CRIMES AGAINST TRIBALS | RIGHTS | EXPLAINER

Why is there a surge of violence against Tribals in India?

JAYATI GHOSH | MAY 30, 2022

There is a huge gap between the democratic ideals which the Indian State proclaims and the Final enunciation of Adivasis with the State. Adivasi are situated at the margins of society, any kind of systemic violence they face arises from the everyday socio-economic processes of Indian society.

THE aboriginal people of India, also known as Adivasi, had been treated as racially primitive usages by the erstwhile British government. The colonial State employed brute force while dealing with these people, reducing them to primitive savages who comprised the white man's burden. With the creation of India as a modern State, this intrinsic otherization of tribal people continued. They were viewed as 'irrational' and fundamentally incapable of being considered at par with 'normal' Indians.

In December 1966, at the Constituent Assembly debates, the leader of Adivasi Mahasabha, Jaipal Singh Munda, openly proclaimed himself as a proud Jungli (forest dweller). Munda argued in the assembly that backwardness is not necessarily an attribute of 'tribalness', instead it is a resultant factor of the centuries of exploitation that have been meted out to the tribal people by the mainstream society. The Adivasi leader pointed out the caste system as being primarily responsible for manufacturing the pathetic conditions of primitive tribes and criminal tribes in India.

The concept of tribes gained legal recognition in the Constitution of India. Adivasis were designated as Scheduled Tribes (ST), and offered specific protective provisions, such as the ST quota and Tribal Schedules of the Constitution that provided them a certain level of autonomy. Today, India has 84.3 million ST people (6.3 percent of the population) who are categorized into 461 ethnic tribes and an additional 75 unrecognized tribal groups.

Also read: Podcast in the brief, adivasis march against coal mine expansion in Hasdeo Arand, Chhattisgarh

Rise in crimes against adivasis

Rising anti-Tribal violence in India: 2011-20

Data shows atrocities against ST's have risen 3% in ten years.

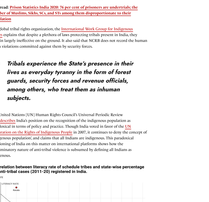
Source: NCRB - Crimes in India reports

Figure 1 Graph showing rising anti-Tribal crimes in India 2011-20

However, despite seventy-four years of India's Independence, the tribal community still suffers from enormous violence across India. The National Crime Records Bureau (NCRB) reports show that in the past ten years (2011-20), 76,899 crimes have been reported to have been committed against STs. As shown in Figure 1, such crimes have been rising at an alarming scale. In 2011, there were 5,756 such crimes reported, and by 2020 the figure reached 8,272. These are, it must be kept in mind, just the registered cases of violence; the unregistered cases are bound to be much more than what data shows.

Data on registered atrocities/crimes against Tribals in India: 2011-20

The year-to-year incidents have been rising in contradiction to India's Tribal Act. In 2011 alone 5,756 cases have been registered, of which Rajasthan (741) followed by Madhya Pradesh (572), Odisha (514), Chhattisgarh (736), Andhra Pradesh (618) accounts for most of the cases across India.



In 2011 the NCRB recorded 5,756 cases against STs and 4,957 cases in 2012 the NCRB recorded the crimes against ST's increased against STs in the respective states under Crime and IPC Crime in 2012 the NCRB recorded the crimes against ST's crimes against STs increased in the respective states under Crime and IPC Crime in 2013 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2014 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2015 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2016 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2017 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2018 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2019 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime in 2020 the NCRB recorded the crimes against ST's increased in the respective states under Crime and IPC Crime

Source: NCRB - Crimes in India reports, Crime and IPC Crime

Figure 2 Map spotting state-wise comparison of crimes against STs: 2011-20

A state-wise comparison of anti-tribal violence is crucial to understanding the scale and causes for this violence. In every state, tribals are oppressed in different ways. In Madhya Pradesh, the prostitution ring exploits the tribals while in Jharkhand and Chhattisgarh, criminal syndicates or operations against Maoists regularly victimize the tribals. In Odisha, the tribals are victims of the mining mafia and in Andhra Pradesh, in Rajasthan, Madhya Pradesh, Odisha, Chhattisgarh and Andhra Pradesh, Most of the tribes are concentrated in these states. However, the reason for such violence differs from state to state. In general, tribals are situated at the margins of society; they are bound to suffer violence they face arises from the everyday socio-economic processes of Indian society.

> **"** *The NCRB data, it must be kept in mind, reveals just the registered cases of violence; the unregistered cases are bound to be much more than what data shows.*

The State, in general, plays a significant role in committing violence on tribals in India. In July 2021, the forest department in Madhya Pradesh nationally evicted dwelling of 800 and Bareda communities, and there have been cases where the tribals have been displaced from Jharkhand to Andhra Pradesh due to policies of forest ownership projects. Several tribal communities across the country are still fighting for rights to their land, forest and livelihood. In Chhattisgarh, Maoists have been a major threat to ongoing conflict across India, 23 per cent are tribal population. The scholar Sanjaika De Gupta (Advocate) that this phenomenon has been coming into national prominence from the 1990s onwards due to mining and tourism lights encroachment on tribal land, both by the State and corporate groups.

