ershad, the successor to Zia, amended the Constitution further, making the religion of majority institutionalized. These events put all minorities, including the tribals like Garo, Chakrna, Manipuri, Khasis, Santals etc, on the defensive, and all of them became marginalized, reducing the total number of different ethnic minority community substantially. Unlike other tribal and minority community, the Garos have occasionally protested against atrocities like land grabbing, human rights violation etc under the leadership of Catholic and Protestant priests.

Therefore, General Ershad in August 1990 announced that the Garos would get back the properties illegally taken away from them. In fact, measures were also undertaken initially according to

the commitment given by Ershad. But the actions designed for the said purpose were stopped with the collapse of the Ershad regime in December 1990. Thereafter, we do not have any concrete information about the actions that have been undertaken by the successive BNP and Awami League government in order to ensure security for the Garo community. But as far as we know that no Government has so far come forward to patronize Garo culture and also no strategy has yet been adopted to develop the socio-economic condition of the Garos. It is also very difficult to mention the exact number of Garos since they are not enumerated separately during the population Census. But the annual growth of the Garo population is very low, as it is shown in a few articles. A rubber plantation project sponsored by the Asian Development Bank was designed in the early 1980s in the Garo habitat, which evicted a large number of Garos from their homestead. This is true that the Garos did not disappear totally from Bangladesh, but definitely they have been languishing (Roy, Jayanta K; 1996).

Maintenance of Identity :

Identity of various ethnic groups must be allowed and encouraged to flourish in a true democratic country, and may, therefore, be necessary to train people in their own cultures so that people belonging to a particular culture should not feel rootless. Any attempt to remove the identity of a group is clearly antidemocratic which goes against not only the synergic pluralistic model, but also against the beauty of diversity of an enriched social life in the society. The state is expected to support the various ethnic groups to have their own identities and this is particularly true in relation to linguistic groups, and other sub-cultural groups, who usually speak dialects which are not developed as full-blown languages. But unfortunately the Garos have been struggling for long to maintain their own identity since synergic pluralistic model of society has not been in practice in our country. We should not forget that separate identities always help different ethnic groups to feel proud of their own cultural traits and place.

Conclusions :

Though Bangladesh may not be described as a multi-ethnic society, ethnic consciousness among different ethnic groups including the Garos is increasing due to our long-cherished state policy. This ethnic consciousness must be accommodated within the larger cultural system of our society through giving proper respect and recognition to each and every ethnic group. Like other ethnic groups, the Garos and their culture are ignored, humiliated, insulted and they are very often treated as less human being. Needless to say, this is a wrong policy adopted in a democratic country, and we must not forget that collective action is very much necessary on the part of different ethnic groups to ensure equality in a society. We are in fact, late. Let us be united to establish the identity of each group, including the Garos on the basis of synergic pluralistic model and thereby making our society truly democratic and humanitarian.

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Indigenous Peoples' Rights: Bangladesh and International Perspective

Shirin Sultana²

Abstract:

Bangladesh is not a country for Bengalis. The country harbors many different cultures and peoples too. They are the Adivasis, the indigenous peoples of Bangladesh. This article represents an attempt to understand their problems and to combine a discussion of indigenous peoples' rights within a wider human rights framework. This article has pointed out few recommendations that are not all inclusive and, by themselves; they cannot solve all the pressing problems of the indigenous people of Bangladesh.

Introduction :

Bangladesh is the land of 45 ethnic communities who are commonly known as Adivasis (Indigenous). According to the 1991 census, their total number is estimated as 1,205,978 and formed 1.13% of the total population of the country. Majority of the indigenous people reside mainly in three geographical regions of the country: Chittagong Hill Tract (CHT), Northwestern Bangladesh and central Bangladesh. However, some indigenous communities also live in the coastal districts of the country.

Indigenous peoples have their own culture heritage with distinct life style, culture, beliefs and traditions. The important issues concerning the tribal in general include resource alienation, environment and forest related problems, illiteracy, health and malnutrition, Potential threat to their identity and culture and in particular self-governance. There is a definite need to address their problems and various levels. It is noteworthy to mention here that United Nations had declared the year 1993 as the year of the indigenous peoples and 9th August as the World Indigenous Peoples Day in order to make people understand their circumstances.

Who are Indigenous Peoples :

In order to understand indigenous people, their rights and the impact of development induced displacement on the indigenous people, we should have a brief discussion on the concept of Indigenous peoples. Although there is no specific definition, there have been several attempts to define or described Indigenous peoples.

The special rapporteur of the sub-commission for the indigenous people in United Nations Jose Martinez Cobo, has defined Indigenous Peoples as,

"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 sector of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal

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systems"³

In its Operational Directive 4.20, The World Bank views that no single definition can capture the diversity of Indigenous peoples. However, identifying few characteristics World Bank tries to single out Indigenous peoples:

"(1) a close attachment to ancestral territories and to the natural resources in these areas; (2) self- identification by others as members of a distinct cultural group; (3) and Indigenous language, often different from the national language; (4) presence of customary social and political institutions and (5) Primarily subsistence- oriented production."

Many of them are going through the process of ethnocide, willingly or unwillingly being perpetrated on them, by their dominant neighbors in different parts of the world. There are allegations that some of them are even subjected to the process of genocide. Naturally the problems of this category of peoples compels serious concern among all persons and institutions informed by social conscience.

The ILO Convention 107 of 1957 defined indigenous or tribal or semi-tribal populations in independent countries. According to this definition indigenous, tribal, or semi-tribal population of a special category who inhabit in a particular geographic region and have specific historical experiences. This definition describes the distinct cultural identities and geographical concentration of the indigenous people from the rest of the society and they have a special relationship with the land upon which they live and with the environment surrounding them.

Indigenous concentrated areas :

Bangladesh has a large number of indigenous peoples who are commonly known as *Adivasis* and are distinctly different from the mainstream population in their culture, religion, tradition, customs, ethnic origin etc. They are racially different from the majority Bengalis. The indigenous peoples are scattered in hilly parts of Bangladesh, mainly in the districts of Rangpur, Dinajpur, Rajshahi, Mymensingh, Sylhet and the Chittagong Hill Tracts (CHTs) Consisting Khagrachari, Rangamati and Bandarban district. The Prominent groups are the Chakmas, Marmas, Marungs, Chaks, Bowms, Pankoos, Khyangs, Khumis, Tripuras and Lushais of the CHTs who are collectively known as Jumma because of their Jumor Shifting cultivation and hajongs, Khasis, Garos, Santhals, Oraons, Rajbangshis, Manipuries etc in other districts. It is to be noted that, though in the country as a whole, the tribal peoples constitute a small minority, about two third of them live in areas where they are in the majority. Their self-perception is, therefore, an oscillating mix of minority and majority complexes.

Situation of Indigenous Peoples :

As member state of the United Nations Bangladesh has an obligation to fulfill the International Convention on the Elimination of Racial Discrimination for its indigenous populations. It was fully committed to condemning and opposing racism and racial discrimination. Despite serious resource and other constraints, it remained committed to the reporting system. Its policy was to support and encourage the committee In the proper discharge of its duties, and it would extend all due cooperation to the committee. But these have been little or no improvement on the situation of the indigenous Peoples. It is claimed from the indigenous peoples comer that the government of Bangladesh is over conscious of the sentiments of the Muslim majority and failed to show any political will to take measures to bring an end to discriminatory legislation like the Vested Enemy Property Act or cancel its anti-indigenous peoples policies like afforestation program. Echo park, afforestation etc projects of the governments have been used as instruments to uproot the indigenous peoples from their homeland⁴ Human Rights abuses like arbitrary arrest, illegal detention, rape

³ The impact of Development Induced Displacement upon the Indigenous peoples of Bangladesh, an unpublished seminar paper, conducting by the Dept. of International Relations, University of Dhaka, 2005.

