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Land Alienation: Challenges Before Kerala Tribals

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Abstract: Tribals, the ethnic minority of Kerala, constitute one percent of the state's population. Formation of the state in 1956 and the division of the state into different districts horizontally left the tribal population of Kerala scattered, mostly in hilly areas. They started facing problems of existence with the encroachment of their ancestral land by powerful settlers from the plains, starting from pre-independence days.

Keyword: Challenges , Horizontally , Encroachment , Pre-independence .

INTRODUCTION

The problem of land alienation is a much deeply connected phenomenon with full of contradictions related to the existing socio economic order1. "We do not know where the tribals, who had been living in this settlement till about five years ago, have gone. They have been driven out of their land". This is the condition of Kerala tribals2 .Alienation means in the form of sale, mortgage, encroachment and other type of transfer like benami transfer3 .Alienation of land is a serious problem faced by the Kerala tribes. The number of landless tribals has increased during the last decade and several reasons can be attributed to this phenomenon. Tribals largely depend upon non-tribals to meet their credit requirements. The socio-economic survey of tribals, reveals that tribals alienate their lands mainly for meeting their domestic expenses and for clearing their past debts4. The separation of land from tribal communities can be understood in a more scientific substantive manner with the help of the theoretical formulation of the concept of alienation. "Alienation is inherent in exploitative relations of production and its nature varies with that of exploitation. Hence also differ among societies based on slavery and serfdom"5.

Land alienation continues to be a major issue among tribal communities, "their land is lost to settlers and encroachers. In the process, they lose their livelihoods as well. The excessive dependence of tribal communities on land for their income and employment makes land alienation and landlessness a major livelihood concern of the tribes6".

CAUSES OF LAND ALIENATION

Lack of legislation to prevent the passing of tribal land into the hands of non-tribals has added tribal unrest. Due to some loopholes in the existing system of law the tribal land continues to be alienated to non tribals for their own exclusive uses. The state government also acquired tribal land for industrial, irrigation, power, mining, and other projects. As a result, the tribals have been deprived of their rights over the land7. The backward communities incur debt almost entirely for non-productive purposes mostly to meet day-to-day expenditures. The forward communities have incurred debt mainly for farm purposes. The level of indebtedness is more among them than the backward communities.

Borrowings as the main source of meeting hospital expenditure8 of high percentage of tribal population. They cite financial incapability as a major hindrance to using health-care facilities. This is so when treatment is free in government hospitals and cultural aspects are found to be not roadblocks in accessing health care. The problem is their inability to meet incidental expenses such as travel, bribes to doctors and boarding and lodging of bystanders associated with treatment. The twin factor responsible for land alienation is:

(a) Economic poverty of tribals (b) simplicity and honesty of tribals9 . Unawareness of forest act, illiteracy, poverty, absence of banking facilities in tribal areas are the other reasons of land alienation.

STRUGGLE FOR LAND IN KERALA.

Chengara Struggle.

On 4th August 2007 thousands of poor farmers started occupying part of the Chengara Harrison Malayalam estate (also called as Laha estate and operated by Harrison Malayalam Plantations Ltd.) in Chengara, Pathnamtitta district, Kerala state in India. The poor farmers are composed of landless Dalits and Adivasis as well as scores of families from other marginalized communities, Muslim communities, etc. from all parts of Kerala. They are seeking ownership of cultivable land for five thousand poor families. They aim to re-claim ownership of the land that has been part of a long-standing promise of the State government for land distribution. Since then, Dalit and Adivasi land struggles in Kerala attained a new order of practice. For the first time ever, a large-scale mass occupation of land happened in Muthanga. But it was met with violence like in other states in India. Many other places where the people have tilled the

lands for generations also suffered from state violence. The poor farmers in the Chengara estate pledged to fight for their right to land without using violence10. The problem is not solved yet.

MUTHANGA LAND STRUGGLE.

