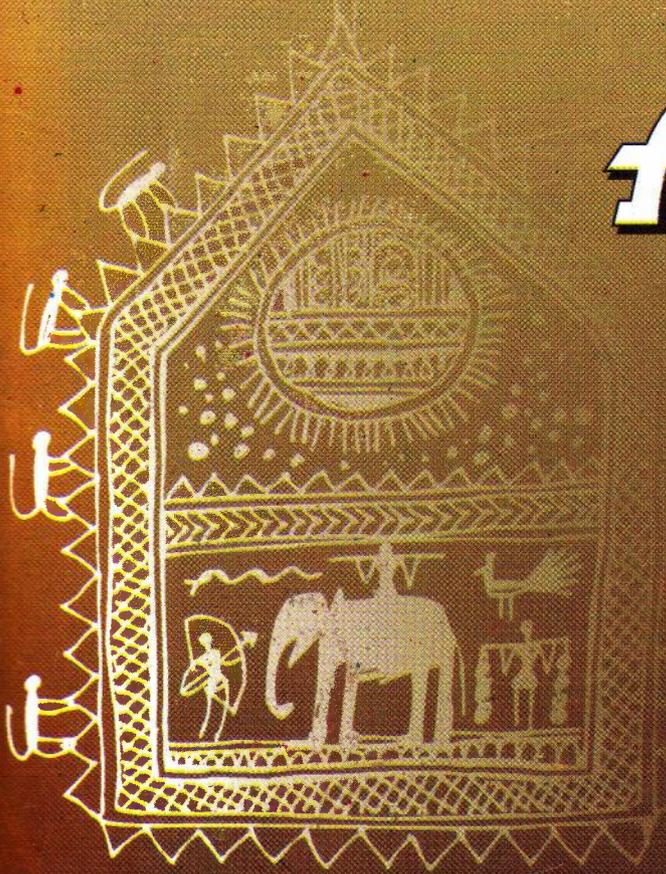


VOLUME 44 NUMBER 1 & 2 JUNE & DECEMBER 2004

# ADIVASI



Journal of the  
Scheduled Castes & Scheduled Tribes  
Research and Training Institute  
Bhubaneswar

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**Scheduled Castes and Scheduled Tribes Research and Training Institute (SCSTRTI), Government of Orissa, Bhubaneswar**

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BASCOM, W.R. 1951 Yoruba food, Africa 21.

BOVILL, E.W. 1933, Caravans of the Old Sahara,

London : Oxford University Press.

DOGGETT, H. 1965. "The development of the cultivated sorghums", in Essays on crop plant evolution.

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# ADIVASI



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## CONTENTS

|                                 |  | Page |
|---------------------------------|--|------|
| N.K. Behura                     | Culture and Development : The Tribal Scenario  | 1    |
| K.K. Mohanti                    | Custom Vis-à-vis Law : Some Reflections on marriage Customs and Rules among Caste and Tribal Communities | 8    |
| G.N. Mohanty and S.C. Mohanty   | Living with Snakes : The Life Style of the Snake Charmers (Sapua Kela)                                   | 24   |
| Tarini Patnaik and B.B. Mohanty | The Juang Youth Dormitory : An Anthropological Outline   | 41   |
| F. Bara                         | Child Rearing Practices and Socialization process among the Dongria Kondh                                | 56   |
| Arati Mall and T. Sahoo         | A Comparative Study of Indebtedness among the Dongria Kondh and the Juang                                | 68   |

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Journal of Scheduled Castes & Scheduled Tribes Research and Training Institute (SCSTRTI) Bhubaneswar Orissa India



## Editorial

In this volume of *ADIVASI* Journal, as many as six articles relating to various aspects of Society, Culture and Development of Scheduled Castes and Scheduled Tribes have been published.

- The first article, “*Culture and Development: The Tribal Scenario*” gives emphasis on culture-specific tribal development with some useful suggestions for improvement in tribal development planning and execution strategies.
- The second article, “*Custom Vis-a-Vis Law: Some Reflections on Marriage Customs and Rules Among Caste and Tribal Communities*” vividly defines law and custom, besides highlighting perceptible similarities and differences with regard to marriage customs and rules between the tribal and caste societies.
- The third article, “*Living with Snakes: The Life Style of the Snake Charmers (Sapua Kela)*” elaborately deals with the way of life of the Sapua Kela community vis-à-vis the Wild Life Protection Act.
- The fourth article, “*The Juang Youth Dormitory: An Anthropological Outline*”, attempts to describe the origin, structure, membership rules and functions of the dormitory organization including the changes noticed under the impact of modernization.
- The fifth article, “*Child Rearing Practices and Socialization Process among the Dongria Kondh*” deals with customs and practices associated with pre and post-natal practices, infancy, childhood and adolescence stages of children in Dongria Kondh society.
- The sixth article, “*A Comparative Study of Indebtedness among the Dongria Kondh and the Juang*”, highlights the pattern of indebtedness among two PTGs i.e. the Dongria Kondh and the Juang with a comparative assessment.

It is felt that these articles will be of much use to the researchers, development practitioners, academicians and to the general public interested in conducting research among the Sch. Castes and Sch. Tribes.

Finally, I extend my sincere thanks to the paper contributors for their painstaking efforts in preparing the articles for the journal, *ADIVASI*.

**Dated, the 12<sup>th</sup> January, 2005**  
**Bhubaneswar**

**Gopinath Mohanty**  
**EDITOR**

## **Culture and Development : The Tribal Scenario**

*N. K. Behura*

"Culture consists of patterns, explicit and implicit, of and for behaviour acquired and transmitted by symbols constituting the distinctive achievements of human groups, including their embodiments in artifacts, the essential core of culture consists of traditional (i.e. historically derived and selected) ideas and especially their attached values; culture system may, on the one hand, be considered as products of action, and on the other as conditioning elements of further action" (Kroeber and Kluckhohn 1952 : 161). Culture is the integrated system of learned behaviour patterns which are characteristic of the members of a society and which are not the result of biological inheritance. Culture is not genetically predetermined; it is non-instinctive. It is the result of social invention and is transmitted and maintained solely through communication and learning.

Every society has its own culture which is a centripetal force binding on each individual member whose various components signify the magnitudes and direction of responses to various stimuli. The consequent effect is that the characteristic behaviour of the members of one society are in some respects significantly different from the characteristic behaviours of the members of all the societies. The distinctive behaviour of different human population is overwhelmingly the product of cultural experience rather than the consequence of genetic inheritance.

Development stands for economic growth and progressive social mobility. It also implies harmonious upward mobility with social justice. Economic development and social development are complementary to each other. In the context of tribal communities development has to strike a balance between economic and social domains and has to be culture specific. But right from the inception of planned tribal development in 1952 till now the approach, by and large has been influenced by the macro culture of the country. The planners, project executives and the ground level workers have all addressed tribal development programmes with the spirit of macro culture. The reason of such an approach emanates from an uncanny sense of ethnocentrism. This futile approach continued for decades despite a clear-cut policy enunciation by Pandit Jawaharlal Nehru, the first Prime Minister of India in 1960. He had exhorted that tribes be developed in accordance with their respective geniuses. But this approach has not been adhered to. Hence efforts in respect of tribal development have not yielded desired results, 'Development refers to the capacity of a national economy to generate and sustain an annual increase in its gross national product (GNP). An alternative economic index of development has been the rates of growth of per capita GNP. During the past few decades third world countries have achieved their growth targets, but the levels of living and quality of life of the masses including most of the tribals, for the most part remained pathetic. Therefore, in the seventies development was redefined in terms of alleviation or elimination of poverty, gross inequality, unemployment, malnutrition and illiteracy. Development is being now conceived as a multidimensional process involving major changes in socio-

economic domains. In other words the eternal goal of development is to ensure 'good life' for all. The objectives of development should be threefold, namely, (I) to ensure smooth life sustenance, (II) to bestow self-esteem on persons, and (III) to ensure freedom from servitude. All those goals are to be realised within the framework of the culture of the people. Culture embodies the totality of knowledge for articulating life in society.

Cultural knowledge is critical for socio-economic development, because anything worthwhile we do depends on critical cultural information. We have to use the resource to get the things we need, and that requires knowledge. If we want to live a better tomorrow than today, we have to raise our living standard of the household, community and society, while conserving our resources and preserving our common environment. We must do more than simply transform more resources, for resources are scarce and limited. We must use those resources in a manner that generate ever-higher returns for our efforts without destroying the traditional cultural matrix. For example, agricultural knowledge has to be tuned to local conditions and culture of the beneficiaries for acceptance and to get better results. Adaptation of higher and better technology requires study of indigenous culture. Over the years, every culture has accumulated a body of technical and pragmatic expertise, which has scope for further enrichment. Societies receive such knowledge which are more or less compatible with their cultural values. Traditional societies though have closed social boundaries, yet they have open systems. In other words they are static to certain measure yet dynamic, and moderately open. They are tardily evolving. Simple societies are more tradition-bound. But tradition cannot be understood as absolute, exclusive and inflexible. Every tradition is prone to change, but the rate of change is slow. Traditional societies are not totally opposed to change. They accept change selectively and slowly.

The interface between tradition and modernity controls the compatibility of the cultural components of ends. For traditionalists social and cultural and intellectual expressions are deeply rooted in a culture and thus are tradition-bound. These are strongly linked with the notion of cultural heritage, social identity and historical continuity of a society. Whereas economic activities, material cultural traits and livelihood styles are more prone to change. Therefore, tradition cannot be understood as absolute and inflexible, as it slowly evolves. Every tradition/ culture is subject to reinterpretation in course of the interplay between inter-cultures. The protagonists of tradition may have an institutional basis for their role and exercise their hold within the society, whereas their opponents re-interpret tradition in terms of social interests of a different nature. In this manner an apparently static society may develop more or less heterodox initiatives and innovations and prepare the path for integrative pluralistic advances.

From this viewpoint development is seen as an evolutionary process involving holistic and processual approach in a society. But approach to planned development should be through the culture of the target community. A development approach which is compatible with the traditional knowledge (culture) of the society ultimately proves to be sustainable. Therefore, generation of information on cultural parameters is a prerequisite condition in the process of sponsored development. Traditions and customs are to be respected, preserved and

incorporated in development programmes. Rituals, taboos and ceremonies are to be adhered to during operation and implementation of a project. Creativity and innovative drives of the beneficiaries are to be encouraged. Myths, riddles, proverbs and anecdotes of the target community are to be analysed to get vital clues about possible puzzles. For instance, resource utilisation pattern is based on traditional practice. Traditional authority structure has got to be used for solving problems and taking decisions for involving community members in development. What is important here is that ethno-cultural identity of the community should not be interfered within the context of planned development.

### **Tribal Economy:**

Bulk of the tribal communities in India continue to be techno-economically backward for various reasons. Their economy is not similar and they are at different levels of the techno-economic parameter. Seventy-six tribal communities out of the total Scheduled Tribes have been identified as primitive, who inhabit areas with poor communication facility and who are still at the pre-agricultural stage of economy (i.e. gathering, collection and hunting) and amongst whom rate of literacy is very low. Notwithstanding variations in the techno-economic domain tribal economies exhibit three basic features, namely; (I) common ownership of land and joint control over forest and other natural resources; (II) nonacquisitive but community oriented economic value system, and (III) lack of an ulterior motive and lack of interest in the generation of surpluses for capital formation.

Tribal economies are "undifferentiated" or "mixed" in nature which encompass several type of economic activities, such as, collection and gathering of various edible items, hunting and catching of games, fishing, herding, shifting cultivation, settled agriculture, handicraft, wage-labour etc. However, looking at the empirical situation a typology of tribal economies can be attempted here. On the basis of the general features of their (I) habitat, (II) production technology and (III) belief system, tribal economies may be classified into six types on an analytical plane. The six types are: (I) food-gatherers and hunters, (II) shifting cultivators, (III) simple artisans, (IV) livestock raisers, (V) settled agriculturists, and (VI) Industrial-urban wage-earners.