⁴ International Convention on the Elimination of Racial Discrimination(CERD/ c/ sr. 942)

and killings continue to take place. In indigenous community too, rape has been inflicted upon the Hill women by Bengali security personnel and plain settlers.⁵ The Hill watch Human Rights Forum reported that between January 1991 and 1992 a total number of 47 Jumma women were raped by the Bangladesh security forces. However, Hill women federation maintains that because of the social taboos and fear of reprisals many do not report rape cases.⁶

But none of the governments after its independence of Bangladesh have taken any initiatives to resist it.

The major development since 1992 has been signing of the much-vaunted Chittagong Hill Tracts Peace Treaty with the Jana Sanhati Samiti (JSS) on 2 December 1997. The main demands of the Jana Sanhati Samiti and Jumma Peoples were constitutional reorganization of their district identity, autonomy with self legislature, withdrawal of military forces, withdrawal of illegal plain settlers and return of lands grabbed by the security forces and illegal plain settlers to the original owners, the Jummas. But the treaty fails to address the question of constitutional recognition of the district identity of the Jummas, autonomy with self legislature, withdrawal of illegal Settlers and military and return of the lands to the original Jummas.

The Indigenous peoples are the distinct categories of people in Bangladesh who face discrimination from the majority Bangalis on the basis of their ethnic origin. And the indigenous peoples of the CHTs from the majority of the indigenous populations of Bangladesh. Though at domestic level, Bangladesh Government Sponsored "Planned Population Transfer" of over half a million illegal settlers into the CHTs with a clear aim to destroy the last bastion of the indigenous peoples and the district identity of the indigenous Jumma peoples; and continues to encourage such settlement.⁷

Most of the demands of Indigenous peoples like constitutional recognition of their distinct identity, autonomy with self legislature, withdrawal of military forces, withdrawal of illegal plain settlers and return of lands grabbed by the security forces and illegal plain settlers to them have not been met yet, the Government of Bangladesh refugee to implement the Accord. The returnee Indigenous peoples have not been rehabilitated. Many died of starvation in 1998. Although the government announced establishment of the land commission to settle the land disputes, it is yet to start functioning. The arbitrary arrest and illegal detention of a large number of Jummas are testimonies to the failure of the Peace Accord. The Accord is simply on the verge of collapse of its non-implementation.

The problem of discrimination and human rights abuses based on ethnic origin against the indigenous and tribal peoples have been exacerbated by lack of specific legal mechanisms against such discrimination. The unwillingness of the governments to prosecute the law enforcement officials and hence, impunity provided to them encourages more abuses.⁸

Transmigration or Ethnic cleaning is another problem in Bangladesh. Since the independence of Bangladesh, the Bangali settlements in the Chittagong Hill Tracts have increased manifold. After the Bangladesh liberation war, 50,000 Bangalis entered into Ramgarh area of the Chittagong Hill Tracts and settled there. From 1979 to 1983, the Government of Bangladesh sponsored transmigration or "Planned Population Transfer" of hundreds of thousands of illegal plain settlers into the CHTs. Though Transmigration of Population is the beginning of colonialism and Prohibited under Article 49 of the Fourth Geneva Convention. It has been the main tactic of the 'Smokeless wars' being waged by the

5 The so-called deforestation Program: Jumma People faces Eviction in Rangamati, October 10, 1996, Hill Watch Human Rights Forum, Dhaka.

6 Amana, Mohsin, Militarization and Human Rights violation in the Chittagong Hill Tracts, International peace conference on the CHT, Bangkok, February 1997.

7 Lana Sanghati Samiti (United Peoples Party) is a political organization of the Indigenous Jumma peoples and another organization of the armed Shanti Bahinis.

8 The US state Department's Country report for Human Rights Practices 1997. Washington DC. 1997

neocolonial Powers to consolidate their grip on their external and internal colonies.⁹

Population Transfer of thousands of illegal Plain settlers had a devastating effect on the indigenous People, their lives and livelihood. It has led to unprecedented land alienation, spread of poverty, displacement of indigenous peoples, deforestation and soil erosion, destruction of indigenous peoples traditional governments, destruction of local economies, forced assimilation of indigenous communities and systematic massacres of the indigenous Peoples. Transmigration has gone beyond appropriation of lands and resources. The illegal plain settlers have forcibly occupied a large amount of lands of the indigenous Peoples. It had serious repercussions on the right to Property of the indigenous People. The land alienation continues incessantly. The security forces and the illegal settlers perpetrated a series of massacres of the indigenous People. Most of these massacres were concentrated in the areas where the lands are fertile and Plough cultivation is Possible. They are targeted simply because they belong to a different ethnic minority. This is aimed at pushing them into the more interior areas where plough based cultivation are not possible and to occupy the lands vacated by them. In areas where they refused to move out of their traditional villages, they were forcibly relocated in 'Strategic Hamlets' a counter insurgency model village, after burning the village. Besides the security forces have occupied large tracts of lands of the indigenous peoples without their consent and without paying any compensation.

After appropriation of lands now the Government has been facilitating political control of the areas and institutions. Although the Government of Bangladesh has Presently stopped 'Planned Population Transfer' the illegal settlers continue to be encouraged to settle in the Chittagong Hill Tracts. The Government continues to provide rations to the new illegal settlers.

Formal education for children is not a priority need for the indigenous people as they have to struggle everyday to feed their families at least one meal a day. The normal pattern of life is that all members of the family are busy in their survival needs, children are engaged as adults in cultivation, cooking, gathering fire wood, fetching waters, weaving cloths, repairing houses, rearing animals and looking after the young ones. On top of such hardship the people have been affected from forced settlements, displacements and armed conflicts, making their lives miserable and insecure. The Government of Bangladesh contributed very little for development and peace making which has greatly hindered the lives of the communities. In such context, the children's education did not get much attention from any comers, neither from the community nor from the state.¹⁰

United Nations and Indigenous Peoples:

Recognizing the need to ensure even more effective implementation of international human rights instruments with regards to the rights of persons belonging to national or ethnic, religious and linguistic minorities, proclaims this Declaration on the Rights of persons Belonging to National or Ethnic, Religious and Linguistic Minorities; the important Articles are mentioned as follows;

Article - 01: States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

Article- 02: Persons belonging to national or ethnic, religious and linguistic minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination; to participate effectively in cultural, religious, social, economic and

⁹ The Plain Settlers are illegal in the CHTs 1900 regulation prohibits settlement of plains people in to the CHTs. Internationally, Article 49 of the Fourth Geneva Conventions Prohibit such population transfers. P-9.

¹⁰ Bangladesh Manobadhikar Samonnoy Parishad (1994). State of Human Rights- 1994, Dhaka ,January 31,1994

public life; to participate effectively:- in decision on the national and where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

Article- 03: Persons belonging to minorities may exercise their rights including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

Article- 04: States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law; to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards; to learn their mother tongue or to have instruction in their mother language; to participate fully in the economic programs and development in their country.

