

ANALYSIS RIGHTS

Two Decades After Muthanga, Kerala's Adivasis Continue to Struggle for Constitutional Rights

Little has changed after the Adivasi protest that was brutally suppressed in 2003.

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Two Decades After Muthanga, Kerala's

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Adivasis Continue To Struggle For
Constitutional Rights

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The Muthanga forest. Photo: Abhinavsharmamr, CC BY-SA 4.0, via Wikimedia Commons



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“The struggle of man against power is the struggle of
memory against forgetting.”
~ Milan Kundera, *The Book of Laughter and Forgetting*



February 19, 2003 will go down in Kerala's history as a day when the combined might of the state machinery, institutions and 'civilised' society would bear down to crush the weakest among the state's indigenous peoples, because they dared to assert their rights in the face of persistent poverty and exploitation.

The **Muthanga agitation** started as a struggle that revived long-pending demands of dispossessed Adivasis in the hill district of Wayanad, seeking right to land and autonomy. It lasted only 44 days before it was brought to an abrupt and bloody halt by police action, which was widely **condemned** by citizens' groups and prominent figures nationwide. Police firing at the main protest site led to the death of Jogi, one of the Adivasi protestors, while Vinod, a police constable, succumbed to injuries he received during the clash between the police and protestors that preceded it.

A struggle not just for land, but autonomy

The events of February 19 were a culmination of a longdrawn struggle, starting with the 'Build-A-Hut' agitation organised by Adivasi groups in August 2001 in the state capital Thiruvananthapuram, who rallied with the slogan "For the right to live on the land where we

were born.” One of the reasons that compelled the protestors to renew their struggle for land was the **shocking report** of 32 starvation deaths in Attappady, in a similarly dispossessed Adivasi community further south of Wayanad.

Inquiries into the deaths by citizens’ groups had emphasised how a major cause for starvation among Adivasis in Wayanad was their lack of land for cultivation, a fact that has been **reasserted** by studies since then. It was partly in response to these findings that a new political outfit, the Adivasi Gotra Maha Sabha (AGMS), was formed. Forced to eke out a living from menial jobs in terrible working conditions, the protestors declared that a return to the land, which their ancestors had inhabited for millennia before they were dispossessed, was their only means for a life lived with dignity.

After the protests continued for several weeks, a seven-point agreement was reached between the agitators and the then United Democratic Front government, led by Congress leader A.K. Anthony, whose administration formulated a master plan for distributing land. “It was to be implemented in a mission mode,” says M. Geetanandan, state coordinator of the AGMS. As per the agreement, all landless Adivasis were to get one to two

hectares (ha) of cultivable land and receive financial help to develop the land. The distributed land was to be categorised as Schedule Five areas to prevent Adivasis from being dispossessed of their land by powerful non-Adivasi groups or individuals. The government had also promised to bring lands allotted to Adivasis under the Panchayati Raj (Extension to Scheduled Areas) Act (PESA), 1996.

But the agreement remained only on paper for a year, forcing the agitators to resume their struggle. In January 2003, over a thousand Adivasi families gathered to erect makeshift huts in a tract of a clear-felled eucalyptus plantation in the vicinity of the Muthanga forests in Wayanad, as a form of protest. The protest was organised by the AGMS and led by C.K. Janu, one of the foremost Adivasi rights leaders in the state, along with Geetanandan and a few others. It looked as if the government had ignored the developments until February 19, 2003, when a 800-member armed contingent of the police entered the forest without warning and began evicting the protesters violently. In the **ensuing clashes**, Jogi and Vinod lost their lives, while hundreds of Adivasis and dozens of policemen sustained serious injuries.

A suspicious ‘forest fire’

On February 17, 2003, two days before the police action, the Adivasis’ camp in Muthanga was in disarray after a fire in the surrounding forest – what they suspected to be an attempt to oust them on the pretext of arson. The protesters detained a group of around 20 people who they suspected of setting the forest on fire, including forest guards, along with petrol cans and dry elephant dung (to be used as fuel). The district collector was forced to

visited Muthanga the next day, and the group was released on the assurance that a case would be filed against them for arson. But in a stark reversal, the administration filed charges against the protestors themselves, accusing them of illegally detaining the forest guards.

Meanwhile, public outrage was drummed up by local people connected to those detained by the Adivasis. Geetanandan says, “This was a plan by some so-called environmentalists in the area along with some government officials who had vested interests here under the garb of forest conservation.” Thereafter, without a single attempt at negotiation, the administration resorted to brute force to achieve its original objective: eviction of the protestors from the land they had occupied.