Tribal communities have been coping with their physical environments for generations on the basis of their respective cultures for eking out an existence. Their social structure and ideology are orchestrated towards this objective. Therefore, all efforts meant for their socio-economic development should be in conformity with this phenomenon. Harmony between environment and culture, which is vital for survival, has to be maintained in the process of sponsored development. For instance, food-gatherers and hunters cannot be made settled agriculturists over-night. If they are denied the right of access to the forests in their habitat for collection and gathering of food materials, then they would be pushed into a state of unmitigated misery. No development initiative should aim at bringing about violent upheaval in the established socio-economic milieu of a community. Change is inevitable, but it should be gradual, smooth and beneficial. Therefore, socio-economic development should be pushed through the gamut of existing economy and culture of the beneficiaries. If the existing economy of a

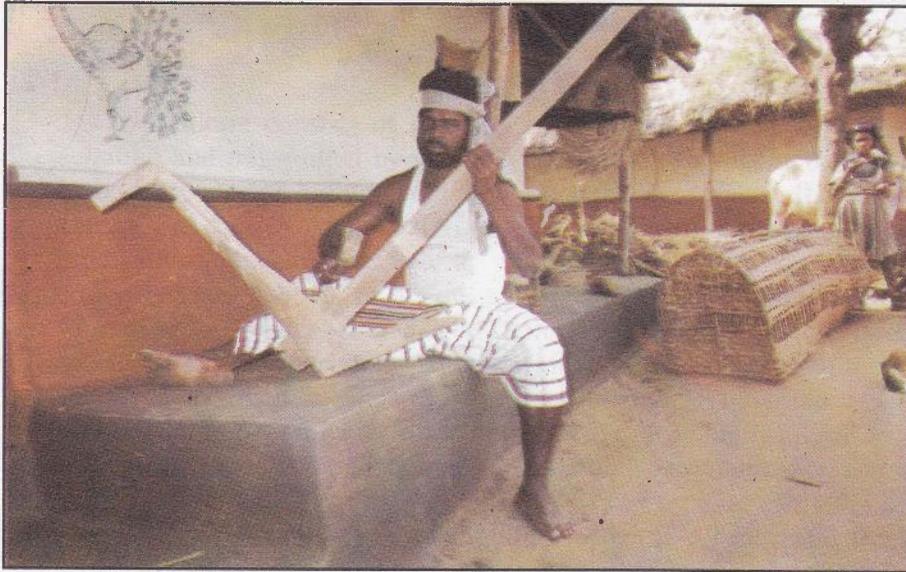
community is drastically changed people face a great deal of hardship, because they cannot cope up with the required bio-cultural adaptation, which is crucial for their survival. Adaptation would necessitate a new set of technology and a fresh body of knowledge. People in simple societies of knowledge. Cultural adaptation is the product of cumulative experience. And if there is a sudden discontinuity or disruption in the homeostatic socio-cultural life people will develop a sense of insecurity. People in simple societies view the world as beneficent and predictable-except where human irresponsibility disrupts it. They believe that the universe continues its orderly unfolding of events. And if they do not carry out their functions as expected of them then there would be crop failure, pestilence, famine, untimely death and all sorts of disaster would sweep over the community.

Living in harsh environments folk communities exhibit a typical ideological adaptation to the nature. This environmental adaptation influences their social organisation, and their techno-economic subsystem together with the social structural subsystem shapes the ideological domain of their culture. Therefore, it is incumbent on the part of development planners and executives to be acquainted with the habitat, society and culture of the beneficiaries. The present dismal scenario evinced in respect of tribal development is due to the lack of an understanding of tribal societies and cultures. After five decades of planned development, tribal communities, who were largely depending on forest resources for survival, are now facing the pangs of hunger with imposition of restriction on the use of forest. Their fragile sense of food security has been shattered ever since the State has imposed restrictions on their use of forest. During the monsoon months tribal communities face acute shortage of food. Hence, as an alternative, they are forced to consume mango seeds, tamarind seeds, jackfruit seeds, palm seeds and pith of Sagopalm. In the process they suffer from severe stomach ailments.

They have been subjected to such sub-human living conditions mostly for the following three factors; firstly, their traditional rights over certain natural resources have been snatched away, secondly, no viable techno-economic alternative has been provided to them, and thirdly, no link has been maintained between their respective cultures and development.

#### **Major Suggestions:**

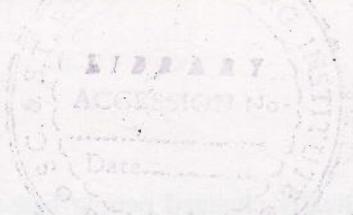
1. In order to protect the interest of tribals better and to ensure their all-round development a single line or single command administration should be introduced in tribal areas. The Project Administrator be designated as ex-officio joint-Collector and Additional District Magistrate: and he/she be vested with appropriate powers. If this is accomplished the tribal need not run from pillar to post to get his/her grievances reduced. The beneficiary can look to only one agency for fulfilment of his/her requirements and needs. Further more at the State level the Additional Development Commissioner may be vested with the responsibility of supervising and co-ordinating tribal development activities of the entire State, and the supporting life-line agencies, such as TDCC, SC and ST Finance



A Santal man making plough



Bathudi couple storing paddy



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#### **Major Suggestions:**

1. In order to protect the interest of tribals better and to ensure their all-round development a single line or single command administration should be introduced in tribal areas. The Project Administrator be designated as ex-officio joint-Collector and Additional District Magistrate: and he/she be vested with appropriate powers. If this is accomplished the tribal need not run from pillar to post to get his/her grievances reduced. The beneficiary can look to only one agency for fulfilment of his/her requirements and needs. Further more at the State level the Additional Development Commissioner may be vested with the responsibility of supervising and co-ordinating tribal development activities of the entire State, and the supporting life-line agencies, such as TDCC, SC and ST Finance

Development Corporation and other financial institutions be revitalised to cater to the needs of tribal people.

At the State level in the context of tribal welfare, it is expected to undertake strict and regular pre-budgetary scrutiny to ensure that different line departments year-mark appropriate funds for tribal welfare programmes in due proportion of tribal population. But this does not happen in Orissa. It is understood that investment in tribal welfare is less as it is not in accordance with in the ratio of tribal population of the State This is one of the reasons for the persistence of the gap in the levels of development in tribal areas and outside. The per capita income of tribal people has been much lower than their non-tribal counterparts.

2. Social forestry has to be intensified and reinforced in every tribal village. Fallow lands be utilised to raise social forestry in a large measure. Now- a-days social forestry cannot be thought of without the mechanism of joint management. If villagers are not made partners in social forestry the scheme will flop because people will not desist from destroying it. They will have a sense of belonging to the village forest if they are made joint owners. Joint management of social forestry has succeeded in some States. It will also be successful in Orissa if the scheme is implemented faithfully. Tribal people cannot survive without forest as they depend on various forest produces, particularly on N.T.F.P. for their survival. Therefore, Government must create appropriate scope for the growth of social forestry.
3. The Governor of the State under the Fifth Schedule of the Constitution has extraordinary powers to modify State or Central laws for maintenance and good governance in Scheduled Areas with the consent of President of India.

In order to ease the acute unemployment problem among the tribals in Scheduled Areas, Sub-Employment Exchanges be set up at each ITDA headquarters and the concerned District Welfare Officers be declared as the Employment Officers. Some category of posts, which can be covered under 'qualification relaxation' provision be reserved for the tribals exclusively. Such posts may include Police Constables, Home Guards, Excise Constables, Hospital and Dispensary Attendants, Nurses, Ayaas, Mid-wives, Watchmen, Forest Guards, Deputy Surveyers, Chain-Men, Record Assistants, Balwadi Teachers, Anganwadi Workers, Cooks, etc. Under Human Resources Development Programme appropriate training programmes can be launched for the tribal youths (both boys and girls) so that they can venture to take up self-employment schemes. Skill development is essential in TSP areas. Mobile short-term Vocational training Centre schemes be launched to reduce operational expenditure. It is essential to engage Scheduled Tribe School dropouts in gainful employment. These dropouts remain idle and become a liability on their natal families.

4. An alternative livelihood resource for shifting cultivators has to be provided as these people have been facing immense problems with

imposition of restriction on the practice of this age-old economic activity. A number of tribal communities in Orissa practise shifting cultivation. It is a major source of their livelihood. It is not merely an economic pursuit for them. It is their way of life. Imposition of state restrictions in the free use of forest land and hill slopes for shifting cultivation purposes, particularly in the reserve forests, has created irretrievable problem for the tribal families who have been depending on shifting cultivation for generations. The situation becomes vicious when some unscrupulous non-tribals in certain pockets motivate credulous tribals to undertake shifting cultivation on their behalf, because they think that the tribals can be made easy scape-goats. The innocent tribals are exploited in the process. Non-tribals in tribal areas have encroached to a large major on the dwindling livelihood resources of the local tribes. They also indulge in exploitation of the tribals and the latter gradually are losing their command over natural resources. Shifting cultivation is a pernicious practice no doubt. It causes environmental degradation, soil erosion, and loss of fertility of the soil. The urgent need is to help those tribal families, who are dependent on shifting cultivation for livelihood through agro-forestry schemes. Such schemes will enable the tribals to raise the productivity level of their scarce lands. This approach may also help in environmental upgradation and stop further marginalisation of shifting cultivators. The main objective of the agro-forestry projects should be to develop endogenous models of development within the framework of the culture of the beneficiaries, i.e. use of local knowledge, local resources and local conditions.

Shifting cultivation land has been made hereditary. The shifting cultivators are no more allowed to encroach upon virgin forests for the practice of shifting cultivation. Now they are confined to small patches of shifting cultivation and which has become unproductive and infertile. These lands must be recorded in the names of those who are in occupation for generations.

The productive capacity of the shifting land has to be increased by undertaking irrigation schemes, programmes of soil conservation, horticultural plantations by establishment of farm nurseries and crop demonstration centers, and shifting cultivation be supported by establishment of grain-banks with their participation.

5. Tribal development programmes be made participatory. To make participatory development effective regular peripatetic training camps be organised *in situ*. Functional literacy and educational programmes be streamlined which hold the key to empowerment of the tribals. Credit and thrift societies be organised among the members of the communities at the village level so as to make them self-reliant.

Constitution 73rd Amendment Act 1992 aims at revitalising the Panchayati Raj Institutions and to enable the people at the grass-roots level to effectively participate in the task of nation-building. About half a decade back Government of India enacted the Panchayats (Extension to the Scheduled Areas) Act 1996 in order

to extend to the Scheduled Areas, the provisions of the 73rd Amendment of the Constitution of India. To start with, the Government of Orissa, while formulating the policies in respect of the NTFP resources and the role of Panchayati Raj Institutions, the Forest and Environment Department has duly considered the provisions of the Panchayat (Extension to the Scheduled Areas) Act 1996 by handing over 70 NTFP items to the Gram Panchayat as regards their procurement and marketing. Thus, the people have been empowered for self-governance. This is a positive step in the direction of development of tribal people.

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## Custom Vis-a-Vis Law: Some Reflections on Marriage Customs and Rules Among Caste and Tribal Communities

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### **Introduction:**

Custom is any established mode of social behaviour within the community. Various dimensions of human behaviour which are prescribed by the community or society hint at the conceptual frame of custom. It is considered as one of the mechanisms of social control and an appropriate direction for humans to live in the community and to allow the society to perpetuate. In preliterate societies, the custom is pre-eminently unwritten. In anthropological perspective, custom presupposes perpetuation, holism and transcendence. According to Durkheim, custom is regarded as the basis of law. Further, he has differentiated between custom and law; the former conveys diffuse regulations and lacks importance and continuity and the latter possesses precision, importance and continuity (see Krader, 1966:10). As per A.R.Radcliffe-Brown, 'the behaviour which the law elsewhere covers is covered in the less complex societies by custom and convention'; He is emphatic that convention, custom and law are all supported by social sanctions. He treats law as a form of organized social sanction by which social control mechanisms become operative. Radcliffe-Brown followed Durkheimian theoretical viewpoints and held that the law is identical with organized legal sanctions (Ibid, 1966:11). Krader states, "According to Vinogradoff, law, legislation, explicit rules of society and the State all originate in custom. They are not imposed better, ought not be imposed from above, but rise from below, from the society, which comes to recognize them. Law as entered then are related to the customs of the people, but somewhat changed in legislation, such that people come to recognize their legal reformulation. The process of restating custom as law is universal; it is found in primitive tribes as well as in States whose legislative institutions are explicitly established" (Ibid, 1966:17). Max Gluckman differentiates law from custom and states, "the tradition of defining 'Law' as what courts will enforce has thus logically produced an attempt to isolate enforcing mechanisms in societies that lack courts, and to define as 'law' any rule or obligation to which they apply. This tendency accompanies an attempt to differentiate law from custom, as if they have to be quite separate categories".(1971:198) Custom in Chambers 20<sup>th</sup> Century Dictionary means, 'what one is wont to do: what is usually done by others: any of the distinctive practises and conventions of a people or locality, esp., those, of a primitive tribe" (1985:309). The term 'law' in the said dictionary is "a rule of action established by authority: a statute: the rules of a community or state"(1985:715). Further, according to Gluckman, "Law in one meaning is a body of enacted or customary rules: in the judicial process, custom is one of the sources of judicial decision" (1971:201). Gluckman considers that 'law' is a body of binding rules and includes 'custom' (Ibid, 201-202). Sapir states, "the word custom is used to apply to the totality of behaviour patterns which are carried by tradition and lodged in the group, as contrasted with more random personal activities of the individual". He is

further of the opinion that such terms, such convention, tradition and mores are interchangeably used with custom although these terms have different connotations (1930:658). Conventions are rules of conduct and differ from legal rules, moral precepts and fashions and are less permanent and less binding than the latter (Ginsberg, 1930:352). Radin states that customs are regarded as habitual ways of conduct among a social group (1930:63). It is apt to recollect Sapir who pleads for persistence of custom in primitive societies and states that it is transmitted from one generation to other through oral tradition and derives some measures of sacredness for its association with magico-religious procedures (1930:660). Lobingier has shown differences as well as similarities between custom and law and stated that custom becomes a law when it becomes enforceable and obligatory (1930:666). Radcliffe-Brown is more emphatic on sanction by which custom becomes customary law (1933:531).