Article- 05: National policies and programs shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

In accordance with the universal Declaration of Human Rights, the United Nations has setup 31 articles in order to protect indigenous peoples from all forms of discrimination and balanced development of this distinct people all over the world. Some important articles of them are mentioned as follows:

Article-1: All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. The states parties to the present covenant, including those having responsibility for the administration of Non-Self-Governing and trust territories, shall promote the realization of the right of self-determination and shall respect that right, in conformity with the provisions of the charter of the United Nations.

Article-4: The states parties to the present covenant recognize that, in the enjoyment of those rights provided by the state in conformity with the present covenant, the state may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

Article-6: The states parties to the present Covenant recognize the right to work which includes the rights of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

Article-7: The states parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of work which ensure, in particular:- remuneration which provides all workers, as a minimum, with: fair ways and equal remuneration for work of equal value without distinction of any kind, in Particular woman being guaranteed conditions of work not inferior to those enjoyed by men, with equal Pay for equal work;

Safe and healthy working conditions; equal opportunity; rest, leisure and reasonable limitation of working hours and Periodic holidays with Pay, as well as remuneration for public holidays.

Article-9: to recognize the right of everyone to social security, including social insurance.

Article-11: to recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions.

Article-12: to recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

Article-13: to recognize the right of everyone to education.

Article-15: to recognize the right of everyone to take part in cultural life; to enjoy the benefits of scientific progress and its applications.

During the discussion in the UN working group on indigenous populations, a point of view was expressed that the indigenous peoples may have their own system of human rights which should not be

subordinated to non-indigenous international standard of human right. In other words it means that the Universal Declaration of human rights is not really *so uni versa!*

It reflects Eurocentric view of the individual-not subsumed within the community, with this basic premise on the backdrop when collective rights are projected; it functions like a double-edged sword. It neither helps the individual, nor the collectively, it gives the way for multinational overlords. One has to be aware of this intellectual's ethical trap.

Suggestions and Recommendations:

It is undoubtedly true that indigenous peoples are in great threat both from the respective states and majorities throughout the world. It is essential to protect them from all forms of discriminations. Civil society and all people and organizations have an obligation to press the issue in public. However, the following steps may be helpful to improve the overall situation of the indigenous peoples:

(i) to strengthen the democratic institutions to protect the distinct identities of the indigenous peoples and religious minorities.

(ii) to provide concrete information on the implementation of the convention in practice with regard to the indigenous and tribal people of Bangladesh.

(iii) to take any specific measures to combat discrimination against members of indigenous people.

(iv) to improve the effectiveness of measures aimed at guaranteeing to all groups of the population, and especially to the members of the indigenous communities, the full enjoyment of their civil, cultural, economic, political and social rights.

(v) to establish a statutory commission to address the problems of the indigenous peoples and religious minorities.

(vi) to pay compensation to those victims whose lands have been under the occupation of the camps of the security forces, and the illegal settlers and to those indigenous peoples who have evicted under various afforestation programs.

(vii) Education program for the tribal communities will have to be so oriented as to accelerate the process of their individual and collective knowledge and prudence. A thorough knowledge and insightful understanding of the creative literature of the tribal communities including written literature which is rapidly coming up is indispensable for a meaningful partnership with the socially concerned tribal personalities in generating appropriate educational program and approaches for the indigenous peoples.

(viii) Participatory research for expanding the orbit of partnership aiming at one global community in the long run and making the quality of life in it totally more real and existentially more relevant, will have to be carefully planned.

(ix) Participatory monitoring and continuously broad-based communication of the findings should be part and

parcel of the new approach. For this purpose, the existing system of reservation in educational institutions, jobs and services and elected bodies should continue for at least one more generation.

(x) Finally, as logical outcome of the foregoing framework, the tribal sub-plan approach which is frequently nothing more than incoherent assemblage of fragments of plans and program in different sectors should be discontinued.

The draft declaration of the United Nations has many positive points which will enable the indigenous and tribal peoples of the world to contribute towards the reconstruction of human situation globally. It is therefore, a matter of great importance of the draft declaration at the Human Rights Commission and the UN General Assembly. Bangladesh as a member state of the UN have an obligation to establish the main theme of draft declaration for its tribal population. An equities world order requires authentic partnership to be built up from the immediate milieu to the global humanscape. In this, history mantle seems to have fallen on the indigenous people, particularly of Bangladesh and in sub-continent, where they have the largest concentration among peoples analogous to them in the world.

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The Khasis in Bangladesh

Md. Faisal Ahmmed¹¹

Introduction :

At least 350 million people worldwide are considered to be indigenous and in Bangladesh about two million indigenous people of 45 different distinct communities are living throughout the country (Gateway, Hossain, 2003). These people with distinctive social and cultural practices, languages and customs are commonly known as '*Adivasis*' by themselves. Among them Khasis are one of the most disadvantaged and vulnerable *Adivasi* community living in Sylhet and Moulvibazar districts. They have been characterized by the dominant groups as distinctive with their comparatively more isolated habitation in the hilly and forest areas and their distinct socio-economic and cultural lives (Munda, 2002).

Ethnic origin :

The origin of the Khasi is a very vexed question. Although it is probable that the Khasis have inhabited their present abode for at any rate of considerable period, there seems to be a fairly general believes amongst them that they originally come from elsewhere (Gurdon -1996). Their history of migration is still under mystery and based on affinities with other ethnic people and their migration history. Many ethnologists mentioned that the Khasis originally came into Assam from Burma.

Referring Aymonier, Gurdon (1996) notice that the Khasis are connected with people who inhabited the Malay Peninsula and Chota Nagpur at the time of the stone age. Dutta (1982) describe the Khasis as Pale Mongoloid people who speak an Austric tongue, Mou Khmer which they were believed to have adopted in course of their wandering long before they settled in their present habitat.

Historical evidences suggest that the Austric speaking race the Mons started to rule Burma in 11th century and continue it for few centuries. This race practiced matrilineal system and it is assumed that they were the ancestor of modem Khasis people (Barch, 1974). Defeated by Burmese the Mons shifted their habitat to Assam. Historical background suggests that Mon-Khmer speech has age-old civilization in Vietnam. Beside Khmer in Cambodia, the Khasi megalithic culture are connected with the Mon-Khmer groups of Laos, Thailand, Indo-China, Indonesia and Malaysia (Barch, 1974). Side by side Khasi-Jaintia was a Mon-Khmer speech located in Meghalaya from time immemorial. Focusing the given historical facts Gurdon (1996) concluded that the Khasis are an offshoot of the Mon people. Considering very close connection with the language and culture of Mon-Khmer group Chowdhury (1998) has described the Khasis as immediate connected people with the Mon, Palaung and War of Burma. He also mentioned that the Khasis in Assam of British India was the only member of Mon-Khmer Group who have migrated from Burma. However, few ethnologists observed some likeness between the Khasis, Synthengs and Nagas. They understood that the forefather of the Khasis in the

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course of migration in to their present settlement possibly passed through the country of Nagas and few Naga Customs has transmitted in to the Khasi customs or vice versa.

Due to lack of available literatures and historical evidences, until now the history of origin of the Khasis is mainly based on assumption and myths. The Khasis have not apparently preserved any tradition as to the direction their forefather had come from (Chowdhury, 1998) and very specific and authentic ethnic history of this people is yet to be established. Considering different research scholars and ethnologists literatures the Khasis may be introduced as an offshoot of Mon-Khmer people with Austric language.

Migration and Settlement in Sylhet :

The exact time and event of migration of the Khasis in Sylhet is still under mystery. Khasi people believe that they were planted by the God in the beginning of time (Chowdhury, 1984). According to Gurdon (1996) Khasis settled in Jaintapur migrated from Assam in sixteen century. At that time they had established an independent Kingdom at Jaintapur which was located in Sylhet district.