‘Not an illegal occupation’

Adivasi rights leader Janu insists theirs was not an illegal occupation of the land, a fact that has since been established in the course of the legal proceedings that followed the violence. She explains, “An order of the British government in 1914 states that the *Kaatunaykka* and *Paniya* tribal communities have right to tenancy in the Muthanga region. Also, there are 12,000

acres of forest land in Muthanga under The Kerala Private Forests (Vesting and Assignment) Act, 1971. According to the **Madhava Menon Commission report**, 50% of this land belongs to tribals. In addition to that, at the time of our protest, the lease agreement on a large tract of forest given to Birla to plant eucalyptus had not been renewed for 14 years. The case against us was filed under Nilgiri Biosphere, Wildlife Protection Act and Reserve Forest Act. But the forest department does not have any proof that this is indeed reserve forest land; all they could produce in court was a letter from the Kerala government to the Central government requesting that this land be considered as a reserve forest, which was insufficient as evidence.”

This contested nature of the land raises further questions about the police action itself, points out Geethanandan. “A question that naturally arises is why the police came to evacuate Adivasis from a contested piece of land without even holding a discussion. Before investigating the alleged violence committed by the Adivasis there on February 19, shouldn’t the circumstances that led to the police action be investigated? The Wayanad district collector, who had visited us at the protest site the previous day, did not even give us a hint about the eviction that would take place the next day. Why was this matter kept a secret?” M. Geethanandan asks.

Who are the real protectors of the forests?

Before it was a designated wildlife sanctuary and brought under state control, the Muthanga forests were inhabited by Adivasi groups like Kattunaykkar, Adiyar, Paniyar, Kurumar and Kurichyar. Janu recalls the early days of their protest camp thus: “We were not destroying the forest. When we settled in Muthanga, the first thing we did was try to revive the dried up stream, Mamana Halla. We planted screw-pine on the bank of the stream to hold back the spring. If we had not been evicted, perhaps the natural forest would have been regenerated.”

Janu and her associates believe that the main reason the state government ignored their ‘encroachment’ initially was because it was focused on the Global Investors Summit (GIM) held in collaboration with the global corporate consultancy PricewaterhouseCoopers Private Limited in Kochi on January 18 and 19, 2003. Among other things, the Summit showcased major projects promoting eco-tourism in the ecologically fragile areas of Silent Valley, Thenmala and Aralam, along with several other locations in Kerala. According to Geetanandan, “At the Global Investors Meet (GIM), held a month before the police firing, the Muthanga land had been put up for sale to a tourism company, we had learned. It did not happen

just because we staged a protest there. Otherwise the land would not be like this today.”

A legacy of suffering

Two decades later, the fundamental problems that afflict the Adivasi community in the state remain unchanged, even as the victims of the action at Muthanga and **the brutal custodial torture** that followed, struggle with their debilitating physical injuries and mental trauma. The inquiry into Jogi’s death is still languishing in government files with no investigation being conducted. It has been registered as an unnatural death.

According to Geetanandan and Janu, several of those held in custody after the firing died over the years from complications arising from the torture. In fact, they say that two of them succumbed as soon as they got home following their release, while a third person, Veruvan from Sulthan Bathery, was so traumatised that he died by suicide. Many became physically weak or disabled, and unable to work as before, while others started showing signs of mental illness.

K.K. Surendran, a lecturer and activist who supported the agitation, was illegally detained and tortured by the police in the wake of the violence, and was **awarded**

compensation of Rs 5 lakh by a sub-court in Wayanad in 2021 following a 17-year-long legal battle. Surendran's case remains an exception, considering the hundreds of Adivasis who had endured even worse treatment at the hands of the police but were provided no relief.

Historical denial of Adivasi rights

To this day, Adivasis in a supposedly progressive Kerala are reportedly **worse off** than their counterparts in many other states, and a primary reason for this situation is their **dispossession** of land. Every successive government in Kerala has deliberately violated Article 244 of the Constitution, which requires Adivasi lands to be declared scheduled areas that guarantee tribal autonomy, and cultural and economic empowerment. The late former Scheduled Castes and Scheduled Tribes commissioner B.D. Sharma **called Article 244 a** "Constitution within the Constitution". However, this is the spirit that both the state and society in Kerala has willfully refused to comprehend, with successive governments preferring to see the 'Adivasi issue' as a matter to be resolved through welfare programmes and through the distribution of surplus land.

Even in the hill district of Wayanad, where in many

localities Adivasis are the majority population, the PESA is yet to be implemented. The same is the case with The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act 2006, which gives the right to sustainably use and protect the forest land for livelihood of the Scheduled Tribes and other traditional forest dwellers who have been living in forests for generations, and which came into force a few years after the Muthanga incident. A still greater betrayal came in 1996, when the Left Democratic Front government, with support from Congress MLAs, **amended** a 1975 law for controlling the transfer of land of Scheduled Tribes and for the restoration of alienated land in favour of non-tribal settlers in the tribal areas.