While discussing about components of culture Hoebel & Frost state, cultures are built up of behavioural norms, or customs. Cultural behaviour is organized and patterned. This means that it is ordinarily not random but repetitive and fairly consistent. It is customary. (1976 : 25). Further they have developed a working definition of law which may be stated, "A law is a social norm of which it can be predicted with reasonable probability that its violation beyond the limits of permissible leeway will evoke a formal procedural response initiated by an individual or a group possessing the socially recognized privilege right of determining guilt and of imposing economic or physical sanctions upon the wrongdoer" (1976:289). They have distinguished among three types of law, such as civilized law; archaic law and primitive law. They have also found distinctions between substantive and adjective law and between organic law and tyrannical law. The basic cultural postulates are translated into social action by substantive law, whereas adjective law is primarily procedural by which punishment is offered for the breach of substantive law. The 'tyrannical' law is otherwise known as 'repressive' law and 'organic' law is often referred to as 'restitutive' law.(1976:286-290 and also Durkheim, 1933).

Pospisil states, "Law manifests itself in the form of a decision passed by a legal authority (council, chief, headman, judge and the like), by which a dispute is solved or a party is advised before any legally relevant behaviour takes place or by which approval is given to a previous solution of dispute made by the participants before the dispute was brought to the attention of the authority"(1971:37).

Krader emphatically states, "Vinogradoff was interested in tracing English law to one of its sources in Germanic and Celtic law and beyond. In particular, he takes up the institution of 'wergild' or blood fine, paid in compensation for certain crimes, such as murder. Instead of punishing a murderer by imprisonment or death, the Anglo-Saxon society imposed a fine in wealth, such as cattle, upon the murderer and his Kin, to be paid to the victim's surviving kin. The wergild was a carefully, defined institution, and the kin group from which it was collected and to which it was paid, the amount of the payment, and the severity of the crime were carefully defined as well" (Krader, 1966: 53-54). It explicitly states how customs transform into customary law and gradually emerge as law in the true sense of the term.

It may be stated emphatically that custom is the fountain head of law, especially in tribal societies. Frederic Seebohm, while dealing with tribal custom in Anglo-Saxon law, illustrates 'Beowulf' as a tribal usage regarding the blood feud. Three significant aspects of tribal custom has been noticed by Seebohm and they may be stated as follows;

- (i) "There is no feud within the kindred when one kinsman slays another. However strong the natural instinct for avengement, it must be left to fate and natural causes. Accidental homicide does not seem to be followed even by exile. But murder within the kindred breaks the tribal tie and is followed by outlawry.
- (ii) Marriage between two Kindreds is a common though precarious means of closing feuds between them. The son of such a marriage takes no part in a quarrel between his paternal and maternal relations.
- (iii) When a marriage takes place the wife does not pass entirely out of her own kindred into her husband's. Her own kindred, father and brothers, maintain a sort of guardianship over her, and the son in some sense belongs to both kindreds. He may have to join in his maternal kindred's feud, and he become the chief of his maternal kindred on failure of direct male succession, even though by so doing he may have to relinquish the right of chieftainship in his paternal kindred to another kinsman".(in Krader (ed), 1966:112)

It may be stated, in this context, that kinship which plays the pivotal role in tribal societies not only embraces law but also such other matters relating to folkways, customs, mores, traditions, usages, conventions, sanctions, etc in the total system of social control, which includes law as a process.

W.G.Sumner (1907) states that the folkways are the widest, most fundamental, and most important operation by which the interests of men in groups are severed. They are an established ways of doing things. Folkways are evolved and applied in societies as they are based upon needs of primitive people. The folkways are products of trial and failure and are transmitted from generation to generation. (see Bogardus, 1964:327-29). According to Mitchell, folkways describe the norms which govern patterns of everyday behaviour. The mechanisms of social control, such as ridicule, mild ostracism, gossip etc take action for corrections for deviations from folkways. On the contrary, "mores are norms which are regarded as more important, in deed essential, to social welfare (1970:77).

Lucy Mair distinguishes between 'law' and 'laws', the former meaning the entire process while the latter pertains to rules. According to some simple societies which possessed customs were lawless, but this view has been refuted by Malinowski vehemently. Every society possesses rules which are called laws but in some other societies these are referred to as customs (1984:141)

The historical background and theoretic basis of Hindu law has been elaborately analyzed by Gajendragadkar, formerly Judge, Supreme Court of India (1962) 1982:414-433). He states, "it is fairly certain that in the early stages of human race, no trace of any legislature in the modern sense of the term, or even of

any author of law can be found. At this stage law has not reached even the footing of custom, properly so called. It is rather a habit, as Maine observes" (Ibid, 415). the earliest conception of law, according to Sir Henry Maine (1906), was contained in two Homeric words, such as 'Themis' and 'Themistes' and the judgment was influenced by direct divine inspiration. In the context of Roman law, customary law gradually led to the era of jurisprudence. When the law tends to be stable the social structure becomes enduring and with changing social environment there is need for change of law vis-à-vis social structure. The ancient law or codes were based upon divine inspirations. But after the Renaissance, the Protestant jurist-theologian developed a theory of law which is based on reason. According to Kant, law pertains to principles or universal rules applied to human action, whereas Hegel emphasizes on the idea of liberty as realized in human experience. Bentham highlighted state's authority and Austin on the element of command. (Ibid, 416-18).

In the absence of reliable chronological data it is difficult to trace the historical background of Hindu law. Mahamahopadhyaya Dr. P.V.Kane's chronology appears to be the most acceptable which he has outlined in his monumental work, History of Dharma-sastra. The historical background of law and the ancient Indian polity need juxtaposition for a comprehensive understanding. Further, social structure of ancient India, efflorescence of caste system, village communities' etc. throw light on the evolution of the concept of law. The Vedas which contains hymn relating to religions rites, knowledge and liberation did not include law in the true sense of the term, custom was regarded as a source of Hindu law. Gajendragadkar states, "Masu says, "Acaras (customs and usages) are transcendental law, and so are the practises declared in the Vedas and the Smrtis" (1982:426).

P.B.Mukharji's discourse on the Hindu judicial system discusses six stages. In the first stage, when there was absence of writing, Sruti or Smrti played the vital role and the role of law counts was performed by the heads of family, of the Gotras (clans) and of the pravaras (Progenitors). The second stage speaks of written Sutras (aphorisms) and the third stage led to codification – Samhitas. The fourth stage was found in the Buddhistic period when the Hindu law was influenced by Buddhistic principles. The fifth stage noticed the influence of Mohammedan rule. The sixth stage, the Hindu law was mostly untouched by the British. The post independence period witnesses the birth of a new faith, a commitment and vision with the promulgation of the constitution of India.

Keeping in view the above facts and strands of thought concerning social customs and law in preliterate as well as modern societies, it is imperative to delineate perceptible similarities and differences between them for our conceptual clarity and comprehension, as follows;

| <b>Pre-Literate Law</b>                                  | <b>Modern Law</b>   |
|--|---|
| 1. Law is backed by physical force.                      | 1. It is backed by physical force.                        |
| 2. There is legitimate use of physical coercion.         | 2. There is no provision for use of physical coercion.    |
| 3. Prevention of the breach of social norms is the goal. | 3. Prevention of the breach of rules or laws is the goal. |

|   |  |
|---|--|
| 4. Punishment for the breach through economic deprivation, confiscation of property; Ostracism (excommunication): gossip; ridicule; fine in shape of cash and / or kind; avoidance and denial of favours; direct physical compulsion; | 4. Punishment for the breach through death sentence, imprisonment, cash fine, confiscation of property etc.            |
| 5. There is prevalence of private law.  | 5. There is prevalence of public law.  |
| 6. It is built on precedents and social norms form the core of law  | 6. It is built on precedents   |
| 7. Law has official authority and regularity or consistency   | 7. It has official authority and regularity or consistency.  |
| 8. Law is characteristically found in unwritten form.   | 8. Law exists in written form.   |
| 9. There is prevalence of customary law.  | 9. There is prevalence of substantive law.   |
| 10. The legal system is more or less organic or self developed  | 10. The legal system is imposed on the people.   |
| 11. There is relative absence of legislative enactment.   | 11. There cannot be law without legislative enactment.   |
| 12. In the legal action there is scope for direct confrontation of parties.   | 12. There is no scope for direct confrontation of parties  |
| 13. In the context of administration of justice or judicial hearings there is prevalence of supernatural legal devices, such as divination, oath, ordeal etc.   | 13. There is no supernatural legal devices in judicial hearing.  |
| 14. There is lesser need for law.   | 14. There is greater need for law  |
| 15. There is often negation of legal institutions, such as law court.   | 15. There are formal legal institutions, such as law court.  |
| 16. There is absence of legal practioners or lawyers.   | 16. There is presence of legal practioners or lawyers  |
| 17. The wrongdoer commits sin which amounts to the violation of social norms, which are negatively sanctioned by the supernatural.  | 17. There is no concept of sin and no supernatural element.  |
| 18. It brings about social control and establishes social order.  | 18. It brings about social control and establishes social order.   |
| 19. There is interplay of power and authority in the sphere of law (unwritten) and the notion of power is teleological.   | 19. There is interplay of power and authority in the sphere of law (codified) and the notion of power is teleological. |
| 20. There is prevalence of Customary Law which is usually unwritten. When it is codified it no longer remains as customary law.   | 20. The law is codified or written and enacted by legislation.   |

We may now discuss in brief the customs and rules concerning marriage in a general way hereunder.

### Marriage Customs and Rules :

Marriage is a social institution determined by culture and is based on the complex of social norms. In other words, marriage is a union between a man and woman such that children born are regarded as legitimate offspring's of both partners. Marriage not only unites two persons of opposite sex but also two culturally defined groups in the wider context. Marriage is a cultural superstructure upon the biological foundation of sex drive. Sex is a disruptive force and needs appropriate canalization and control for the organization of a healthy society. Marriage is not mating which is a bio-psychic phenomenon, but pre-eminently a socio-cultural institution. In the words of Hoebel and Frost, "It defines all the institutional demand rights, duties, privileges and immunities of the pair as husband and wife. It shapes the form and activities of the association known as the family" (1979:168). It may be stated here that no society, whether simple or complex, is promiscuous today and incest taboos are universal among all communities. The prohibited mating, which is considered incestuous, is forbidden. There are negative sanctions by which violation of incest taboos are punished by social customs and norms. The prohibition of sex relation is determined by the degree of kin relationship defined by societal norms. Therefore, in this context, kinship organization of the community plays a vital role in identifying the individuals who come under the scope of incest taboo. There are two significant socio-cultural rules, such as exogamy and endogamy; the former meaning the marriage outside the socio-culturally defined group, and the latter that is the converse of the former means the prescription of marriage within the group. Further, norms and customary rules of communities recognize three types of rules in marriage, such as prescriptive, prohibitory and preferential. Although perpetuation of marital tie, established through public announcement, is ideally the goal of every community, it may lead to the dissolution or divorce under certain compelling circumstances.

With the above backdrop, we may briefly state customs and rules of marriage prevalent among the caste Hindus as well as tribal communities in a comparative perspective.

#### **Caste Communities:**

The Hindu marriage has been considered as a religious sacrament since the early Vedic period. The laxity in conjugal relations was not tolerated. The sanctity of marriage institution was recognized by the society. The marriage tie was considered perpetual. Monogamous union was the usual rule, but polygyny was practised by well-to-do people. Child marriage or pre-pubescent marriage was unknown in Vedic times. A series of rituals were performed to mark the consummation of marriage. Although son preference was indicated in patriarchal society, the girl child was not neglected. A son only after marriage was eligible to perform sraddha ceremony for the appeasement of ancestors. Although women had

no right of inheritance, the property and gifts received at the time of marriage constituted the stridhana (see Altekar, A.S., 1982: 221-233).

There were two customs of marriage known as hypergamy and hypogamy. The former allowed a man to marry a woman of an inferior social status and the latter is just the opposite of it. The Hindu social organization recognized caste or sub-caste which is endogamous social group. Unlike clans in tribal communities, the Brahmanas have exogamous units, called gotras, which are strictly exogamous. Further, the Hindu recognized four varna orders, such as the Brahmana, Kshatriya, Vaishya and Shudra, the first three being treated as the dwija or twice-born and the last being ekaja or once born. The first three varnas have ritual provision of doning the sacred thread.

Pandey states, "The eight forms of marriage mentioned in the Smṛti are paisaca, raksasa, gandharva, asura, prajapatya, arsa, daiva, and brahma, listed in an ascending order of merit; and these may be viewed as fraudulent, forcible, romantic, commercial, racial, austere, sacrificial and spiritual marriage respectively" (1982:409). A person is permitted to marry in the same varna, but outside the same gotra and pinda consanguinity. The sagotra and sapinda marriages are considered incestuous and forbidden. In negotiation marriage, there are elaborate procedure for the selection of bride and the bride groom, such as examination of genealogical positions, astrological considerations for match-making, determination of social position, etc. with the determined goal of the preservation of social type.