However, the accurate time of the formation of Khasi Jaintia Kingdom is still an unsolved matter in the history. Few ethnologists mentioned that Jaintia Kingdom was established in 1500 A.D. This Kingdom captured the areas of present Sylhet, Sunamgonj, parts of Moulavibazar and Hobigonj districts (Rahman, 2004). After 1835 the Khasi Kingdom was occupied by the British. In courses of time many of the Khasis shifted their habitat into different hilly forest areas of Sylhet division and now their major concentration is in Kulaura Upazilla of Moulavibazar districts. Due to lack of available statistics, it is difficult to figure out their actual number, number of villages where the live etc. It is assumed that Bangladesh has about 90 (ninety) Khasi villages with an approximate twenty thousand of population (Rahman, 2004). Their habitats are mainly in deep hilly forestlands. Few also live in the plain land of Sylhet district. Rahman (2004) collected the name of 71 Khasi Punjis. Among those 5 and 3 is in Goainghat and Jaintapur Upazilla of Sylhet district respectively; 38, 11, 07 and 04 is in Kulaura, Barolekha, Sreemangal and Kamolgonj Upazilla of Moulavibazar district respectively; Bahubal and Chunarughat, each of this two Upazillas have one punji and Taherpur Upazilla of Sunamgonj district has one punji.

Table-I: Concentration of the Khasi people

Districts	Upazilla	Number of Punji
Sylhet	Goainghat	05
	Jaintapur	03
Moulavibazar	Kualura	38
	Barolekha	11
	Sreemangal	07
	Kamolgonj	04
Sunamgonj	Taherpur	01
Hobigonj	Bahubal	01
	Chunarughat	01

Livelihood Strategies :

Like mainstream people in Bangladesh plain land Khasis are mainly agriculturists. Rice is the main agricultural product of plain land Khasis while most of the Khasis in hilly forest areas mainly produce betel leaf and it is their principle earning source. In courses of time betel leaf cultivation has become their prime livelihood source. Both male and female works together in betel leaf farm. Khasi betel leafs are cultivated inside the hill forest. Trees are the main component for producing betel leaf. Therefore, their personal interests press them to preserve forest in their own indigenous ways and their traditional livelihood is based on land and forest resources. Along with betel leaf cultivation; lemon, pepper, jackfruit, betel nut ate also produce at small scale in many Khasi villages. In addition with farming few of them are found as blacksmith and handicraft artists. Many of the family rear pigs as domestic animal which sometime helps them to earn a gross additional income at very irregular basis.

Since most of the Khasi people live remote isolated hilly forest areas, they can not receive higher education which restricts them to engage other modern occupation other than traditional agriculture based livelihood. Shyness to expose themselves outside the community, experience of deprivation and exploitation by the mainstream people, lack of educational institution nearer to their communities, unconsciousness and disinterest towards education etc, are seems to be another major reasons behind not receiving education at large number. It is fortunate that nowadays Khasi peoples attitude is changing and younger are receiving primary education at good number. There are missionary organizations working with the Khasis to improve their life style and education status. These organizations have mentionable contribution for the present development in education of the Khasi people. It should be noted that this development is considered to be mentionable and as progress from the context of "Something is better than nothing". Although almost all of the Khasi children go to primary school, most of them can not complete primary education; the rate of receiving higher education is also very low among them. Higher education is only limited among the people who can afford its high cost. Having no close contact with city areas all most all of the Khasi children who even intend to take lower secondary education have to arrange shelter and other opportunities related to education by their own which make education more expensive for them.

While advancement in higher education is ignorable among them, it is highly likely that occupational diversity will not emerged among them in near future unless major and effective initiatives have been taken soon by the government and development agencies to change the present trend.

The Khasis are laborious nation and they prefer to lead a very simple life with deep honesty. This simple-hearted people always try to avoid conflicts, violence and criticality. Coming outside their community and competing with mainstream people for livelihood is almost obsolete among them. Consequently, they like to keep them away from the mainstream livelihoods fearing discriminations and complicacies. Though there are few school teachers and NGOs staffs are to be found among them, it is difficult to single out a person who is involved in other Non-Government or Government services.

Few of the Khasis don't have lands under their control for cultivating betel leaf. These people are treated as poor and they mainly work as wage laborer in their neighbors betel leaf farm. None of the member of the Khasi community goes outside for work as wage laborer. They arrange their livelihood inside their own community. Community people help each other in need. In this perspective they can be

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treated as self reliant nation.

Traditions and Custom :

Like other indigenous people in Bangladesh the Khasis have distinct rich culture, tradition, customs etc, by which they govern their simple and flexible society. Each of their customs has distinctive character. There are few important traditions and customs are described bellow in brief:

System of marriage and divorce:

The most remarkable feature of the Khasi marriage is that it is usual for the husband to live with his wife in his mother- in-lows house and not for him to take his bride home, as is the case in other communities. This arrangement amongst the Khasis is no doubt due to the prevalence of the matriarchal (Gurdon, 1996). As long as the wife lives in her mother's house all of her earnings go to her mother in order to maintain family expenditure. According to the Khasi custom husband is permitted to leave his mother in-lows house along with his wife only after children is born and when he can afford food and shelter by his own income (Dutta, 1982). Exogamous clan system is strictly followed by the Khasis and that is why male can not get married within his own clan. If some one violates the rule, he is looked down upon by the society (Dutta, 1982) and its consequences are painful for the individual. For to marry within the clan is treated as greatest sin and it may cause excommunication by his kin-folk and the - refusal of funeral ceremonies at deaths and his bones would not be allowed to resting-place in the sepulcher of the clan. Polygamy and Polyandry does not exist among the Khasis but remarriage is acceptable in their custom. Although divorce is not uncommon among them, it happens at small scale due to different circumstances. According to the Khasi custom, nobody can enforce anybody for divorce. It is a mutual process where both parties must agree and if someone divorce spouse without spouse's consent, must pay compensation. Divorce is occasionally happens because either the husband or the wife usually do not agree to divorce. Side by side divorce is not allowed at the time of pregnancy (Gurdon, 1996). Children are not affected by the divorces, because they belongs to their mother and the clan. Children might not even know the names of their father but they remained extremely devoted to their mother and maternal uncle is more powerful authority than father's brother (Dutta, 1982).

clan less, a girl is adopted and becomes integrated into the family Kinship pattern, inheritance there by being reverted in her person to the same group. But the self-acquired property of the husband may be entitled to a son or shared among the sons if there be no daughter in the house. Furthermore, father has the right to transmit his self-acquired property to his children according to his own judgment.

