

A Study on Indigenous Knowledge and Indigenous People of India with Special Reference to their Human Rights

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Abstract

Indigenous knowledge is considered a community based functional knowledge system developed preserved and refined by generation of people through continuous interaction, observation and experimentation with respect to their surrounding environment. Indigenous knowledge is referred as dynamic system ever changing, adapting and adjusting to the local situations. Having a close links with the culture, civilization, and other traditional practices Ik includes all aspect of human activities like health, education, agriculture and environment etc. In indigenous communities IK plays an important role in solving various problems of their day to day life. Normally traditional people look elsewhere for solutions to their problems only when they find themselves unable to solve problem through their own knowledge system. In the present era of globalization, these ways of knowing or thinking are very important and have valuable aspect because this is the time in which Ik is considered as intellectual property which is going to take a new significance to find out the solution of many vexing problems. In India, there exist many indigenous communities having prosperity of knowledge as a powerful asset. But with the passing of time harassment is recorded in indigenous knowledge of these communities due to misappropriated utilization by various companies for getting commercial benefits. Thus, the protection of indigenous knowledge has become a serious concern of human rights .Various kind of efforts to save the prosperity of indigenous knowledge and indigenous community are going on by state and different international institutions. This paper deals with the concept of indigenous knowledge of indigenous people and their human rights for both international and national perspectives.

KEYWORDES: Indigenous knowledge, community, Indigenous people, Rights

INTRODUCTION

The present time is considered as postmodern period in which various examples related to invention, discoveries and development are available throughout the world. But indigenous knowledge of local communities is going to become an emerging area of research. As a researcher point of view, it is very interesting to know about the local knowledge possessed by indigenous communities. It reveals the whole information about these aboriginals' people. Human civilization has a valuable asset of knowledge in the form of indigenous knowledge occurring in indigenous communities. Sometime this terminology is used as primitive knowledge which is referred as a major source of knowledge and this knowledge is extracted through experience, various practice related to social, cultural and other dimensions. At the origin of this blue planet, the human beings in interaction with nature have learnt lots of things for survival and development. The particular fact about indigenous people is that their dependency for survival lies on nature. They remain untouched by the impact of modernity and possess the treasure of old heritage of knowledge. It is considered as sacred and secret knowledge of indigenous people of which they don't like to share with outer world. But the present time has become a threat for IK due to misappropriate utilization. It is very important to save such kind of knowledge which is helpful to solve many problems related to environment, agriculture and also for sustainable development.

CONCEPT OF INDEGINOUS KNOWLEDGE

In 2004, Tsunami occurred in southern part of Indian subcontinent and other countries Indonesia and srilanka. After the devastation Indian govt. was worried about the tribal group ong and jarwa residing in Andaman & Nicobar Island. After conducted a survey, govt. found that they had indigenous knowledge to overcome such type of calamities. On the basis of their knowledge, when water recedes they should climb to the hill top. This example explained the significance of IK BEFORE introducing this terminology. The term indigenous originated from the Latin word'

indigena'which means native and used for plants, animals, people who belong to a specific region. The general sense of term indigenous focuses on the growing, originating, or occurring naturally in a particular environment. Various synonyms of the word indigenous are primitive, aboriginal, ancient and native. In 2002, united nation used this word as officially in the political declaration of the world summit on sustainable development. Local or IK refers to the understanding ,skills and philosophies developed by societies with long histories of interaction with their natural surroundings.IK system refers to intricate knowledge system acquired over generation by communities as they interact with the environment.IK can be defined as a network of various kind of knowledge having different dimension, beliefs, traditions regarding indigenous relationship with culture.Greneir says "Indigenous knowledge is stored in people's memories and activities and is expressed in stories,songs,proverbs,dances,myths,cultural values,beliefs,rituals,community laws, local language and taxonomy ,agricultural practices,equipment,materials,plant species and animal breadstick is shared and communicated orally by specific examples, and through culture."

IK denotes lots of sources of knowledge having different methods for teaching learning existing within the social, cultural, ecological context of local communities providing the basis for problem solving strategies for the communities. These unique ways of knowing are important factors of the world's cultural diversity, and provide a foundation for locally appropriate sustainable development. Sometime it is considered as the core of indigenous identity, culture, languages, heritage, and livelihoods. This knowledge has significance not only for those who are dependent on it in their daily lives but also for modern industry and agriculture. Therefore it can create significance in the direction of sustainable development. Sometimes IK is defined as social capitals of poor because this is the major asset to fulfill their survival needs. But in the present scenario, this knowledge is disappearing due to modern technologies interruption which is painful for them who are dependent on it.