Following a series of deaths by starvation, the Adivasis of Kerala had launched a protest in August 2001 by setting up 'Refugee Camps' in front of the State Chief Minister's residence. The protest continued for 48 days forcing the Government of Kerala to promise the disbursement of land and other rehabilitation measures for the Adivasi people resident in the state. Seeing no implementation of the promise, the tribal alliance renewed their protest. The indigenous people of Wayanadu decided to enter the forest under the banner of Adivasi Gothra Maha Sabha (AGMS). The Muthanga forest where AGMS put up huts are recognized as the homeland of different Adivasi communities in Wayanad such as the Paniyas, the Vetta Kurumas, the Kattunaikkas, the Adiyas and the Mullukuruma. Adivasi families had been forcibly evicted from Muthanga during the 1970s after declaring the area as a sanctuary and in the 1980s for establishing eucalyptus plantations. The evicted tribal groups were compelled to live in reduced circumstances in several tribal colonies.The Adivasi families who entered the forestland sought to assert the traditional right over the Muthanga forests .The atrocities and firing that took place at Muthanga drew attention across the nation to the land struggles waged by the landless in Kerala. After the 19 February 2003 actions by Police Forces of the Kerala State, the tribals were arrested in connection with the eviction-operation in Muthanga Wildlife Sanctuary in Wayanad. Police arrested all the accused along with 37 children were deported to the Central Jail in Kannur district. A total of 33 men were charge-sheeted under various sections of Indian Penal Code (IPC) and the 99 women under the sections of the Wildlife Protection Act. On 20th Feb 2003, 132 persons were remanded, which includes 99 women volunteers of the Adivasi Gothra Maha Sabha (ADMS) to judicial custody for 15 days11. Two persons, one a policeman and the other a tribal activist, are reported to have died in the police operation12.

STORY OF ARALAM FARM STRIKE.

The Kerala government bought Aralam farm (3,060 ha) from the central government as part of a post-Muthanga agreement in 2004 with the adivasi community13. Half of the farmland would have been used for the rehabilitation of landless adivasis; the rest to remain as a farm. However, the decision taken by the government to convert the remaining part of the farmland into a company, declaring it as an ecotourism project is a clear indication of its priorities. In a cabinet meeting in August 2009, the Kerala government finally decided that a company would be formed under the control of the government at Aralam farm. This is in response to a stay order by the High Court of Kerala against an earlier move by the state government to convert the farmland into a "private limited company"14 . Whatever the nature of the proposed company, private, public or "under the control of the government" could be, the leaders of the adivasi movement are opposed to it. The story of Aralam farm and attempts towards converting it into a company is crucial today where the landless adivasis and dalits of Kerala are being further denied their basic rights and even what has been agreed in principle for them.

SUGGESTIONS FOR SOLVING TRIBAL LAND ALIENATION IN KERALA.

The Kerala government would do well to take note of the progress made in the restoration of alienated land to the tribals as had to been recommended by the Dhebar commission and also implicit in the parent act of 197515. There is an urgent need to provide land for the landless adivasi families by identifying cultivable lands. The untoward consequences of spread of cash crops ,settler encroachments, displacements due to developmental project and land reforms implemented the states need to be countered either through the restoration of alienated land to the original owners or through assignment of fresh lands.

CONCLUSION

This is true that most of the tribal land in tribal areas has been now legally transferred to non- tribals. Now in Kerala tribal movements are demanded this land should be returned to them. In the early period tribal people enjoyed much freedom for use and hunt animals freely in the forest areas. They are much closes with forest and its gods emotionally. The tribals who are "deprived" of their rights to the land and forest have reacted sharply to the restrictions imposed by the government on their traditional rights. The innocence, illiteracy and introvert attitude of the tribal peoples are exploited by outside people16. The tribals are exploited by land lords, money lenders, forest contractors and revenue officers. Majority of tribals are extremely poor and economically backward so various economic programmes and project have been undertaken to improve their economic position.

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