Inheritance:

The most remarkable social institution of the Khasis is the system of matrilinealism. Except among the Garos; it does not appear among any other races and tribes in Bangladesh. A characteristic feature of the Khasi matrilinealism is the succession of the youngest daughter called *Ka Khudduh* in Khasi language to the property of the family (Dutta, 1982). Although other sisters might be allowed to share of the common inheritance, but the largest portion in variably fell to the youngest and brothers are excluded from all shares of the ancestral property. Property ownership custom is treated as achieved by own earning for the male members of the Khasi community. Therefore, youngest daughter is seems to 'be powerful in the context of property inheritance. As youngest daughter share a major portion of the inheritance property, she has to perform some responsibility i.e. she is expected to observe the

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traditional family rites and ceremonies; she has to take care of her older parents, bear the responsibilities of unmarried brother and sisters or any dependent relatives living her mother's home along with husband and children (Barch, 1974). In the event there is a single daughter, she will get the entire property. If there be no daughter, the ancestral residence and property goes to the elder sister's lineage, but if the woman has become

Judiciary:

However mother Kinship is dominant and inheritance is matrilineal within the framework of the Khasi customs, women are not treated as more powerful everywhere than men. In outside or public affairs women's participation is not acceptable. In the Khasi tradition family and community disputes, conflicts etc are minimized by the community leaders who are male. The Khasis lead a simple and solitary life. Despite frequent torture and disturbance by the mainstream people, they always try to avoid conflict and eager for a peaceful solution. Within the community any disputes and conflicts are solved in the course of mutual discussion and agreement under the leadership of *Montri*- the headman of the village and his board of advisor who are selected mainly selected from the older people.

Current changes :

The Khasi society has greatly been transformed by many changes which have taken place in recent times although it is more evolutionary. After British occupation major change has been occurred in Khasi tradition. At the contemporary time of British rule, Christian missionaries started to work inside the Khasi community and most of the Khasis altered themselves into Christianity from their traditional religion. This religion alteration influenced their social and cultural life at large scale. In courses of time Church become the powerful authority. Avoiding Khasis original traditions and values; social, cultural and personal lives the Khasis begin to be operated by the Church rules. While the change was innovative in certain respects, it killed many of the ancient excellent practices (Barch, 1974).

Wealthy parents nowadays give property shares to their sons, although in smaller proportion against the larger reserved for the daughter and entitling such recipients to transmit the property thus bequeathed to his wife's kinship lineage. This is a reversal of the old customary laws which forbade the carrying out of capital or any kind of property to his wife's home (Barch, 1974).

While matrilinealism in inheritance prevailed in stricter form in the interior of the hills, especially in the upland, the rigors of the custom are however not observed in the outlying villages of the Khasi hills. A degree of patrilinealism has crept in their society, apparently owing to constant contact with the patriarchal societies of the plains (Dutta, 1982).

Catholic missions successfully introduced education among the Khasis. The Khasis took themselves quickly to western education. Many scholars, writers and learned men came out from the Khasis. Adaptation to the western life was quickly made among them. These changes have made impact into various spheres of social and cultural life of the Khasis. Their traditional occupation, food habits, dresses, judiciary system, norms based oral traditional education related to practical life, discipline, traditional life style, practical and all-round training etc disappeared from their lives. Modern system of education, Church based community no doubt has broken traditional biased instructions (Barch, 1974), however it has positive impact on economic as well as material and medical aspects of life of the Khasi

people (Karotempel, 1984). After realization, to make good the loss of cultural values, a group of learned men from the Khasi community of India came out at the close of the last century who sought to reinitiate culture in literature and through other means. Their initiatives brought few changes at that time and in 1906 the Calcutta University recognized the Khasi language as a subject in Matriculation examination. In this connection few books on Khasi literature, tradition and philosophy were published. Now social contacts, colonial tendencies, caste structure, Christian teaching, indigenous proverbial maxims and religion values are in mixed result (Barch, 1974). Unfortunately here in Bangladesh such development did not occur among the Khasis at the same degree comparing with Indian Khasi community. Nowadays the Khasis in Bangladesh are marginalized both from the culture and development. Their present progress is yet to sufficient enough to enjoy a comfortable life.

Challenging aspects of the Khasis :

victims of modernization and the benefits of economic growth have not percolated through to them. They remain the poorest of the poor in terms of opportunities, both social and economic. This is largely because policy initiatives have not addressed to the specific needs of this group. Rather many policies and program of the government compelled or forced them to be landless, jobless as well as rootless.

Struggle for survival is not a new phenomenon for any indigenous people in Bangladesh. Like other places in the earth, their rights are violating from different powerful comers. For their minority status they always become the 'pray' of mainstream people as well as of the governments. The Khasis are one of the disadvantaged indigenous communities who has to encounter different challenges as everyday basis. Their major threats and challenges are described below precisely based on author's personal, observation.

Land related crisis :

Like other indigenous groups in Bangladesh the Khasis life and culture are under constant threat. They are the vulnerable group of people to the fast changing socio-economic condition in the country. They have become the

It has mentioned earlier that the Khasis traditional economy is based on land. But nowadays land and land related problems have made their livelihood uncertain, even in many places their life is under threat. Khasis land related crisis is different in nature. Among them lack of land rights is the most pressing reality that marginalizing them from the very beginning of the British rule (Rahman, 2004) and it become severe after 1950 when state acquisition and Tenancy Act was launched. Under the provision of this act the state was authorized to collect rent from the tenants directly and tenants were obliged to prove positions by documents based on regular payment of rent. At that time due to lack of knowledge, education and unconsciousness the Khasis failed to ascribe land ownership. Therefore, under the rule of Tenancy Act, their ancestral lands positioned under the government authorities as *Khasi* lands and as *Acquired Forestlands*. This process gives them the status of "illegal occupants" inside their own homelands. Now it has become a regular duty for them to maintain continuous contact with forest department and district commissioner's office to legalize! their so called occupied lands. Fortunately few of the villages gained documents after a long history of struggle and deprivation.

Side by side the Khasis have to encounter the threat of eviction from land grabber and government

development project (Rahman, 2004). Political leaders, local gangs, tea estate authorities etc, are the perpetrators of land grabbing mission. Preparing forged documents taking help from the corrupt government employees, those people force the Khasis to leave them from their lands. Even on the basis of fake documents they forcefully establish property rights and sell the land to the Khasis who is originally owner of the land. So called development projects e.g. development of ECO park in the Khasi owned and cultivated forest land threatening the Khasis and they fear that if it be implemented their livelihood will go under uncertainty. Their indigenous method of forestry may be affected which may affects environment as well as their indigenous culture, way of life etc. They continue a movement against this project. One of its leader a Khasi *Montri* (Head of a Khasi village) observed,

"This is simply an ill motive. Local influential political leaders are in favor of this project because it will serve their purposes. Our trees will be cutting down in the name of re-forestation and they will earn money selling woods. On the other hand, we the Khasis will be treated as wild animals. We will live inside the ECO Park, people will come to see us and we will become the part of it. Our women will not be able to move freely, privacy will be threatened. Authority will forbid us from betel leaf cultivation. As its result our livelihood, social and cultural life will be collapsed. "

In Jafalong areas mainstream people collecting stones leasing river from the government, which is flows across the Khasi owned lands. It resulting tremendous river erosion and hundreds acres of Khasis lands already have been lost and this process has become an industry. Beside Khasi villages numbers of stone crashing factories have set up which continuously causing pollution and health hazards. Older people and children are frequently experiencing different physical problems. In course of time, this area has become an important stone industrial zone, which adversely affected the indigenous culture and overall aspects of the Khasi life. They have become insecure and unprotected inside their own territory .

Market inaccessibility and exploitation :

Although the Khasis produce betel leaf as only cash crop by their own ways, the marketing process is totally controlled by the mainstream people (Rahman, 2004). As the Khasi people do not want to go market directly fearing discrimination, exploitation and due to insecurity; they are bound to sell their product to the middle men who are mainstream people and have good connection with the market. Due to lack of direct access in market, Khasis do not get the actual price of their betel leaf (Rahman, 2004). Organized gangs of so-called businesspersons exploit them at large scale. Even the Khasis never get opportunity to compare the price of their product and cannot sell their product to others except the identified business gangs who control the whole marketing system. In many cases poor Khasis take loan from the middlemen in order to cultivate betel leaf. Those who take loan become bound to sell betel leaf to the person who gave them loan and in that circumstance price is determined according to the choice and justice of that person. Until or unless the amount is not refund at a time, big portion of the products go as interest of the loan. Government agencies never support them showing the argument that they have no valid documents for land which can be submitted as mortgage. Although few NGOs are working with the Khasis, their contribution is far from the actual demand. Getting no alternative, they have to take loan from middlemen and have to return many times more than that they take.