Ellen and Harris (1996) have provided various characteristics of indigenous knowledge.

1. Ik is local knowledge which is originated to a specific region and generated by people belong to those places.

2. IK IS Transmitted orally, through imitation and demonstration.
3. IK IS the consequence of practical engagement in daily life. It is continuously reinforced through experience, trial and mistakes.
4. Repetition is referred an important factor of tradition in spite of adding new knowledge.
5. IK is characteristically situated within broader cultural traditions which differentiate it from technical to non-technical, the rational from the non-rational is problem oriented.

INDEGENOUS PEOPLE IN INDIA

In Indian aspect, the indigenous people mainly known as tribes advise or janjaati contributing a major part of population residing near the regions having prosperity of natural resources. Tribes are referred as ‘original inhabitants’ who are living there from centuries with the sense of togetherness. Buddhabe explains that “a tribe is a social group and the members of which live in a common territory ,have a common dialect, uniform social organization and possess cultural homogeneity, having common ancestor, and shared system of political organization and religious patterns. “Indigenous” people also referred as first people, first nations, and native peoples. These peoples are inheritors and practitioners of unique cultures and ways of relating people and the environment. Indigenous peoples live in all regions of world and occupy or use 22% of global land area having 7000 different languages. On the basis of Hindu mythology Tribes are not considered as a part of Varna. These tribes tend to farm self-sufficient economic units. Barman views that tribes are “people whose political and social organization is based primarily on moral binding among kins, real and putative, who have custodial attitude towards nature and are outside the jati Varna system.”

In India, there are 8.43 million indigenous population occur which contributes a large number than other countries. The identified tribes are around 630 residing in the country. The major concentration of tribal people in India exists in hilly regions and central part. In central belt, Madhya Pradesh, Chhattisgarh, and Orissa have major concentration. Jharkhand and west Bengal also have significant number of tribal people. Similarly southern belt of India also contribute in tribal population. Karnataka, Tamilnadu, and Kerala have smaller number of tribal people including two western states Gujarat and Rajasthan. The numerically dominant tribes are 4

million Gonds of central India occurring in states Madhya Pradesh, Maharashtra. Four million Bhil reside in Gujarat and Rajasthan. Three million Santhal are found in Bihar, Orissa and west Bengal. The smallest tribal community is found in Andamanese. The tribes are considered as earliest inhabitant of India having a tag of least advanced. Most of Indians understand that tribal communities are only that live in isolation and self-contained groups. But in fact the people of India are highly mixed racially and aborigines also participated in this process of miscegenation.

Indigenous people face various problems regarding their survival. In present time, due to commercial use of land for different purposes these people are losing the prosperity of natural resources. Rapid growth of urbanization and industrialization has become a curse for these primitive people who lead exploitation of their rights and also discrimination and impoverishment. This process of development has become a crisis and threat eroding the traditional knowledge possessed by them. Thus the recent technological advancement and political strength of world capitalism have created favorable situation for the evasion and extraction of natural resources from the ecologically fragile territories of tribal people. The meaning of globalization for tribal people are threat for survival. In spite of various efforts taken by central or state govt. indigenous people are still going to become out from mainstream.

International Perspective on Rights of Indigenous People

Indigenous People are defined on international level and they have different human rights for ensure their protection and promotion. The 169 convention of ILO defines indigenous people are those “whose social, cultural, and economic conditions distinguished them from other sections of the national community, and whose status is regulated wholly or partially but their own custom or tradition or by special laws or regulations.” The earth summit conducted in 1992 including 22 principles highlighted that “Indigenous” people and their communities play significant role in agricultural practice, environment management due to deep knowledge of traditional practices. The year of 1993 was declared as international year of the world indigenous people.

In 2001, UNDP has adopted policies for the engagement related to indigenous people. UNDP has also adopted a policy for the participation of indigenous people in decision making process specially that affect their different aspect related to traditional knowledge.