With the passage of time and in the context of socio-cultural change, there was need for state intervention in place of time honoured customs concerning marriage. Mention may be made of the Special Marriage Act, 1954 which was promulgated with the intention of preserving and protecting the legal rights of marriage partners. The above marriage act replaces the earlier Act of 1872. The 1954 Act takes cognizance of the degrees of prohibited relationship, full blood, half blood, uterine blood etc. age at marriage, i.e. twenty-one years for male and eighteen years for female; unsoundness of mind and neither party has a spouse living at the time of the solemnization of special marriage with registration. The state Government may, by Gazette notification, specify the application of customs prevalent in a tribe, community, group or family, without contravention of public policy. The Special Marriage Act, 1954 also includes such other aspects connected with marriage as the restitution of conjugal rights, judicial separation, conditions for declaring marriage as void, legitimacy of offspring's of void and voidable marriage, decree on divorce, granting of permanent alimony and maintenance etc.

It is apt here to discuss the caste-groups which exist beyond the Varna order and are known as erstwhile untouchables (asprushya) who constitute the avarna category. In 1931, they came under the Depressed Classes and several criteria were fixed to identify them. Although the official term 'Scheduled Caste' was first adopted in 1935, constitutional scheduling was made in 1950 as per article -341 of the constitution of India. In the traditional Indian society, they enjoyed a low socio-economic status, because of the stigma of untouchability, and suffered from indignity, discrimination and exploitation. The social status, both



A Santal Ritual



Santal Deity at Jahira

ritual and secular, of all the castes labeled as the Scheduled Castes is not uniform and there is consideration of superiority and inferiority among them. The marriage among them is a biosocial need and not a religious sacrament and more a secular affair than sacerdotal one. The monogamous marriage is the rule, but polygynous union is not entirely ruled out. The widow remarriage, leviration and junior sororation are prevalent. As per their customs, pre-pubescent marriage was performed in the recent past. Their customary marriage practice includes two types, such as the groom proceeding to bride's house for the solemnization of marriage rituals and the other type in which the bride is taken from her parent's residence for performance of marriage in groom's house. They practise unilateral and / or bilateral cross cousin marriage which is treated as a preferential form of marriage. There is negation of ritual performance in the marriage of a widow or a divorced woman with a widower or divorcee man. According to Mishra, marriage ceremony among the Ganda includes certain steps, such as bride booking, confirmation of marriage proposal, payment of bride-price, offering of bridal costume, coconut cracking, invitation, preparation of marriage altar, receiving of holy precepts, oil-turmeric ritual, propitiation of village deity, request rite, groom's procession, ceremonial reception, marriage rituals, face-seeing rite, bride concealment, fastening of palms of bride and the groom, consummation rite, etc (1992:300). Although the Brahmanical gotra and pravara are not prevalent among the scheduled caste communities, they are conscious of the horrors of incest and near blood relations are avoided for marriage, as per their caste customs.

### **Tribal Communities:**

#### **The Bondo Highlanders:**

The Bondo highlanders are considered one of the primitive tribal groups or in other words, vulnerable ethno-cultural groups in Orissa State. They are only found in Orissa and nowhere else in India. In Orissa State they are only found in two Gram Panchayats, such as Mudulipada and Andrahal under Khairaput block of Malkangiri district. The village community, Sorubhai relationship and clan (Kuda) play vital role in the establishment of marital relationship. The Bondo village is not merely a habitat or a unit for the villagers who live together over generations, but a unit of both profane and sacred ties among its members. Thus village constitutes a socio-culturally defined group in which members of opposite sex are considered brothers and sisters and marriage is forbidden, or in other words village exogamy emerges as a rule in the context of marriage. The Soru is a sacred food offered to Patkhanda Mahaprabhu, the presiding deity and shared by those who are considered as brothers. Thus, the Sorubhai group is exogamous as per their custom. Consequent upon marriage, a woman is incorporated in the Sorubhai group of her husband, but when she becomes a widow she can marry again in her original village where she was born. The Kuda or clan among the Bondo is an exogamous unit and marriage is always solemnized outside one's own Kuda group. In the recent past, uni-clan villages existed but due to in-migration currently most of the villages are multiclan. The Bondo custom for marriage is so strict that under no circumstance marriage inside a Kuda group is tolerable. Although the Bondo as a tribal group is endogamous, it consists of two bonsos, such as the Kilo (tiger) and the ontal (cobra) which are exogamous divisions, often referred to as moiety and

are totemistic. The bonso as an exogamous unit no longer functions strictly due to various socio-cultural factors. Another significant dimension of customary rule concerning the establishment of marital tie comes under the scope of ritual kinship or bond friendship, known as the moitor or Mahaprasad relationship. As per Bondo custom, marriages between two moitor families are not allowed. The moitor tie ensures reciprocity, mutual help and cooperation and forbids matrimonial alliance between two persons/ two families between whom the tie is established. The Ingersin dingo (boys' dormitory) and Selani dingo (girls' dormitory) are the two important centres of socio-cultural life of the Bondo. The dormitories provide indelible life experiences for the Bondo youth of both sexes and during their stay they learn discipline and become conscious to shoulder responsibilities in later married life. As per their custom pre-marital sex is strictly forbidden because it is considered a sinful act before the consummation of marriage.

Two types of marriage are prevalent among the Bondo, such as the Sebung and Guboi. The former type is in conformity with their custom and considered as socially prestigious. The mutual consent between the bride and the bride-groom precedes formal negotiation by the parents and relations, such as Sorubhai, Kuda members and villagers. Thereafter, marriage rituals are performed as per their customs in consultation with Dissari- astrologer, Naik, the village head (secular) and Sisa, the sacerdotal head, etc. As the consent or will of the bride is the primary concern in the establishment of marital tie, Guboi type of marriage, which is a pretence for capture, cannot be labeled as marriage by either physical or ceremonial capture. It is a marriage with less elaborate rituals and economic constraints of the bride-groom for payment of customary bride-price to the bride's parents. After a lapse of some time the marriage is settled by Panchayat members and bride price is paid and the villagers are entertained with feast. It is also significant to mention here that the bride is usually older in age than the bride groom as per their customary law and the bride at her old age is assured of her husband's economic support. There are a number of customary rules for divorce or dissolution of marriage in Bondo community.

#### **The Hill-Kharia:**

Here we may briefly discuss marriage customs of the Hill-Kharia, one of the primitive tribal groups or otherwise known as vulnerable ethno-cultural groups of Orissa, who reside in Similipal area in Jashipur and Karanjia blocks of Mayurbhanj district. They are known for their semi-nomadic life-style and their economy is at the subsistence level and centers round forests. They speak a language, which can be classified under Austro-Asiatic (Mundari) sub-family.

Marriage as a social institution plays a very significant role in regulating sex as per their social customs and norms. Marriage regulations followed by them are prescriptive, prohibitive and preferential. They are conscious of the horrors of incest and supernatural vengeance for transgression of incest taboos. Although the hill-Kharia people have liberty in selecting their mates, women's consent in marriage is the vital aspect or in other words, marriage cannot be imposed on women unilaterally. Although the Kharia is an endogamous tribe, there is little or no scope for inter-sectional marriage, i.e. among the Dudh Kharia the Dhelki

Kharia and the hill Kharia sections. The breach of endogamous rule leads to ostracisation or excommunication thereby their non-osmotic social boundary is maintained. Consequent upon marriage outside the tribal group, the married couple may run away to other locality with the burden of social excommunication. After a lapse of time, the said couple along with their children may return to their own village and undergo purificatory rituals, pay fine in cash or in kind, arrange feast for the villagers and are readmitted to their community.

The rule concerning clan exogamy is strictly followed by the Hill Kharia and they have a number of exogamous totemic clans (Vansa). As per their custom, breach or violation of clan exogamy is treated as a social offense. In case, it occurs, not only the married couple but also the two families are socially excommunicated. For readmission to the community they have to undergo purificatory rituals as prescribed by the traditional tribal council. Marriage inside the same clan is considered dreadful, sinful, shameful as well as odd.

The Hill Kharia villages are usually multi-clan in their composition and, therefore, village as a unit is not exogamous. There is no restriction for the marriage partners if belonging to different clans to have marriage alliance although living in the same village. Currently, pre-pubescent marriage is conspicuous by its absence. The adult or post-pubescent marriage is the rule in their community and bridegroom is always senior to the bride in age. As per their custom, a girl is never forced to marry someone against her consent. The parallel cousin marriage is forbidden among them, whereas cross-cousin marriage is celebrated as a preferential rule. The junior leviration is permissible, but with the consent of both partners. Remarriage of widow, widower, divorcee or separated is permitted as per their social customs.

As per their custom, there are several ways of acquiring mates. The marriage by negotiation is considered prestigious and the bride-price is determined as per societal rules. In such a marriage, they may engage a dandia-broker or middleman for establishing liaison with both the families. The marriage is solemnized with the observance of a series of rituals as per their custom. Moreover, they engage in merry making, feasts, dance and music etc. on the eve of marriage. The other way very often known as marriage by capture or more elegantly as ceremonial capture is nothing but a pretence to avoid bride-price. In such a marriage, the girl is physically captured with her consent and pre-planning on an appointed day. Further, one comes across marriage by service, by intrusion and by mutual consent and elopement. The parents without a son may go for ghar jamai (son-in-law in house) for their daughter in marriage. The marital tie is broken or it is dissolved by divorce under certain compelling circumstances. Either the wife or the husband may move the tribal council for divorce and follow the customs regarding the return of bride-price, maintenance of children, etc.

### **The Didayi:**

The Didayi is a primitive tribal group or a vulnerable ethno-cultural group who live in the Konda Kamberu hill ranges of the Eastern Ghat in the Malkangiri district of Orissa. They are found in three distinctive eco-cultural zones, such as the

mountainous area, plains area and Cut-off area by the side of the Balimela reservoir. The Didayi social organization is simple and they are patriarchal, patrilineal, patrilocal and their descent group is based on unilineal principles. The tribe is divided into a number of clans, which are exogamous, and they play a vital role in the regulation of marriage. The toso-negotiation marriage is considered socially prestigious and there is provision of the payment of bride-price as per societal custom. Other forms of acquiring mates among them are uđalia (elopement marriage), garjya (marriage by service) and gaisamuddi (marriage by intrusion). The junior levitation is permitted among them. A woman's consent is primary in the performance of marriage. The toso marriage includes performance of a number of rituals, pomp and ceremony. The pre-marital sex among them is strictly forbidden. As a preferential rule, cross-cousin marriage is permitted by them. The Jora-Karia are regarded as mediators or go-betweens in settling marriage ties in their community.

There are customary rules regarding widow remarriage, for example the son of a widow is left in her husband's house, whereas a daughter is taken by her widow mother to her new husband's home. There is no ritual performance usually in widow remarriage and only feast is given to the villagers.

The divorce or dissolution of marital tie is permitted in their community and there are various reasons, such as the infidelity of either of the partners, barrenness, disobedience, constant quarrel, incurable disease, etc. The wife or husband may move the tribal council for divorce and the decision taken by the council is binding on both.

### **The Juang:**

The Juang is a primitive tribal group or otherwise known as a vulnerable ethno-cultural group who inhabit in Keonjhar and Dhenkanal districts in Orissa and nowhere else in India. Gonasika in Juang Pih in Keonjhar is considered as the original seat of the Juang and here they are known as the Thania group. It is said, in course of time, some had migrated to Dhenkanal and lived there and they were called, the Bhagudia group. They speak a language which comes under the Mundari group of the Austro-Asiatic Sub-family of language. Their economy is at the subsistence level. The Juang as a tribal community is endogamous and consists of a number of exogamous clans. These patrilineal and unilineal clans are known as bo'k and are totemic in nature. The clans constitute two divisions, such as Kutum and Bandhu. The marriage within one's Kutum clans are forbidden whereas among the Bandhu clans it is permitted. In the recent past, each village was uniclans and, therefore, village exogamy was strictly followed. The negotiation marriage is considered prestigious and mates are acquired as per their social custom. Although the Juang community is monogamous but polygynous unions are not totally ruled out. Both sororal polygyny and levitation are permissible as per their social custom. The cross-cousin marriage is avoided although it is not forbidden. The digar kania (marriage by capture) marriage is performed with the consent of both partners and the physical capture is a pretence to avoid bride-price. The willingness and the consent of the girl is the primary factor in performing the above way of marriage.

Either the wife or the husband may move for divorce or dissolution of marriage before the traditional Panchayats. In case a husband is found guilty chhaderi mula compensation is paid to the wife and on the contrary, if a wife is considered guilty, the husband and / or his relatives may get back the bride-price paid at the time of marriage.