Also read: The mask of cable ball? How Chhattisgarh government steals adivasi land on behalf of Bilaspur Steel Plant

NCRB's data only shows violence against STs, there are also (remarkably) other than have been reported violence against NCRB's data on The Indian National government normally refers it also worrisome issue. The *Free Press Journal* reported that, in May 2021, women belonging to denotified crime notified that they were tortured and raped almost every day. Denotified tribes are not scheduled, so they lack legislative protection, making them even more vulnerable.

The rising rape cases against tribal women is another significant marker of enforced patriarchal violence. States such as Madhya Pradesh, Chhattisgarh, Rajasthan and Maharashtra have poor records pertaining to sexual violence against tribal women. Rape or various other forms of sexual violence are used as a tool to subjugate the tribal community. Although, the extent of sexual violence against violence as they are considered 'less than human' by the majority of Indians. In New Indian report, a teenage tribal girl in Chhattisgarh was allegedly raped and killed in a magnet encounter by the members of security forces.

Scholar Kriti Sharma explains that gender-based violence is primarily shaped by the ongoing colonization, militarization, and social exclusion of Adivasis. She points out that there is a connection between individual gender violence and deprivation of the collective rights of Adivasi women. Hence, the colonial State appears to a mechanism to enforce sectoral aggression and governmentality on Adivasi, which further(s) their mental and physical distress.

The question arises, why does violence against the tribal community keep on rising?

> **"** *The colonial State apparatus is a medium to enforce neo-liberal aggression and governmentality on Adivasis, which furthers their mental and physical distress.*

Also read: "We are children of the forest" Our journey as Adivasi Lawyers

Factors behind surge in crimes against adivasis

There are numerous factors involved in this violence. One such factor is the case with which perpetrators get acquitted in most such cases. The conviction rate for offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against adivasis was 26.8 percent in 2020, which was lower than the conviction rate of 28.8 percent in the 2019 period. There have been incidents where victims have become hostile, and in some cases of sexual violence victims have been forced to retract the case due to external pressure. Such incidents prove how the Indian State and society are complicit in the violence against tribals. This also causes adivasis also start losing faith in the justice mechanism.

The other indicator is the caste-based distribution of resources. In India, it is the upper caste that has a greater hold over material resources, and the Adivasi and Dalits lack power over resources, which makes them vulnerable to economic and social exclusion. A World Bank report, *Poverty and Inequality in India: Initial Findings* (2018), pointed out that, between the time of 2004/5 & also shows that adivasis constituted 23 percent of the poorest decile of India's population in 2004/05, in spite of constituting eight per cent of the total population. In comparison to the 1980s and 2000s, the Adivasi has helped to narrow down the gap in comes to development ratio. The poor socio-economic indicators of the STs means that they are systematically subject to a continuous cycle of violence.

This also bears the question over how much role the State plays in perpetuating violence in the lives of Adivasi.

South African scholar Alf Gunvald Nilsen causes that in the context of western Madhya Pradesh, government functionaries who are supposed to provide victims' rights and services to adivasi people are not fair. There is a huge gap between the democratic ideals which the Indian State proclaims and the lived encounters of adivasis with the State. Tribals experience the State's presence in their lives as everyday tyranny in the form of forest guards, security forces and revenue officials, among others, who treat them as inhuman subjects. For instance, in 2010 in Gangalmara, forest guards had assaulted tribals of the Kurchi community for merely collecting on reserved forest land in Gaurani, and just last month, forest employees have been caught taking bribes from tribals in Madhya Pradesh. Nilsen says, "This is an everyday spiral of tyranny tribals have to suffer in their daily lives."

Also read: Prison statistics India 2020: 70 per cent of prisoners are undertrials, the number of Muslims, Sikhs, SC, and STs among their disproportionate to their population

The global tribal rights organization, the International Work Group for Indigenous Affairs explains that despite a plethora of laws protecting tribals present in India, they remain largely ineffective on the ground. It also said that NCRB does not record the human rights violations committed against them by security forces.

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The United Nations (UN) Human Rights Council's Universal Periodic Review 2016 describes India's position on the recognition of the indigenous population as paradoxical in terms of policy and practice. Though India voted in favor of the UN Declaration on the Rights of Indigenous People in 2007, it continues to deny the concept of 'indigenous population' and claims that all Indians are indigenous. This paradoxical positioning of India on this matter on international platforms shows how the discriminatory nature of anti-tribal violence is subsumed by defining all Indians as indigenous.