The united nation declaration of 2007 has major consequences to protect the rights of indigenous people.it provides different human rights for these people. Some articles related to human rights of indigenous people are:

Article 1

Indigenous peoples have the right to the full enjoyment , as collective or as individual of all human rights and fundamental freedoms as recognized in the charter of the united nations the universal declaration of human rights and international human right law.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinctive political, legal, economic social and cultural institutions while retaining their rights to participate fully, if they so choose, in the political, economic social and cultural life of state.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity liberty and security of person.
2. Indigenous people have the collective right to live in freedom ,peace and security as distinct peoples and shall not be a subject to any act of genocide or any other act of violence including forcibly removing children of the group to another group.

Article 9

Indigenous peoples and individual have the right to belong to an indigenous community or nation in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 12

1. Indigenous peoples have the right to manifest, practice develop and teach their spiritual and religious traditions, customs and ceremonies. The rights to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects and the right to the repatriation of their human remains.
2. States shall seek to enable the access of ceremonial objects and human remains in their possession through fair, transparent and effective mechanism developed in the conjunction with indigenous people concerned.

Article 38

States in consultation and cooperation with indigenous peoples shall take the appropriate measure to achieve the ends of this declaration.

Human Rights of indigenous people in Indian perspective

Human rights can be defined as birthrights of every human being forming an integral part of socio-cultural environment of humanity. These can be understood as abstracts, norms and values protected in laws, constitution and international conventions.in 1952, pt. Jawaharlal Nehru visualized policy guidelines, on the basis of five principles of panchsheel for state in order to develop indigenous people

1. Tribal people should be allowed to development on the basis of their own genius people.
2. Tribal people should not be disturbed by outsiders for the name of development in their area.
3. Land rights of tribal people should be respected.
4. The tribal development index should contain their quality of life not on money aspect.
5. Tribal development should be undertaken maintaining their social and cultural welfare.

For the fulfillment of these aspirations for indigenous people, the Indian state had started various development programmes focusing these peoples. Therefore, in 1953 tribal blocks were created. Later, in 5th five year plan, tribal Sub plan was introduced for financial allocation in proportion to the population of tribes in annual plan existing at central or state level. In 1988, National policy was declared for the protection of the rights of tribal peoples residing in India. The policy stated as “ Having regarded to the symbiotic relationship between tribal forest and forest management including the development, should be associate the tribal people closely in the protection, regeneration and development of forests as well as to provide gainful employment to people living in and around the forest.”

Similarly in 2004, national policy on tribal people also introduced to recognize the significance of tribal people in the conservation and preservation of environment. IT states “Scheduled tribes in general are the repositories of indigenous knowledge and wisdom in certain aspect,”. These should be protected and maintained. The policy also explains provisions regarding health, education, language for safeguarding these indigenous people. For ensuring the legal rights of tribal people, Tribes and other traditional forest dwellers act 2006 was introduced. This act allows tribal people having the right to live in forests, cultivation, collect minor forest produce and also including the right to graze cattle.

Constitutional Provisions in India for Tribal People

In Indian constitution the preamble, part three includes fundamental rights, part four related to directive principle of the state policy, part 5th includes autonomous administration of tribal district are major safeguards for tribes. Art. 46 introduce “the state shall promote, with special care, the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled tribes and shall protect them from social injustice and all forms of exploitation.”

1. **Protection of Economic and political rights:** Article 244 deals with the administration of Scheduled Area and Tribal area. Article 275 empowers parliament to make special grants given to the state which undertakes the scheme of development for the purpose of

promoting the welfare of scheduled tribes. Article 244, 243, A330, A334, 371 is related to the special provisions for northeast and Sikkim. Article A164 (1) empowers the state to establish a special ministry for the scheduled tribe in the state like Madhya Pradesh and Orissa. 5th and 6th Scheduled ensures proper control and administration of scheduled tribes and their areas.

2. **Protection for Educational and Cultural rights:** Article 15(4) deals with special provisions for the advancement of tribal people. Article 350A provides right to conserve distinct language or culture while art.350A provides facilities for instruction in mother tongue at primary level.

Various act for the protection of scheduled tribes empowers their right. St Act 1989 is to protect them any kind of discrimination and torture. The scheduled tribe's bonded labor abolition act 1976 is to protect them from bonded labor and other practices where lessor money is given to them for work.

Conclusion

In the present time, indigenous people are facing a number of threats related not only about their survival but also for existence. Due to globalization, indigenous people are losing their traditional knowledge which leads sustainable development. So there is a need to enhance laws and policies that can protect their primitive knowledge of environment. In spite of having various types of policies and laws they are under threatened conditions. The government should promote and preserve their intellectual property and knowledge which is an urgent need.

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