### **The Koya:**

The Koya is a Dravidian speaking tribe of Orissa who are found in Malkangiri, Korkunda, Kalimela and Podia blocks of Malkangiri district. Besides hunting and foraging, the Koya were practising shifting cultivation but now a days they have gradually taken up settled cultivation and rearing and caring of cattle. They are patripotestal, patrilineal and patrilocal. Their community is divided into a number of clans and sub-clans. They recognize two kinds of kin groups, such as kutuman (consanguineal kin group) and wiwalwand (affinal kin). The exogamous clans are known as Katta. In the southern region 5 clans, such as Edukatta, Aidukata, Mulkatta, Parengotta and Perumboi and in the northern region 5 clans, eg. Kawasi, Sodi, Madkam, Madi and Padiam have been reported. Each such clan group believes that it has descended from a common ancestor and recognize a particular totem. They have folk tales regarding the origin of clans. The village exogamy is followed by them as most of the villages are multi-clan in constitution. From the study of their kinship terms it is revealed that cross-cousin marriage is prevalent in their community. For example, mother's brother's wife, mother-in-law and father's sister are known by the term, Poya. Further, the term mama is used to designate mother's brother father's sister's husband and wife's father. But marriage among parallel cousins are not permissible. The post-pubescent marriage is the rule in their community. The marriage by negotiation (Pendul) is performed commonly and is considered regular and prestigious. The parents or guardians of the bride and the bridegroom take initiative and interest in celebrating the marriage. In such type of marriage the bride-price is determined by social custom. Another way of acquiring mates is called, Karsu Pendul in which a man takes away a woman with the consent of both and in such a case compensation as decided by the community is paid to bride's father. Further, marriage by intrusion (lon-udi-wata) also is prevalent in their community although its occurrence is not very common.

### **The Kutia Kandha:**

The Kutia kandha is one of the sections of the principal Kandha tribal community. they are chiefly concentrated in Belghar and Gumma gram Panchayats of Tumudibandha in Baliguda. Sub-division of Phulbani district. The area of their habitation is situated in the north-east fringe of the Eastern Ghats consisting of forests, hills, plateaus, rivers and streams. The area is located approximately at an elevation of 2,500 feet above sea level.

Although Kutia Kandha marriage is monogamous polygyny is also found in their community. In the context of life-cycle rituals, marriage is considered the most important ritual, which not only serves the purpose of the gratification of sex and procreation, but also meets with various socio-economic obligations. The

marriage by negotiation is treated as regular and socially prestigious and marriage is arranged by the parents or guardians of both boys and girls. Besides, there are other ways of acquiring mates, such as mutual consent and elopement, exchange of sisters, intrusion and ceremonial capture with the consent of the girl. The marriage by negotiation is performed with public announcement, payment of bride-price, arrangement of feasts for kinsmen and villagers and various types of merry-making etc. The bride-price is paid by the groom's party to the parents of the bride in the shape of cash and /or kind, such as buffalo, rice, liquor, utensils and arrows, etc., as per prevailing social customs in their community.

The Kutia Kandha is an endogamous section of the larger Kandha tribal community. They have a number of clans, which are strictly exogamous. They are conscious of the horrors of incest and the near relatives are avoided for marriage. The breach of customary rules in marriage is strictly dealt with and punishments are given in the shape of cash fine, ostracisation or social excommunication, etc. The tribal leaders and traditional tribal council take cognizance of such social offenses and adjudicate cases for settlement with their decisions which are binding on all concerned.

Under certain compelling situations the married couple move the tribal council for divorce or dissolution of marriage. In divorce cases, the decision of the traditional tribal council is final.

#### **Interpretive Comment:**

In the foregoing paragraphs we have made an humble attempt to understand marriage customs and rules among the caste Hindu as well as tribal communities. It is true that the caste system does not include the tribal communities, but "there is no single and accepted criterion by which to distinguish a tribe from a caste" (Bailey, 1960:263). A caste is a social group or in other words an ethno-cultural group which has three principal criteria such as endogamy, traditional occupational specialization and mutual repulsion. The caste system believes and practises hierarchy and stratification and specific rules concerning connubiality and commensality. On the other hand, each tribal community is endogamous for the maintenance of its social boundary, but there are neither traditional occupational specialization nor mutual repulsion. The tribal communities are neither hierarchised nor stratified. The situation before the advent of Pax Britannica was different and the tribal communities remained relatively isolated, but they had interactions with the neighbouring caste communities and their relationship was complementary rather than contradictory. Both represented two significant segments in the folk-urban continuum, i.e. the folk(tribe), peasant (caste) and urban. During the post independence period, due to increased inter-ethnic contact social mobility movements and such other related factors, the hiatus between tribesmen and caste Hindus gradually bridged and opened avenues for integration through secularization. The constitution of India aims at integration among all citizens by eschewing discrimination and safeguarding the interests of weaker sections (both scheduled castes and scheduled tribes), so that exploitation of all kinds are annihilated.

Further, in the process of tribe-caste integration, we come across not only economic integration but also political rank path and emulation solidarity conflict, tribal assimilation into the Hindu fold and caste formation; Hinduisation; tribalisation; detribalisation; nativistic movements; interplay of little tradition and great tradition; universalisation vis-à-vis parochialisation which have perceptible impact on caste and tribal social structures. The traditions and customs of both are bound to change keeping in view the perspective of socio-cultural change. Some old customs become obsolete and new customs replace them. Therefore, precautions are needed while codifying the customary laws of various communities, as any wrongful step may lead to perilous consequences. In this context, a group of legal experts may extend their helping hands so that sociological investigation becomes more meaningful and realistic. Appropriate cognizance of customary law of tribal communities has the potentiality to boost empowerment of the people.

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## **Living with Snakes : The Life Style of the Snake Charmers (Sapua Kela)**

*G.N. Mohanty*

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About 2000 venomous snakes of various species ranging from kraits to cobra, curled up in baskets live along with villagers. Very often they sling from their shoulders, curl up around their necks, but stare menacingly with hissing sound frightening the onlookers. These are strange breed of human beings who live with deadly snakes and dream them when they are asleep. For their very survival, they catch snakes, keep them and breed them with love and care. Carrying them in the baskets slinging from their shoulders, they wander from one locality to another to entertain the masses showing their pet snakes playing to their enchanting *padmatola* tunes and live out of doles received from their patrons. As performing folk artists they enrich the rich cultural heritage of folk traditions of Orissa. They are the colourful "Snake Charmers" called "Sapua Kela" in Orissa. They live with about 2000 snakes in the suburbs of Bhubaneswar, the capital city of Orissa.

India has the distinction of being the only country in the world being inhabited by all the known families of living snakes. The abundant distribution of the snakes and the serious loss of life caused by them explain the fear with which they are regarded and worshipped. "The animal is dreaded and revered on accounts of mysterious dangers associated with it, its stealthy habits, the cold fixity of its gaze, its sinuous motion, the protrusion of its forked tongue and the suddenness and deadliness of its attacks. It hunts houses, old ruins, fields and pools... Its long life and habits of changing skins suggests ideas of immortality and resurrection or of purification..." (Encyclopedia of Religion & Ethics: 1954:412)

The Sapua Kela are a part of a dense matrix of Orissan cultural, religious and social beliefs, of historical factors, of a body of norms and techniques beset with nebulous world of myths, magic and mysticism. Like other communities, the Sapua Kela have their own medium of play and music with their own patterns and rhythm transmitted orally from generation to generation. Their own style is conditioned by their environment, their language, tradition and culture. Their folk musical tradition is intrinsically associated with their total way of life reflecting the subtlest shades and nuances of the personality of the folk. Their antiquity of snake plays and music, two adjunct parts of a constituent whole, have continued to flourish as the living art since ages. Their performing folk art, more often than not, speak of a tradition and usage. In fact, it is just not an usage only with the people that practiced them, it has been a part of their life, it is the very life they live.

For generations, the Sapua Kela have been handling snakes without fear. Their forefathers have taught them how to do that and they will pass on the know-how to their successors. But today their life is not as easy, as it was in the past. They are struggling hard to save their traditional way of life from the onslaught of the forces of modernization, urbanization and globalization those has trampled down many forms of endogenous folk arts and cultural traditions. Under these

difficult circumstances the inherent character and basic qualities of their unique folk tradition are losing ground. At this juncture they are confronted with a potent adversary – the Wild life (Protection) Act. They are less equipped to face the situation and keep up their tradition.

Being nomads they depend on movement for their survival and this leaves recognizable marks on their society and culture. Nomadic way of life represents the earliest forms of human social life. The nomads move with their knowledge, skills, tools, products and services to eke out a living, which in certain cases are risky propositions. Everything in their life is determined by their archaic heritage. After decades of trudging through the past the improbable annals of their dim living conditions, they have continued to live in an atmosphere where life is totally uncared for.

In Orissa there are a few communities who pursue a semi-nomadic way of life. The Kelas are one among them. Considered impure in the scale of “purity and pollution” and ranked low in the traditional caste hierarchy, the Kelas suffer from the stigma of untouchability. This position of social inequality resulting in their social, economic and educational backwardness qualifies them to enjoy the constitutional status of a Scheduled Caste that entitles them to avail certain privileges granted by the welfare state.

The nomenclature ‘Kela’, according to Patnaik & Chowdhury “...is derived from the Sanskrit verb *Kel* which means ‘to play’, ‘to sport’, ‘to charm snake’, ‘to tremble’ or ‘to move’. E. Thurston and Rangachari (1909) hold the view that the term ‘Kela’ has been derived from the work ‘Kela’ which means ‘dancing’ or from ‘Khel’, which means ‘play’. But in common vocabulary it implies those people who along with their family members leave their house and hearth and continuously move from place to place showing their snakes and skills in snake charming, jugglery and acrobatic feats” (1989:1).

Das & Chowdhury believed that the name Kela “... might have been derived from the word *Kalakar* (literally meaning a performing artist), a name given to their ancestors who possessed knowledge to tackle snakes” and “... etymologically the word ‘Kela’ stands for dancer” (1967:34).

The Oriya lexicon, *Purnachandra Bhashakosha* traces the Origin of the term ‘Kela’ from ‘Kela’ meaning sports or from the southern state of Kerla from which the community have probably migrated and described the community called ‘Kela’ as “A wandering tribe living on begging, jugglery, snake charming and catching birds; the Indian gypsies” (Vol.II, 1932:1762).

The Kelas do not constitute a single homogenous community. ‘Kela’ is rather a generic term encompassing a number of distinctly endogamous groups who live in different parts of Orissa in small and varying numbers bearing different names according to their respectively different occupational specializations. *Purnachandra Bhasakosha* provides the names of eight groups of Kelas such as (i) Sapua or Nageswaria, (ii) Goudia, (iii) Sabakhia or Mundapotta, (iv) Nalua, (v) Matia, (vi) Bajikaria, (vii) Airi Gouda and (viii) Chaulia Kela. Das and Chowdhury

(1967: 34-35) have furnished an exhaustive list naming 13 groups namely, (i) Sapua/Goudia/Ahir, (ii) Nageswaria, (iii) Kondra, (iv) Mundapotta, (v) Sabakhia, (vi) Nalua, (vii) Pathania, (viii) Dum Duma, (ix) Ghusuria, (x) Matia, (xi) Bajikaria, (xii) Malikata and (xiii) Adbharia/Kajua.

Traditionally, the Sapua, Nageswaria, Kondra, Nalua, Pathania, Mundapotta, Bajikaria, Matia and Sabakhia Kelas were **hunters and food gatherers**. They have developed expertise in catching and trapping various kinds of wild animals. They catch snakes, rats, lizards and trap birds. While the Sapua, Kondra, Mundapotta and Sabakhia Kelas catch variety of snakes, rats, lizards and birds, the Nageswaria only catch the Cobra (Nag) and so bear the name Nageswaria. The Nalua specialize in trapping birds and animals using a trap called *nala*, and hence called, 'Nalua'. The Pathania Kela catch monkey.

All these Kela group excluding the Ghusuria, Malikata, Adbharia and Dum Duma are **performing folk artists** who entertain people with their enchanting songs, dances, music, animal shows, puppet shows, acrobatics, magic shows, jugglery and the like. As snake charmers the Sapua, Kondra and Nageswaria Kelas play snakes and mouses. The Pathania Kela play monkeys. The Bajikaria Kela stage puppet shows. The Mundapotta, Nalua and Sabakhia Kelas conduct shows displaying their respective acrobatic feats. The Nalua Kela specializes in performing acrobatics with the help of bamboo poles. The Mundapotta are so called for their trademark *munda* (head)- *pota* (burying) shows in which they charm the rural, audience by burying the head in an earthen pit. The Sabakhias entertain by demonstrating acrobatics with fire and performing their characteristic horse dance (*Ghoda nach*). All these nine groups are magicians and jugglers.

The Kelas yet have other skills. The women folk among the Sapua, Kondra and Sabakhia Kelas are expert **tattoo makers**. Kela women also sell or barter cheap cosmetics, toys, ornaments and stationery items to the rural folks and side by side beg for food, alms and clothes while their male members stage their shows.

There are **rural artisans** among them. The Malikata Kela make necklaces joining wooden beads The Dum Duma make toys and utility items out of date palm leaves.

The Ghusuria and DumDuma Kelas are pig rearers and the Matia Kela, earth workers.

The origin of the Kelas is obscure. However a legendary tradition is presented by the elderly persons of the community about the birth of the Kelas. It says there was no caste called 'Kela' in the beginning. In those days a metal worker named Dhatudagdha Kela had six beautiful daughters and no son. Six young men who wanted to marry these charming girls were refused by the girl's father. The disappointed young men approached the king for a verdict. King found the girls were willing to marry and ordered the marriages to be solemnized. These marital unions gave birth to various castes like Tamli, Khuruda, Kalandi and Kela.