Crops and trees damage by the mainstream people :

As a minority group, the Khasis are under continuous threats of violence and exploitation from the

mainstream people. Getting direct and indirect supports from the government authorities a group of so-called powerful mainstream people disgrace the Khasis in different ways. Their only livelihood betel leaf farm is frequently damaged by them without any valid ground but only it is done from the motive of doing harm. Some times miscreants uproot or cut down betel leaf trees entering farms at night. Simultaneously, few of the mainstream people keep open their giant elephants and buffalos in to the betel leaf farm which cause huge damage of the farm products. Khasi people try to stop it by mutual agreements or negotiation but unfortunately no body has taken any initiative to save the Khasis from such illegal activities of mainstream people. Cutting down the trees by the mainstream people is another severe problem for the Khasis. Betel leaf cultivation is totally dependent upon trees, which help betel leaf to grow upward (Rahman, 2004). Cutting down and stealing trees is treated as destroying the source of their income. Even after guarding their farmland, the Khasi people failed to protect trees from local gangs. This process has made their life insecure and their every moment goes in threat, torturous and unprotected environment. The Khasis have very little experience to get proper judgment from the law and order enforcement agencies, rather they have large experience to be humiliated and discriminated by them.

Discussion and Conclusion :

It is no doubt that the Khasis are the most vulnerable group of population in Bangladesh. Although they have great contribution in natural resource management of the country, the Khasis always have been discriminated, tortured and threatened both by the government initiatives and mainstream people. In the great liberation war many of the Khasis took part directly. But after independence any of the governments have taken any initiative which could develop the quality of life of this disadvantaged people, rather different policies and program routed out them from their ancestral land. Till now they have to pass every moment with insecurity, fear of discrimination and exploitation. They never equally treated in any development activities. Within their own country they are living as refugees with low status and opportunities. Like other indigenous groups in Bangladesh, they are in continuous struggle to establish their rights.

Given the above circumstances it is essential to initiate policies and programs to improve socio-economic parameters and human rights of the Khasis in Bangladesh. In fact this is their constitutional rights to be treated as equal with the broader section of population. State has an obligation to protect them from all forms of violence and discrimination. This implies to make the state recognize that the Khasis have right that need to be protected and it must be an integral part of any serious program for the realization of human rights of this disadvantaged people. As under developed group, special attention and opportunities should be given so that they can come forward and take part in mainstream occupations. It is essential for the government to review national policies and laws that adversely affect the rights and life of the Khasi people e.g. Eco-park, reforestation, land ownership system etc. Particularly their land ownership rights should be established immediately. Different programs should be initiated which can provide basic education, basic health care facilities, capacity building opportunities, etc for the Khasis. Safety and security network should be established so that they can enjoy secured life and can practice their own culture and tradition without fear and discrimination. Road infrastructures, water supply and proper sanitation system should be developed as priority basis. Program should be taken to protect environmental pollution in Khasi inhabited areas. Government and nongovernmental organization can take all above steps collaboratively. As the member of the state the Khasis have the equal rights in every development initiatives which must be protected and ensured by the state.

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Indigenous People in Bangladesh : Their Struggle and Survival Strategy

Abul Kashem¹²

Introduction :

Bangladesh is one of the smallest countries in the world that has about 140 millions of population. It has long historical background and exotic natural beauty. It is famous for its natural beauty and cultural diversity. It was the part of Indian Sub-continent and since then people from different communities have been living in this region with their distinct culture, but it was hardly seen any cultural problem among them. Bangladesh Indigenous Peoples Forum provided a list of 45 ethnic groups (Commonly called indigenous peoples) living in this country. The existence of indigenous peoples has enriched the human geography in the region exhibiting cultural and social diversity. They have been practicing their culture without making any harm to others. In spite of cultural variety, a strong sense of relation has been created among the indigenous and non-indigenous communities throughout the country and in every social and political movements, all of them fought against evils united. From anti-British movement to great liberation war of Bangladesh, indigenous peoples participated actively.

Unfortunately, the contributions of indigenous peoples are always been neglected and barely recognized by the ruling authorities. The distance between indigenous people and Bangladeshi has been seen widely after 1971. Indigenous people took part in independence war directly but painfully they are struggling to achieve constitutional rights in a special manner even after 34 years of freedom. The constitution of Peoples Republic of Bangladesh specified the inhabitants of the country as Bengali. Our constitution that formed in, 1972, has failed to preserve the rights of indigenous people property. Still they are crying to get constitutional recognition after more than three decades of independence. They have been deprived from their basic rights and freedoms. None of the Governments has taken any initiative to enhance their capacity and preserve their legal rights. Due to their distinct cultural background, they are facing unlimited sufferings in all sides, like political, social, economic and others. In past and present, some policies and programs have been made by the Government of Bangladesh which were too poor to solve their existing problems. Before independence this region was ruled by outsiders. In the courses of time people became united, got together and fought against ruling powers. It is a long bloody history and possible to encounter the enemies by the united participation of all communities living throughout the country. Historical evidences suggest that people from different communities participated in all social and political movements. Gender, race, culture, ethnic origin never reflected in any joint effort for building this nation. There is no scope to ignore indigenous peoples' contribution for the overall formation and development efforts of the country.

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Defining Indigenous People :

There are statements and counter statements regarding the term 'Indigenous'. Indigenous people themselves identify their indigenous status in different ways. Although they fill relax to introduce themselves as '*Adivasi*', in the international context they are mainly recognized as Indigenous. On the other hand, national constitution of Bangladesh has identified them as tribal as backward section of the population. Indigenous people vehemently protest the term 'tribe' showing the argument that this underestimate their status as the citizen of Bangladesh. However, the World Bank defines the term 'Indigenous' as 'Scheduled Tribes'. At the same time while discussing the issue in the UN Working Group for the indigenous people in Geneva, referred to the tribal population almost synonymous with the term 'indigenous' (Burman, 1994; 7-8). Under the provision of the UN the term 'Indigenous People' is used to mean all tribal communities which has been using all over the world including within the framework of Bangladesh national constitution. However, as far as legal provisions are concerned, the Chittagong Hill Tracts(CHT) peoples are recorded as "Indigenous" in accordance with the CHT Regulation of 1900 and Act 12 of 1995. Similarly, most of the indigenous peoples of the lowlands are identified as "aboriginals" by section 97 of the East Bengal State Acquisition and Tenancy Act of 1950. However, recently all tribal communities have been introduced as 'Indigenous' by most of the development agencies and 'Adivasi' by the ethnic people of Bangladesh.

In Bangladesh the term 'Indigenous People' refer to those who have distinct cultural background, language and ethnic origin. There are 45 indigenous communities in Bangladesh. Historically they have deep connection with hill, forest and nature and for these reasons most of them live in hilly areas from time immorial. In Bangladesh overwhelming majority of the indigenous people live in different geographic location of CHT greater Rajshahi region. Mymensingh area is another major concentration of indigenous people. According to 1991 population census of Bangladesh, the number of the indigenous population was 1205978 which is 1.13% of the country's total population. This number is higher than 1981 population census. Although their number is increasing, the governments always show the motive to underestimate their number in order to ignore them from development activities.