This **wilful neglect** of the Adivasi right to land needs to be seen against the historical injustice of the **land reforms** introduced by the Left government in the 1950s, which left Adivasis and the mostly Dalit agricultural workers out of the equation. The Adivasi landless in the state were betrayed again by the administration when the Kerala Private Forest (Vesting and Assignment) Act of 1971 too failed to benefit them. It is against this historical – and **still continuing** – injustice that the Muthanga struggle needs to be seen, and not in the simplistic and self-serving manner it has been portrayed; that is, as a case of encroachment in a wildlife sanctuary.

Refugees in their own homeland

At the core of the ‘Adivasi problem’ in Kerala lies an uncomfortable truth: mainstream society in the state continues to regard Adivasis as ‘primitive’, ‘dirty’, ‘ignorant’, ‘irresponsible’, ‘lazy’ and so on. These stereotypes are deployed partly because they are perceived as being outside the ‘growth and development’ paradigm of the modern world, and show no urge to ‘prosper’ and ‘assimilate’ into mainstream society and its market-based culture of maximum extraction and consumption. The state too relegates them to second-class status as a community that does not contribute to GDP growth. Paradoxically, when they do attempt to be part of the mainstream, they are often forced to endure exclusion, **discrimination** and **systematic bias** at every step.

It is in this wider historical context that the massive upheaval in Wayanad in the post-Independence era – where Adivasis became refugees on their own land, while recent migrants to their territories who arrived as quasi-refugees came to occupy the tribal lands with tacit official support, becoming landowners who in turn now employ the Adivasis as wage labourers, pushed to lead dysfunctional lives plagued by **alcoholism** and domestic violence.

The penchant for cash crops among the settlers ensured

that the gap widened further between the migrants and the Adivasis, while simultaneously having a catastrophic effect on Adivasi diet and nutrition. Cumulatively, these factors have led to recurring **starvation deaths** among Adivasis in a state known for its relatively high health and social indicators.

Ethnic stereotyping and prejudice against Adivasis in Kerala have at times taken a deadly turn, as when Adivasis have been attacked or even **lynched** by mobs over accusations of theft and so on. The latest such **incident** took place in Kozhikode on February 11, when 46-year-old Vishwanathan was severely beaten by a crowd which suspected him of theft. He was later found dead in a nearby compound in an apparent case of suicide, a claim strongly contested by his family who insist it was a case of lynching.

Not just a struggle for land

The protestors at Muthanga have consistently asserted that theirs was not just a land rights struggle; it was equally about dignity, self-sufficiency, self-governance and a life free from exploitation that harks back to the traditional life of the tribal people. However, then as now, the sight of marginalised people engaged in a vocal and

forceful struggle to recover its distinct culture, social life and politics was not something that either the state or mainstream society in Kerala could digest. As for the fact that the slogans of autonomy and self-sufficiency raised by the Adivasis fundamentally challenged the discourse of modern capitalist development, it did not even register on the 'progressive' social consciousness of the state.

Geetanandan says, "The right to self-government given to Adivasis by the Constitution could not be grasped even by the progressive minded bureaucrats, social activists and intellectuals who supported the tribal land issue and opposed the exploitation of the community. It is significant that they also shared the mainstream perspective that Adivasis should not be a 'parallel government', maintaining a patronising attitude that if forest land is given to Adivasis, it will be 'misused'." It is not surprising then the Adivasis' demands for self-governance and self-sufficiency was dubbed 'extremist' or 'anti-national', phrases that have become all too common to describe anyone raising questions in present-day India.

The struggle lives on

At present, a Muthanga-like agitation by landless

Adivasis is going on at the **Marianad Estate** in Wayanad. Beena from Nadavayal village, who is participating in the protest since May 2022, asks, “It has been almost 20 years since the Supreme Court awarded 1,200 acres of this land to the Adivasis. We have not received it yet. How long can we live without a piece of land? Shouldn’t we get it before we die? Is there no value to the verdict of the highest court in this country? The government cannot let us down like in Muthanga. That is why we have built thousands of huts and are protesting here.”

Twenty years after their hopes were crushed brutally by the state, landless Adivasis in Wayanad continue to dream of a life free of exploitation, which is no luxury but a constitutional guarantee for these vulnerable people. The spirit of Muthanga lives on, if for no other reason that the 20 years that have passed since have brought **little change** to Adivasi lives in Wayanad.

The state, as well as mainstream society in Kerala, needs to introspect why after seven decades of independence, the state’s Adivasis – who number a mere 1.4% of the population – have not been given their constitutional rights.

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