Prior to 2002 though Kela was listed as a Scheduled Caste, certain individual Kela groups such as Bajikar, Ghusuria, Mundapotta and Sabakhia were enlisted separately in the S.C list of Orissa. Hence they have been enumerated as such in the census till 2001. Since the community wise data of census 2001 are not yet available the figures of 1991 census is presented in Table-I.

In the meantime vide the Constitution (Scheduled Castes) Order (Second Amendment) Act, 2002; the Sapua Kela, Nalua Kela, Sabakhia Kela and Matia Kela have been included as synonyms of Kela in the SC list.

As evident from Table-1, the Kelas are small in number but their population is thinly distributed in all the 13 undivided districts of Orissa. In the coastal districts, they are found in larger concentration. All over the State the Kelas numbered 17,921 accounting for only 0.35 percent of the States total SC population. Among them males numbering 9,129 outnumbered the females whose population was 8,792. It brought about unequal sex ratio i.e., 963 females per 1000 males. Their level of literacy was 31.99 percent only as per 1991 Census.

An endogamous group of Kelas who handle snakes (*Sap*) are called **Sapua Kela**. They are well known as snake charmers. Besides that, they possess a set of skills including, singing, jugglery, mouse playing, snake catching, bird trapping, tattoo-making, peddling herbal and magical remedies and so on. They are also named Goudia Kela and Ahir Kela. In revenue records their caste has been mentioned as 'Goudia Kela'. They call themselves 'Mangta' i.e., beggars to distinguish themselves from the 'Kajua' meaning those who work to earn their living.

The Sapua Kela are found in one exclusive settlement named **Padmakesharipur** which is a hamlet of the revenue village Enjana coming under Kalarahang Grampanchayat of Bhubaneswar block. This locality falls under the jurisdiction of Bhubaneswar Tahsil and Subdivision and Mancheswar Police Station in Khurda district. This settlement has come up in a rocky fallow land lying in between Enjana and Kalarahang villages and physically separated from these villages. It is located near the railway track of East Coast Railways close to Patia Passenger Halt that is 3 kms away from Mancheswar Railway Station and 5 kms away from Barang Railway Station. Formerly, it was 12 kms away from the capital city of Bhubaneswar. Now the fast growing city has expanded its horizons over this area. To reach this settlement from Bhubaneswar one has to travel 10 kms on the pucca road leading to Nandankanan Wild Life Sanctuary and 2 kms on the link road to Patia Passenger Halt.

Being a wandering group, the origin of Sapua Kela and their history of migration are lost in antiquity. However some old people among them remember their antecedents upto 10 generations back, which they have heard from their forefathers. According to them, their ancestors were inhabiting the village Thakurgaon in Midnapur district of Bengal. During the Great Famine of late 19<sup>th</sup> century they migrated to Tigiria area of Cuttack district, and from there to the village Godipatna near Choudwar under Tangi Police Station. Their habitation site near the Choudwar Paper Mill is still called 'Kela Padia' (the field of Kela). From

Godipatna they shifted to a place near the Patia village with the permission from the then feudal chief, Shri Dibayasingh Deb about 90 years ago. Finally they abandoned the site near Patia and settled down in the vacant land lying in between Enjana and Kalarahang nearly 60 yrs ago for which the then King of the ex princely State of Rajkanika allotted 5 decimals of homestead land to each of the 130 Sapua Kela families rehabilitated there at that time. But their history of migration did not end there. Nine families among them changed their minds. Under the leadership of one Shri Bhaskar Das they returned to their old place near Godipatna. After living there for a couple of years they found their life becoming difficult there and they came back to join their brethren at Padmakesharipur. This break away group is still referred as *nagharia* (nine families) though they have grown and multiplied in the mean time. They have been accommodated in a segment of Padmakesharipur called Patua Sahi.

The new settlement of Sapua Kela is named Padmakesharipur after the name of an ex-King of Rajkanika. The original settlers composing about 130 families have multiplied more than 3 times to reach 429 with the growth of population as recorded in a recent survey conducted by SCSTRTI in December 2004. As a result the settlement has become over populated and congested. With the division of natal families following the marriage of sons, new houses are mushrooming to accommodate new families and squeezing the limited space. There is hardly any vacant space left for further growth and expansion. Recently seven families have been allotted homestead land @ 0.02 Ac each by the Government but that is a drop in the ocean compared to the demand.

#### **Population & Literacy:**

Studies have been conducted by SCSTRTI among the Sapua Kela of Padmakesharipur at different times over past 4 decades i.e., during 1966, 1983 and 2004. A comparison of these data establishes a trend of growth of household, population and the level of literacy of the community. (The data of 2004 is given in Table -II) In 1966 there were 163 Sapua Kela households in this settlement and their population was 640 including 329 males and 311 females. Thus the average size of household was 3.92 and the sex ratio, 945 females for 1000 males. By 1983 the number of households increased to 226 and now (2004) it has jumped to reach 429. The population has risen to 916 (470 males and 446 females) in 1983 and now to 1530 (787 males and 763 females). This indicated a marginal increase in household size i.e. to 4.05 in 1983 followed by reduction to 3.57 by 2004. The sex ratio in 1983 i.e. 949 females for 1000 males has remained nearly the same or to say, marginally higher than that of 1966. Now it has come up to 995.

The level of literacy among the Sapua Kela was 26.5 percent in 1966. It came down to 18.72 percent in 1983. Now it has jumped to 38.76 percent. Between 1983 and 2004 the male literacy has improved from 26.97 percent to 47.85 percent and female literacy, from 10.32 percent to 29.62 percent. It indicates a welcome trend of development that they have become aware of the value of education. They were used to wander from place to place with their families to earn their bread for most part of the year. Their wandering way of life associated with their traditional occupation demanded the active assistance of their children which was more important than sparing them for education. Now the situation is changing. Their

trends of movement are declining. The younger generations are coming forward in favour of stationary life and education. Particularly the growth of female literacy is a positive sign.

#### **Way of Life:**

The Sapua Kela are well known for wandering habits and their risky profession of snake catching, snake charming, jugglery as well as bird catching mouse charming and selling of herbal and magical charms. They have other socio-cultural distinctions like strict rules of group endogamy, inbreeding or intra kin marriage, frequent change of life partners, dominance of women in domestic and village affairs, active participation of women and children in social, economic and religious spheres and so on. Their religious beliefs and practices mainly revolve around the cult of Mother Goddess i.e. Goddess Durga, Chandi, Bhagabati and Mangala and the cult of ancestor worship, which are believed to grant them success and protection in their dangerous profession of handling deadly poisonous snakes. Their traditional caste council is very democratic in its structure and function. It is very powerful in handling their customary affairs and maintaining their groups' unity and identity by enforcing a strict code of conduct and by adopting reforms to cope up with the changing times.

Their traditional occupation demands them to adopt a semi-nomadic way of life. While wandering they camp at different dirty places and cook their food under polluting conditions. Moreover, their profession of snake catching and charming and their food habits i.e., eating unclean foods including the pork and acceptance of food from all castes barring few scheduled castes and their drinking habits are considered defiling. All these go to degrade their social position to that of an exterior, unclean and untouchable caste and place them at the lowest stratum of the social pyramid at par with the fellow Scheduled Caste communities like Hadi, Pano and Chamar. The caste Hindus maintain social distance from them. The Brahman priest, Barber and Washerman do not serve them. They are denied access to village temples, waters sources and crematoria frequented by the clean castes. However, things are changing for better in these days.

#### **Economic Base:**

The economic base of the Sapua Kela is fragile. Basically, they are not producers but consumers. They thrive upon the contribution of others and hence call themselves 'Mangta', i.e., the 'beggars'. They mainly depend on their traditional occupations of snake catching and snake charming supplemented by jugglery, bird catching, mouse play, sale of herbal medicines, magical charms, toys, cheap ornaments and cosmetics, tattooing and begging. They have no tradition of farming.

As evident from Table-III, the bulk of Sapua Kela households i.e. 95 percent are landless. Only 20 (4.66%) out of total 429 households own agricultural lands to the extent of 26.50 Acs. The average size of landholding per household comes to 1.33 Acs putting them into small farmer category. But they do not cultivate the lands themselves. They have leased their lands to the local farmers belonging to other castes for sharecropping.

Being gypsies by habit, they do not rear domestic animals. To meet the demands of their colourful profession they keep snakes, mice and birds viz Clapper Rad (Dahuka) and Sparrow Hawk (Gunduri). The majority of Sapua Kela households (91.38%) possess snakes numbering 1678 at an average of 4.3 creatures per household. The birds like Dahuka and Gunduri numbering 282 and 294 are possessed by 252 (58.74%) and 216 (50.35%) households respectively at the average of 1 bird per household. As they have given up mouse play, they have stopped keeping mice in these days. Only a few households who have chosen stationary life have domesticated cows and poultry birds. Only one Sapua Kela household possesses 4 heads of cows and 4 households have reared 17 poultry birds (Ref: Table-III)

195 Sapua Kela households (45.45%) have been identified as Below the Poverty Line (BPL) households. 130 households (30.30%) are indebted to various sources. They have incurred loans for different purposes and the average amount of loan outstanding against each loanee household is Rs.8320/- (Ref. Table-III)

Snake catching, snake charming and practice of folk medicine are the jobs done by the male members only. Table-IV shows that 430 males (56%) out of total 767 possess such skills. The break up of Sapua Kela households according to their primary occupational categories reveals that the largest number of households i.e. 392 out of total 429 (91.14%) depend on their age old traditional occupation of snake charming and folk medicine. Among them the majority i.e. 371 households practise both the snake charming and folk medicine and the rest 21-practise snake charming only. Next in the descending order of primary occupations comes institutional service taken up by the members of 20 households (4.66%) followed by 10 households (2.33%) engaged in small business and 7 households pursuing non agricultural wage earning.

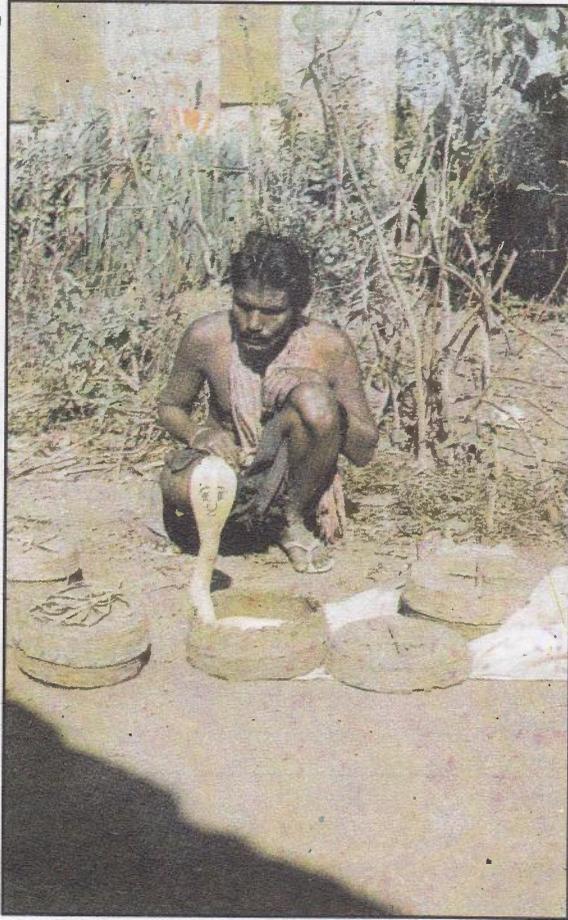
In the secondary sectors of livelihood majority of households (79.95%) pursue small business followed by practice of herbal medicine (69.46%), non-agricultural wage earning (30.07%) and cultivation (4.66%).

#### **Division of Labour:**

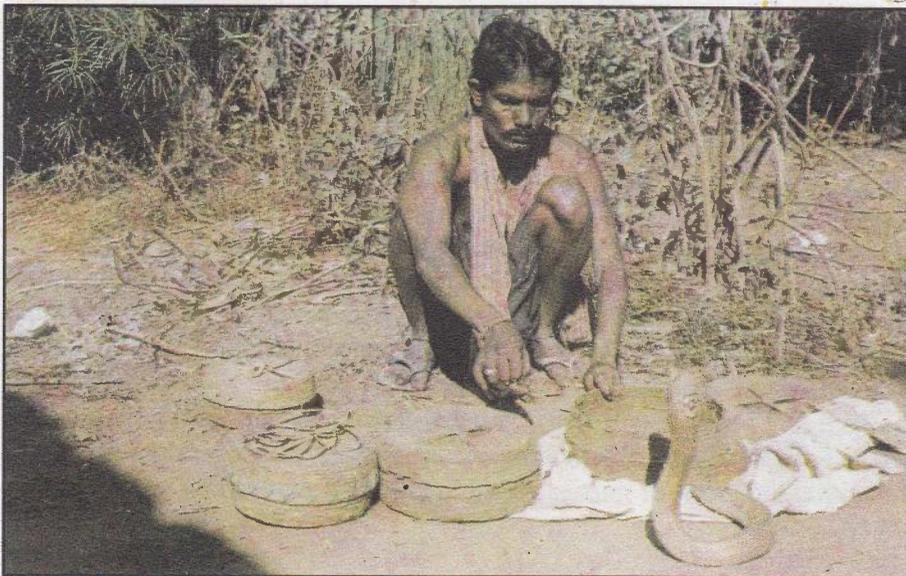
In Sapua Kela society, men, women, children work to contribute their parts for the upkeep of their family. The division of labour among their men, women and children of both the sexes in respect of undertaking various economic activities is given below.