Livelihood of Indigenous People in Bangladesh:

The indigenous people, not only belong distinct culture, but also they have different way of livelihood. Although indigenous people are agriculturists, the ways of cultivation and preference of crops is different on the basis of geographical location. Besides agriculture, they are engaged in different handicrafts. Due to geographical location, inclination to tradition, lack of education etc restrict most of them to engage in activities other than agriculture. However, some of them are working in various government and non-government organizations their number is negligible. From 1971 to date, the governments of Bangladesh have tried little to ensure their participation in different mainstream earning activities. Due to policy level limitations, indigenous people are getting less priority. The indigenous communities are economically deprived, have less access to resource; rapidly losing their lands and other properties; victimizing from social, cultural and political corners by the mainstream people. Exploitation, torture, humiliation, are always threatening their regular lives. Even state policies often ignore their interests. Being distinct from the majority people of the country the indigenous communities are frequently forced into conditions that generate tension and insecurity at the cultural, psychological and economic levels.

Struggle against discrimination :

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Bangladesh, which has lot of social, economic and political problems, is struggling to overcome from such adverse situation. Being marginalized and as minority, indigenous people are facing different criticalities at large degree than the mainstream people of the country. The situation is too pathetic and it bounds them to get together to protest and make demand to the government to ensure their security; both in economic and physical ground, to extend job facilities and to establish a peaceful relation with others.

It has mentioned earlier that the indigenous peoples have limited scopes in paid jobs and technical work and most of them are engaged in agricultural and traditional activities. Different communities have different ways to survive, but there are not enough to led comfortable life. For example- if we think about the situation of tea garden labors, what we could see. They have been working as labor and still they are. Most of them have no land, no deposit, and no social status. Their situations are applicable to all most all of the indigenous people. As a citizen of Bangladesh, every indigenous people has the constitutional right to get economic security, as well as job facility, financial support etc. This is the time to justify their actual economic situation. It will help our policy makers to evaluate the existing policies and initiatives. It is true that our existing development programs are not sufficient to support them to maintain life standard. Therefore, the state should collect more information and evidences that are realistic and reflect the predicaments of the disadvantaged indigenous people. To develop their economic situation, it is essential to consider their demand, have to understand their feelings. Often they claim that the initiatives have been made by the government, are too limited to change their adverse situation; they do not get loan facility, no institutionalized support to improve the quality of their traditional activities etc. Side by side, it is surprisingly true that voluntary and non-governmental organization have less interest to take large-scale programs in favor of the indigenous people. The present constitution of Bangladesh is clearly uni-lingual and uni-cultural in its focus, favoring the 'national' (i.e. Bengali) language and culture to the exclusion of all others, and without any corresponding provisions to protect and promote different language and culture with distinct character. In its article 3, Bangla has identified and recognized as the state language. At article 23, it has declared that "the state shall adopt measures to conserve the cultural traditions and heritage of the people and so to foster and improve the national language, literature and the arts that all sections of the people are afforded the opportunity to contribute towards to participate in the enrichment of the national culture"

However, indigenous communities have their own language, culture, tradition etc and it is not rational to consider as similar with mainstream Bengali speaking nation. State ill policy restrict indigenous people to communicate freely outside their community. Within their own country, they have to lead a life like foreigners. As school education are operated in Bangla medium, most of the indigenous children give up schools failing contact and learn freely in Bangla. Although ethnic cultures are projected in different occasion to show the cultural diversity of the country, their cultural activities are limited within their localities. This process has created cultural gap between mainstream people and ethnic people of the country which is work as setback to be united in any crisis moment.

Indigenous people are in fact subject to discrimination by both the governments and mainstream people. Their legal rights are always been neglected and marginalized. Land related crisis has become one of the human rights issue for the ethnic people. Since the Pakistan period they have been losing their home-land by mainstream occupants and government agencies and still it is continuing. Kaptai Dam uprooted thousands of indigenous people and compelled them to leave the country and their status is 'un-identified refugees' in India. Concept of Eco-park is another threat for the ethnic people, which might uproot them from their homeland. Settlement of Bangla speaking people also uprooted thousands

of indigenous people in Chittagong region. Making fake documents mainstream people some times grab ethnic people's lands. Bengal Tenancy Act declared many of indigenous people's land as *Khans* and government's forest department forces them to leave them from their own lands.

Although we are living in the modern world with technological advancement, due to poverty, low income, absence of proper democratic role, we have to face lot of troubles in every day life. The situation of indigenous people is worse comparing with the mainstream people of Bangladesh. Poor communication infrastructure, absence of emergency life saving services, costly transportation, through them out of modern world and compel to lead a primitive life without modern life equipments.

Discussion and Conclusion :

Despite the situation stated above, Bangladesh strongly claims itself to be a "tolerant society" obviously to elevate its image globally. Already Bangladesh has ratified most of the international human rights treaties including the ILO convention, 1957 (no, 107) that guarantees certain rights for the indigenous people, such as rights to land, self-governance and development, to indigenous and tribal peoples. In addition, it has endorsed the Johannesburg Declaration on Sustainable development that recognizes the "vital role of the indigenous peoples in sustainable development". Even the country is committed to UN and other international organizations to reduce discrimination and ensure rights of the indigenous communities. In many cases, it gets funding from donor countries and international agencies for implementation of these treaties.

Bangladesh is legally bound to comply with these international human rights agreements. However, the question is here that what steps the government has taken and what should be done to protect and improve the existing situation. It is hopeful that the government has brought minor achievements in the development of the ethnic people. Government has already formulated an administrative body only for indigenous people in CHT. Although the indigenous people consider it as poor initiative to establish their rights, but one thing should remember that this is the beginning and in the courses of time situation may have improved if both parties be tolerant and sensitive toward agreements. The government should make some immediate action to accelerate all the activities relating to their socio-economic development that can bring faith between the parties .

Indigenous people claim that there was no safeguard for them within the framework of the national constitution of Bangladesh. It is contradictory in a sense, because Article 27 of the constitution of Bangladesh says, "All citizens are equal before law and entitled to equal protection of law". However, the reality always favors the majority throughout the world and Bangladesh is not out from that track. Therefore, the state should take productive and reformative measures to overcome this situation. To ensure their economic stability and progress, state should have an obligation to take exclusive programs, including training, infrastructure development, development of transportation and communication loan facility etc. These initiatives can ensure a better life for the disadvantaged ethnic people. The state should set up some strategies to conserve their culture and cultural traditions. It is essential not only for them, but also to rich our national culture and literature. At the same time, we have to remove or protect those barriers or activities, which are harmful to their culture. Even in India, our nearest border country has many more safeguard for its minorities and indigenous peoples, facilitated by the country's constitution. Of course, the situation of Bangladesh and India are not same, but in particular, their indigenous communities are highly facilitated than ours. It unfortunate that indigenous children have to take primary education in Bengali language which can be termed as

discrimination. It is an important task to our policy makers to think deeply so that indigenous peoples will be able to learn their mother language in parallel to Bengali language. Beside these, countrywide cultural programs, competition, literature development, etc. activities should be introduced.

The policies and programs that have been taken and implemented, are mainly focusing the needs of the majority. Indigenous people's special needs and problems are always neglected in policies. Given these circumstances in order to ensure sustainable development, there is no alternative without integrated programs including all segments of the people of the country. Special attention should be given for the overall welfare of the indigenous groups considering their special circumstances.