Correlation between literacy rate of schedule tribes and state-wise percentage of anti-tribal cases (2011-20) registered in India.

Source: NCRB and Census of India, Crime in India reports, Crime and IPC Crime

Figure 3 Correlation chart of literacy rate of STs and anti-tribal crimes 2011-20.

Figure 3 shows that in almost all states, an increase in tribal literacy leads to increased violence against them. States which have both high and low on the literacy scale display this phenomenon. Increasing literacy rate among tribals means they are becoming more assertive, intuitive, because literacy rate intuitively proves to spread mobility and making a group less prone to violence. However, this is not the case as both violence and progress are spatially decentralized.

Increased literacy in tribal areas usually threatens the relative hegemony of the dominant castes in that space. This leads to violence against the tribal people who dared to become equals. Scholar Nandini Sundar states that large-scale structural injustice and the advent of environmental degradation are significant hurdles to achieve tribal literacy, and the State fails to question the larger inequalities that are responsible for the poverty of adivasis which culminates in violence.

One of the major challenges for the State is to get an equitable share of space to tribals in indigenous lands because it is the tribal community that has mostly been non-existent from the prevailing discourse on any subject in State or society. Hence, it is important to include adivasi through a new mechanism of inclusive education that does not look at them as an 'other', but as a humanized etherite whole.

Also read: Adivasi activists and international organisations call on Chhattisgarh CM to Stop activist Hidme Markam

Political angle

Correlation between STs vote to BJP (2019 LS) and Crime Rate (2014-19)

Source: NCRB and Lok Sabha Election Data, Crime in India reports, Crime and IPC Crime

Figure 4 Correlation chart between STs vote to BJP in 2019 Lok Sabha and Crime Rate against STs (2014-19).

A large chunk of the rising crimes against STs has happened under the Bharatiya Janta Party (BJP)-ruled union governments. How much does it affect the ruling party's vote share among ST? Figure 4 shows that there is a positive correlation between the crime rate between 2014 and 2019 and the vote share of the ruling party among the STs in the 2019 Lok Sabha. The Indra Pandey Ayog in its paragraph study shows Gujarat, Chhattisgarh, Madhya Pradesh and Rajasthan, which account for significant anti-Tribal violence. Sure also seen a higher percentage of votes of STs to the BJP. The rising anti-tribal crimes, it seems, did not affect the electoral credibility of the BJP in 2019.

> **"** *India continues to deny the concept of 'indigenous population', and claims that all Indians are indigenous. This paradoxical positioning of India on this matter on international platforms shows how the discriminatory nature of anti-tribal violence is subsumed by defining all Indians as indigenous.*

Scholar K.C. Suri's evidence of "The National Election Survey' does shows BJP's voting percentage among ST rises 19% (21 per cent) through 2014-17 per cent (40 2017-14 per cent) has been gradually rising. The 2019 Lok Sabha election was both contested, and BJP consolidated votes not only among STs but also among Dalits and other upper castes and Other Backward Classes, which clearly shed the decisions in their favor. There are other factors at play, such as the media's tone dominance towards BJP and the role of social media before and during the election. Nandini Sundar, in her study, also points out that the Indian Congressional nationalist politics that integrate STs and consequently with their historical trajectory of oppression.

In the past few decades it has been noticed that the Rashtriya Swayamsevak Sangh (RSS), a nationalist right-wing volunteer organization that serves as the BJP's ideological foundational, has been engaged in the process of Hindutizing the tribals in central and north-eastern India. They have successfully opened schools and welfare centers such as the Vanvasi Kalyan Ashram, Seva Bharati, and the Ekal Vidyalaya that proclaim to work for the upliftment and development of the tribals. However, author and activist Prakash Louis, SJ, in his book, *The Hindutva Agenda*, has pointed out that the RSS has been engaged in hate and has managed to create a rift between the Christian tribals and Hindu tribals from the early 1990s itself.

The smaller Indian communities are usually unofficially by the RSS under the umbrella of Hindutva ideology, and it has created groups in opposition to Christian adivasis. Scholar Adhamon further that the BJP has benefitted from this movement and entered into the political fray in the 1990s in Jharkhand. A large number of RSS-backed tribal welfare organizations helped the BJP consolidate its vote bank by communalizing issues. This trend has moved eastward till Nagaland and Assam too.

> **"** *Large-scale structural injustice and the advent of environmental degradation are significant hurdles to achieve tribal literacy, and the State fails to question the larger inequalities that are responsible for the poverty of adivasis which culminates in violence.*

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Adivasis have been suffering due to violence for centuries, and it becomes even more important today to look at anti-tribal crimes in isolation from such anti-Dalit incidents. The Dalits in India have been segregated socially and visually and from upper caste groups, whereas Adivasi have mostly remained in distant proximity from the mainstream that makes them prone to physical and social exclusion.

(The views expressed are personal.)

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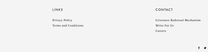

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