**Men** Snake catching: Snake charming: Bird trapping: Mouse charming: Jugglery: Magic shows: Sale of magical and herbal charms (*khanduachi, kunk, kohada, gotika* etc.): Fishing: Collection of firewood, edible fruits and green leaves: Wage earning and occasional Begging.

**Women** Tattooing (*Ulki*): Sale of cheap toys, cosmetics and ornaments: Collection of firewood, edible leaves and fruits: Wage earning and Occasional Begging.



A Sapuakela ready for the show



A Sapuakela displaying snake play

- Boys      Assisting father or elder brother in snake catching, snake charming, bird trapping, mouse charming, jugglery, magic shows: Fishing: Collection of firewood and edibles: Watching camps and Begging
- Girls      Sale of cosmetics, toys and ornaments, Collection of firewood and edibles: Assistance to mother or sister in domestic chores and giving them company for outdoor activities: Watching camp, Baby sitting etc.

### Snake Catching:

Traditionally the Sapua Kela are endowed with the skill and expertise of snake catching. Only male members undertake this risky pursuit. They catch various kinds of snakes as listed below.

| Local Name   | English name    | Zoological name  |
|--|-----------------|--|
| Ahiraj<br>Sankhachuda<br>Manichuda                 | King cobra      | <i>Naja Hannah</i>   |
| Naga / Gokhara/Tampa<br>Dhulia Naga<br>Katki Tampa | Cobra           | <i>Naja Naja</i><br><i>Echis Carinatus</i><br><i>Trimeresurus Gramineus</i>                              |
| Ajagar<br>Boda<br>Chiti<br>Rana                    | Python<br>Viper | <i>Python Molurus</i><br><i>Vipera Russelli</i><br><i>Bungarus Caeruleus</i><br><i>Bungarus Faciatus</i> |

Besides the above varieties of poisonous snakes (excluding Ajgar), they also catch nonpoisonous snakes like Dhanda (*Natrix piscator*) and Matibiradi (*Natrix stolata*), frogs, rats and birds to feed their pet snakes.

They know where to find these snakes. While other kinds of snakes are caught wherever they are found, for catching big snakes like Ajagar and Ahiraj they go to the forest in Kujang, Rajkanika, Chandka, Deogarh and even to the Sunderbans (West Bengal) during winter (November and December). Although snake catching is an individual pursuit, they move in batches to help each other at the time of need. Before starting the expedition they worship Lord Siva, Goddess Mangla and forest deities for success and safety.

Inside the forest they look for snakes on the big trees, in the bushes, water sources, anthills etc. On locating one the person moves near the snake stealthily. Holding it by its tail he raises it high in a swift action, so that the snake cannot bite him. The next move is to press the snake's head to the ground with the help of a stick (*tenda*) and carefully catch hold the snake's neck by his right hand and remove the poisonous teeth using a knife. Thereafter it is put into the basket (*sapa pedi*). However, for carrying big snakes gunny bag are used. If a big snake is found in deep sleep it is caught by both the hands seizing its head and tail in a deft move without using the stick.

In spite of all precautions mishaps do occur sometimes. If the snake bites, the affected limb is tied with strings above and below the wound. Using a sharp knife the wound is cut deep, washed and carbolic acid or herbal medicines are applied there to neutralize the effects of snake venom. If nothing is available the wound is burnt with fire. The Sapua Kela use an herb called *jarmohura* on the wound to suck the poisonous blood.

### **Caring for Snakes:**

Sapua Kela know how to take care of their snakes. As snakes are their means of livelihood, they cannot afford to neglect the creatures. They know they will live if their snakes live. Indeed they are emotionally and economically attached to the snakes.

While catching and keeping snakes they take all precautions not only to see that the creatures do not bite them but also to ensure that no harm is caused to the snakes. Particularly when they forcibly pull out a snake from an earthen hole, its skin is bruised. They apply indigenous herbal recipes to heal the wounds.

They remove the snakes' poisonous teeth at regular intervals to ensure that its bite does not become fatal. This causes bleeding. To check the bleeding, relieve the pain and cure the wound, they administer herbs like *patal garuda* or *ramakedar*.

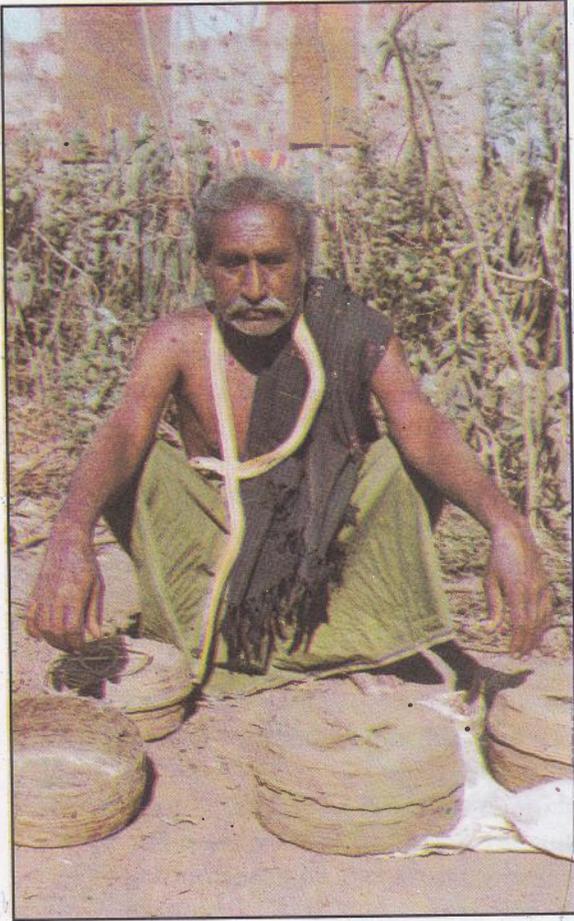
They know the symptoms of various kinds of sickness of the snakes such as cold, fever, diarrhea, weakness etc and treat them with indigenous and herbal remedies. For example when a snake suffers from diarrhea, they stop giving it food for 2 days, which cures the ailment automatically. For cold and fever they treat the snakes with doses of *baumsapatria gada*.

They give frogs, rats, snails, small fishes, mutton, small birds and lizards etc to their snakes to eat and clean water to drink at least twice in a week. Food items are thrown into its basket. To drink water its head is dipped in a water pot.

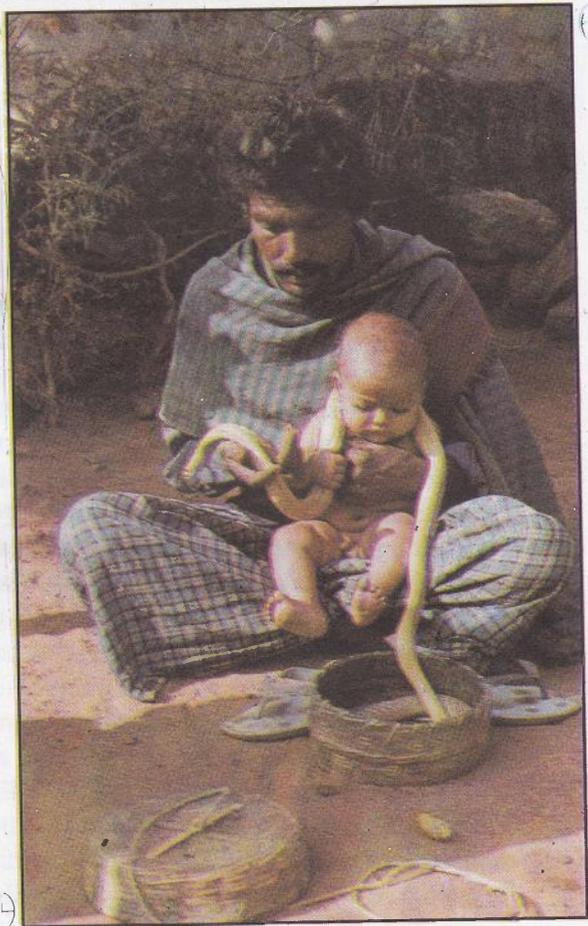
They keep their snakes in circular bamboo baskets (*sapa pedi*). The size of the baskets varies according to the size of the snakes. These baskets are plastered with a paste of soil mixed with cow dung to cover the holes so that ants and other small insects cannot enter into the basket and injure the snakes. This organic coating makes the surfaces of the basket soft and acts like an air conditioner keeping the inside of the basket cool during summer, dry during monsoon and warm during winter. It gives comfort to the snakes. Periodically these baskets are cleaned off the snakes' excreta by removing snakes and then dusting it by sand.

### **Wandering Way of Life:**

For earning their livelihood, the Sapua Kela wander in small bands from place to place within and outside Orissa for most parts of the year. They return to their native place for a fortnight's stay during certain festive occasions like Dola



A Sapuakela with a snake garland around the neck



A Sapuakela with his young child and snake

Purnima in March, Raja Samkranti in June, Dasahara in October and Pitei Amavasya in November.

The wandering bands are composed of six to sixteen families who are close kins. The entire family unit moves in the band. Only the women in advanced stage of pregnancy and very old and sick persons who are unable to move are left behind. In such cases the wandering members roam in nearby villages and come back to their village to see their suffering kins at short intervals. Now changes have taken place in this traditional practice. Women and children are not joining the bands in many cases.

Before moving out, they form the band (*sea-bandha*), chalk out a tentative itinerary after gathering required information about the places and people to be visited and select a senior and experienced man as their leader whom they call 'Dalpati' to lead and guide them. Then they move with their bag and baggage carrying with them all the things required to set up camps at different places and pursue their occupation. These items include mats, mosquito net, utensils, clothing, tools, implements, weapons, lantern, torchlight, radio, snake baskets, musical instruments, herbal and nonherbal medicines, cosmetics and stationeries for sale, food stuffs, etc. They setup camp in rural and urban localities under big trees, in open sheds of weekly market places, abandoned buildings etc lying close to the source of drinking water. From there they go to the adjacent localities to stage their shows and conduct business as usual. The duration of a camp at one place do not exceed one month at the maximum.

The Sapua Kela is a familiar figure in the rural and urban settings of the traditional society of Orissa. He cultivates the art of entertaining masses with his performances on the streets, market places, fairs and the like in rural and urban localities. Their males keep the audience spellbound by playing snakes and mouses, performing jugglery and magic shows. At this time they charm the audience by their enchanting talks, songs and music. Particularly their popular and sweet *padmatola* song sung at the time of snake shows are but natural expression of their emotions as released by affecting events of life with all the charms of simple yet powerful rhythm supported by beating of a simple musical instrument, *dambaru* (Dumb-bell). People are familiar with the sound of *dambaru* and the tune of *padmatola* that heralds the presence of Sapua Kela. Children rush to the source of sound to watch the snake charming and mouse charming shows. After the performance, the folk artist sells his herbal and magical remedies and collects coins and food grains from the onlookers. Their women move from door to door alluring the rural women for tattooing and selling cheap toys, cosmetics, ornaments and stationery articles by their sweet talks and songs. While tattooing they sing romantic songs to divert the attention of the subject and relieve her pains. In return they get money, food and clothes from their clients. Out and out the Sapua Kela men and women are performing folk artists. They not only charm snakes and mouses, they also cast a spell on their audience by demonstration of their skills and performances. They earn their livelihood out of their performing art.

### **The Changing Scenario:**

Gone are those days when the folk artists were being patronized by the rulers, feudal lords and common people and their shows were drawing large audiences. In those times they were popular, their life was simple and earning livelihood was not very difficult. But the time and environment have changed. Education, modernization, development intervention and invasion of electronic mass media has effected sea changes in people's life styles, attitudes and tastes which in turn have delivered a lethal blow to many forms of folk arts and traditions. The Sapua Kela are no exception to this trend.

Over period of time their traditional occupation and way of life have been affected by the changes. Incomes from snake shows, sale of herbal medicine and stationeries have declined and tattooing has gone out of fashion. With the destruction of natural environment, the animals especially the big snakes like Ajagar, Ahiraj and Sankhachuda have become rare and stringent forest and wildlife conservation laws stand on their way by imposing ban on catching and handling snakes and birds. They find it hard even to live from hand to mouth.

### **The Sapua Kela *vs* The Wildlife (Protection) Act:**

India is unique in its rich heritage of wildlife. It has a long history and tradition of wildlife conservation. This richness demonstrates itself upon the presence of about 350 species of mammals, 2100 species of birds and more than 20,000 species of insects apart from reptiles and amphibians. Though the love and regard for wildlife is part of India's culture, the wildlife today is confronted with the sad paradox of disappearance mostly for man-made reasons. Today the situation regarding the existence of wild animals is alarming. Many species are endangered and fighting a losing battle for survival

In order to conserve the natural ecosystem of the country by giving total protection to the threatened animal and plant species against exploitation, a comprehensive central legislation called the "Wildlife (Protection) Act, 1972" has been enacted and it is being amended from time to time to meet the needs of the changing time. This Act has been adopted by all the States and Union Territories of India except the State of Jammu and Kashmir, which has enacted its own legislation in this regard. In the State of Orissa it has come into force since 1974.