It is our tendency to consider always the existing problems of the indigenous people, but we hardly try to realize their mental situation. Indigenous people are fearful of constant threat, discrimination, insecurity etc. Mainstream people should have an obligation to protect rights of the minority groups throughout the country. Civil society men, journalists, researchers, teachers, development activists etc should come forward to make the policy makers and government understand about the adverse situation of the indigenous people. Indigenous people's voice should be mainstreamed mainly by the civil society. Side by side indigenous people should make them capable to encounter discrimination and insecurity. Development agencies can extend their hands in this regard.

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The International Decade of The World Indigenous Peoples (1995-2004) and the status of Indigenous Peoples: Human Rights Perspective

Shumonna Islam¹³

Introduction :

Historically, Indigenous Peoples have struggled to make their concern heard by governments, the United Nations and other inter-governmental bodies. Their circumstances and needs went largely unnoticed by the international community until a landmark study was undertaken by the United Nations sub-commission on the Protection of Minorities and Prevention of Discrimination in the 1970s. The sub-commission appointed special *Rapporteur Jose Mantinez Cobo* of Ecuador to investigate the problems of discrimination against the worlds various indigenous population. His monumental work prove to be a watershed and led directly to the establishment of the United Nations Working Group on Indigenous Population, which met for the first time on August 9, 1992 (ECOSOC, 2000).

The International Decade of the World Indigenous people has been terminated on December 10, 2004. The United Nations General Assembly declared "the adoption of a declaration on the rights of indigenous peoples" as the major objective of the Decade. When the United Nations general assembly adopted the program of activities for the International Decade of the World Indigenous People (1995-2004), it identified the establishment of a permanent forum for Indigenous issues as one of the main objective of the Decade. The General Assembly also called for the International Day of the Worlds Indigenous Peoples to be observed annually on 9 August, as part of the decade.

From 1984-1993, a draft UN Declaration on the Rights of Indigenous Peoples "had been formulated and it was approved by the Working Group on Indigenous Populations. Then in 1994, the Sub-commission on the Prevention of Discrimination and Protection of Minorities approved the current text of the draft "Declaration". Then the United Nations set-up the Decade and targets to adopt the draft Declaration within the timeframe of the International Decade.

Although the UN General Assembly has not adopted the draft UN Declaration, the human rights standard elaborated over many years and now included in the Declaration have assumed a normative value that has profoundly influenced organizations and forums at the international level. The draft UN declaration and its human rights norms are fostering renewed relation between Indigenous peoples and states. The human rights norms in the draft UN Declaration are being cited by courts at national level throughout different parts of the Globe. In addition, the inter-American court of human rights

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recognized its legitimacy and addressing Indigenous peoples complaints of human rights violation indicated that it is necessary to consider developing norms and principles governing the human rights of Indigenous Peoples. Although above theoretical successes have come out from on going dialogue and have been created a sense of mutual respect and understanding, the human rights of the Indigenous People is under constant threat throughout the world. Indigenous Peoples may have their own system of human rights, which should not be subordinated to non-Indigenous international standard of human rights. In other words it means that the universal declaration of Human Rights is not really so universal in the special perspective of Indigenous Peoples standard (Burman, 1994). Unfortunately ignoring such reality the working group in its article 33 stated that, "Indigenous peoples have the rights to promote, develop and maintain their institutional structure and their distinctive juridical customs, tradition, procedures and practices, in accordance with internationally recognized human rights standards. Many scholars and Indigenous leaders disagreed with the *general* international norms of human rights standard and they view it should be considered that so called international human rights standard *would* not be *able* to protect indigenous rights (Burman, 1994). This group of people feel that there should be a move for amendment of the universal Declaration of Human Rights and Special Declaration on Indigenous and Tribal Peoples should be made as a supplementary document enforceable under international law (Burman, 19994).

Human Rights Situation of Indigenous Peoples:

It was expected that after the decade a major change of human rights violation will be occurred and the rate and extend of violation of rights of the Indigenous peoples will be reduced substantially. However, it is no doubt that nothing has changed remarkable and in all regions of the world Indigenous Peoples have been subjected to colonialism, widespread dispossession of lands and resources, discrimination, exclusion, marginalization, force assimilation and other forms of cultural genocide, genocide and rampant violation of treaty rights. All of these elements are inseparably link to violations of human rights www.iwyia.org/sw248.asp seen as of 07.04.04). Severe violations and on going denial of Indigenous Peoples human rights including right of self-determination have major adverse impacts. Repeated human rights violations have resulted in the debilitating impoverishment of Indigenous Peoples. Severe poverty continues to largely exist among them and there have no available effective mechanism to prevent it that restricts the Indigenous Peoples from enjoying their basic human rights. Severe poverty also undermines participatory and other democratic rights of the Indigenous Peoples throughout the world.

In regard to Indigenous Peoples, the basic values and principles underlying international and domestic legal systems are not being applied fairly and in a non-discriminatory manner, which severely undermine the integrity of Indigenous nations, communities and families and impair the mental and physical health and security of individuals.

At the end of the Decade, it is prevalent that the values and principle of democracy, equality, justice, peace, security, environmental protection, development, the rule of law and respect for human rights are yet to be ensured and established for the nation states. The situation of Indigenous Peoples in Bangladesh is nothing special than other countries of the world. Even after 35 years of independence, the indigenous peoples of Bangladesh are struggling for gaining constitutional rights. These peoples blame that at national level until now the governments of Bangladesh have not taken any specific measures to combat discrimination against members of Indigenous Peoples. The full enjoyments of their civil, cultural, economic; political and social rights are still restricted and their human rights abuses by

the mainstream people has become everyday matter (Chakma, 1999). Land grabbing by the mainstream people and the government agencies, threat, exploitation, cultural aggression, insecurity etc. have become part of life of the Indigenous Peoples in Bangladesh. So called development projects e.g. forestation programs, echo-park, power station etc. have severely affected and uprooted thousands of ethnic people from their homeland.¹⁴ Development agencies also have negligence to uphold Indigenous Peoples rights. Most of the indigenous peoples inhabited areas are neglected or excluded from the development activities. Therefore, majority of the Indigenous Peoples spent their days without the fulfillment of basic needs. Recent study shows that 31 per cent of them do not have their house and 61 per cent do not have any cultivable land (Star, 2005), which indicate their severe material poverty as they survive mainly on agriculture.

Discussion and Conclusion :

From the above circumstances, it has become clear that the United Nations have failed to adopt the objectives of draft declaration within the timeframe of the International Decade. There is a lack of political will among the member states to prevent and eliminate violation of human rights. As well as the United Nations system itself failed to coordinate and compel member states to improve human rights situation of the Indigenous peoples. Given this reality now scholars and Indigenous leaders suggest that new strategy should be developed to increase state's commitment to the objectives of the human rights standard-setting process relating to indigenous peoples.

Assessing the International Decade a forum of organizations suggested that there should be greater coordination between standard-setting processes at the United Nations and at regional level. As well as public education and awareness is essential to develop international human rights standards relating to Indigenous peoples (www.iwyia.org/sw248.asp as of 07.04.04). Furthermore, every state has the responsibility to protect, preserve and uphold the human rights of its nations. As Indigenous Peoples have an identity of the citizens of any state, automatically states are obliged to take the responsibilities for the well-being of their citizen and being depressed and vulnerable, indigenous peoples have the right to achieve special attention from the state and development agencies.

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