The Wildlife (Protection) Act contains six Chapters providing for regulation of hunting of wild animals; regulation of trade or commerce in wild animals, animal articles, trophies etc., protection of plants; formation of Sanctuaries, National Parks, Zoos etc., prevention and detection of offences and penalties; creation of an unified organizational setup at Central and State levels for administration of the legislation and management of wildlife. As per the provisions of the Act the office of a Chief Wild Life Warden has been created in Orissa, like other states for conservation of wildlife. The Chief Wildlife Warden in association with the Divisional Forest Officers working under him as Wildlife Wardens for their respective territories, exercise statutory powers under the Act.

For the purpose of regulation of hunting, killing, injuring capturing, receiving, possessing, trading etc. of wild animals the Act has classified the animal species into five different Schedules. Schedule-I lists rare and endangered species, which are totally protected through out the country, and Schedule-II lists stringently protected species. The snakes handled by the Sapua Kela i.e. the Python (Ajagar) is listed under Schedule-I, Part-II and the Indian Cobras (Naga /Tampa/ Gokhar etc) and the King Cobra (Ahiraj), under Part-II of Schedule-II. This has caused a conflict between the legislation and the traditional livelihood of the Sapua Kela.

Though the Act is three decades old, the wildlife authorities have become active for over last ten years against the age-old profession of Sapua Kela. During this time some episodes of seizure of snakes of Sapua Kela by the law enforcement agencies have taken place at different places. Seeing their traditional livelihood threatened by the enforcement of this Act the Sapua Kela community rises firmly to register their protest against the action of the concerned authorities and demanding before the government either restoration of their cultural rights to earn their living in their own traditional way i.e. by playing snakes or provision of alternative livelihood. Recently, this issue has sparked off debates and discussions in the media and legislature to find out a solution to this problem.

The main criticism against the act is that, it has not taken into account the cultural heritage and folk traditions of the people in general and the age-old traditional rights of the Sapua Kela in particular. While it has granted concessions to the aboriginal tribes of Andaman & Nicobar Islands to live by hunting, it has shut the doors to the traditional livelihoods of similar other wildlife dependent groups like the Sapua Kela.

Moreover the Constitution of India vide its article 19 (g) guarantees fundamental rights to its citizens to adopt any kind of livelihood. But the Wildlife (Protection) Act does not recognize this fundamental right in respect of the traditional livelihood of the Sapua Kela.

If the snake population is decreasing the Sapua Kela are not responsible for that. Not only snakes but also the wildlife as a whole is disappearing for illegal and organized poaching, commercial exploitation and above all, the destruction of their natural habitat caused by the march of our modern civilization. Why the poor Sapua Kela shall be condemned for that ?

To snatch the snakes away from the Sapua Kela is to snatch their traditional means of livelihood away from them and to uproot the living folk art of snake charming from the folk culture of Orissa. Many colourful folk arts in the state have been strangled by the so called modernism. Can the state afford one more causality, which may push it down towards the "Poverty of Culture".

The Sapua Kela put forth their own arguments as follows:

Their traditional profession, snake charming is one among several rich cultural traditions of folk art that has survived the test of time. They

look at their living tradition with great admiration and love to continue it as it has continued over many years. It is of great importance to nurture their individualistic outlooks. The indigenous skill, expertise and knowledge associated with it should not be allowed to die in the name of conservation of wild life.

Common people are mortally afraid of snakes. They usually try to kill snakes when they find them to eliminate threat to their life. On the contrary Sapua Kela never think of killing or injuring snakes. They love snakes, which they see as their lifeline. They catch snakes when they find these animals and keep them with love and care.

The Sapua Kela possesses the indigenous know-how to rear snakes and multiply their number by breeding. They have inherited this knowledge and practice from their ancestors. This indigenous knowledge and expertise is valuable for conservation of snakes. It should not be allowed to vanish with the decline of the traditional profession clashing against the Wildlife Protection Act.

They are aware of the need for conservation of natural environment as well as the rich wealth of wildlife. To contribute their part to this noble cause, they have stopped catching the rare and endangered species like Python (Ajagar) and King Cobra (Ahiraj, Sankhachuda, Manichuda etc) from the forests since early eighties by adopting a resolution in their traditional caste council. Now they catch the small snakes like Cobra, Viper etc. from the open fields, bushes, anthills and human settlements but not from the reserve forest areas. There is not a single case booked against a Sapua Kela for catching snakes in protected areas.

They do not conduct any trade or commerce involving sale of snakes and their articles. Never a Sapua Kela has been caught white transacting business on snakes.

They possess snakes by capture, inheritance and breeding. Their customary law that is pretty older than the Wildlife (Protection) Act recognizes the status of snakes as their private properties, which are shared among the heirs at the time of partition of natal family and are also presented to daughters as an item of dowry at the time of marriage.

Snakes are part and parcel of their life and culture. They worship Lord Vishnu, Lord Siva and Goddesses Bhagabati, Durga, Mangala, Chandi etc. during various festive and special occasions for success and protection while catching and handling snakes. On the festive occasion of Dasahara, they pay reverence to their snakes and sanctify them by putting a 'U' mark with vermilion on the snake basket and waving incense sticks around it.

The Sapua Kela have a symbiotic relationship with the snakes. Snakes provide them with a means of livelihood, which they have been pursuing since ages. To take snakes away from them or to stop them from

catching or playing snakes would amount to deprive them of their livelihood. In such eventualities, they will become marginalized like the endangered species of wild animals as their economic resource base is very low and they do not know any other occupation.

The authorities implementing the Act should have humanitarian considerations. Here the choice is not between the snake and the man i.e. the snake charmer. Conservation of snakes should not be effected at the cost of the snake charmers. The latter are not to be viewed as antagonists to conservation of snakes. They are in deed friends and lovers of snakes whom they care and rear. It calls for a solution evolving an equation between the issues of survival of the man and the animal.

The Wildlife (Protection) Act should have a human face. It should make a little compromise for co-existence of man and the animal. Amendments may be incorporated in the Act recognizing the traditional profession of the Sapua Kela but with adequate safeguards for conservation of snakes.

If that is not possible the Sapua Kela demand that Government should provide stable alternative means like cultivable lands and Government jobs to all the Sapua Kela families.

When the Sapua Kela will have no decent options for their survival, they may take recourse to begging or criminal activities to keep their body and soul together.

#### **Towards a Possible Solution:**

The Sapua Kela claim that they will turn into an 'endangered species' themselves like the wild animals if their problem is not addressed and their demands are not met. Of course their pleas need sympathetic and humanitarian consideration. But it may not be easy to meet all the demands. However, there is some hope when one looks at the process of transformation going on in the life and livelihood of the community, at the present times.

Under the present circumstances, their traditional occupation as well as their wandering way of life is in a state of gradual decline. Snake charming, mouse charming, sale of herbal and magical cures etc have become less remunerative than before. Consequently, the younger generation and particularly the educated persons are now less interested to continue with their traditional way of life. They want to settle down with modern occupations.

The felt needs of the people as gathered during the present study reflect the trend. Almost all the households i.e. 427 (99.53%) out of total 429 sought assistance for taking up small business like Grocery Shop, Betel Shop, Stationary Shop, Vegetable Vending, etc. Only one educated young man wants help for establishing a pathology laboratory. The personal grievances of the people were for

issue of caste certificates as SC (63.40%), issue of BPL cards (44.06%) and grant of old age pension (3.96%). The data is given in Table-V

It may not be possible to provide Government jobs or agricultural lands to all of them. Moreover there are few educated persons to be eligible for Government jobs and the Sapua Kela do not know the art and technique of farming. By discussion with the people and the wildlife authorities a possible solution emerges. It may bring a compromise between their traditional livelihood and conservation of snakes.

#### **Development of a Snake Park:**

The Sapua Kela are endowed with the skill to handle snakes. This valuable skill can be best utilized in developing a Snake Park. Since their village, Padmaksharipur is located close to the Nandankanan Natural Wildlife Sanctuary as well as the capital city of Bhubaneswar, a large number of tourists and visitors moving by their village side will come to see the Snake Park. Not only the entry fee to be collected from the visitors may provide a substantial source of earning but it will also provide another tourist attraction point in the state. Interested Sapua Kela entrepreneurs may form a society to execute this project.

#### **Extraction of Snake Venom:**

Snake venom is a precious item in medical science. It is used for preparation of medicines including the lifesaving vaccines against snakebite. Commercial extraction of snake venom can be a very profitable enterprise for the Saupa Kela considering the demand and supply gap for this precious lifesaving substance. But the Sapua Kela donot know the technique of extraction of snake venom though they remove the snake's poisonous teeth soon after its capture and thereafter at regular intervals without the knowledge that this crude practice wastes the useful snake venom. They may be trained in scientific techniques of venom extraction. This enterprise may be integrated with the proposed 'Snake Park'.

#### **Sale of Snakes:**

This activity may be combined with that of the Snake Park. The Snake Park will have facilities for snake breeding. When the snakes will multiply beyond sustainable capacity, the surplus may be sold to animal parks, zoos and research laboratories for a price. Though the Sapua Kela possess the traditional knowledge of snake breeding, they may be taught the scientific methods in this trade.

The State Govt. should come to the rescue of the vulnerable Sapua Kela. Particularly the Departments of Forest and Environment, General Administration, Science and Technology and SC & ST Development can make joint efforts to rehabilitate the Sapua Kela by helping in the promotion of the proposed snake park and allied activities.

### **Snake Charming for Promotion of Tourism:**

Few other opportunities can be created for the Sapua Kela. Their performing folk art can be used for promotion of tourism in the State. Snake Charming shows can attract tourists. The Sapua Kela should be invited to perform in cultural functions and tourism fairs being held in different centers all over the state.

### **Employment in Research Institutions and Animal Reserves:**

The indigenous knowledge and skills of the Sapua Kela can be best utilized by the Zoologists and Research Institutions studying snake behaviours and also the Zoos and Wildlife Sanctuaries. The Sapua Kela can be given employment in these institutions.

It is worth mentioning here that, the SC & ST Development Department and the Department of Culture of Govt. of Orissa owe a responsibility to the Sapua Kela to see that their traditional life and culture remain preserved at all costs and against all odds. These colourful nomads who have enriched the ethnic diversity of the state for ages should not be allowed to perish, vanish or lost in the crowd of general population losing their cultural identity and subsequently, becoming subjects of folklores.

### **Conclusion:**

The universalism of performing folk arts is still a peculiar cultural trait, which sustains social life with great vigour. It has been the soul of Oriya life and Orissan culture. The artistic and aesthetic value of Orissan culture have been enriching the people of this land though a rich legacy of folk traditions, which the so called sophisticated modernism with its technological bias cannot wipe out so easily from its cultural map. This is the unique aspect of the liberal Orissan culture.

However, the people who still carry the tradition and produce the arts have remained economically less equipped, by and large. Yet they continue to pursue these dwindling arts as a means of their bread labour because they do not have access to a better wherewithal. They have been carrying the skills and the expertise across the generations and have not been exposed to better opportunities, which will induce them to leave their old skill in favour of another quicker and shinier way to make a living. Most of them have little social mobility, suffer from stigma attached to their way of life and hence have very little to choose between. The Sapua Kela is an example of that.

Flanked by emotional changes, the age-old expressions of their mode of performing arts have remained the very breath of their life apart from just being a form of amusement. Years have challenged their traditions and morals, centuries have taken the worst battering on their life and death, and they are fighting for human freedom and happiness in a real sense of the term. This psyche has centered the very conflict between their life as well as death instincts. Strangely enough,

they find their most striking expressions, i.e., performing art and music; in between these two ultimate principles for their very survival.

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# The Juang Youth Dormitory: An Anthropological Outline

T . Patnaik

B. B. Mohanty

## Introduction:

The Juang are one of the identified PTGs confined only to the State of Orissa. The tribe belongs to Proto-Australoid racial stock. The community can broadly be divided into two sections i.e.. the Hill Juang and the Plain Juang. The Hill Juang inhabit the hill ranges of Keonjhar and Pallahara where as the plain Juang are distributed in the plains of Dhenkanal and Keonjhar districts. The Hill Juang still practise the primitive technology of agriculture i.e shifting cultivation. But the Juang living in plains have adopted settled agriculture.

They classify themselves into two groups, such as, The Thantias(Hill Juang) and the Bhagudias . The Thantias are those who live in their own habitat called Juang Pirh located in Gonasika hills and the Bhagudias who have fled away from the homeland.

Elwin(1948) opines that the word 'Juang' means simply 'man' as per the Juang dialect. Their neighbours call them as pattua meaning the wearer of leaf plates, such dress pattern have been abandoned since long.

The Juang have a language of their own known as Juang, which forms a part of North Mundari group. They have no script of their own, but the language is still alive and spoken. However, as a result of contact with Oriya speaking people, they have become bilingual and speak both Oriya and their own mother tongue.

The total population of the Juang was 35665 of which 17320 were male and 18345 female as per 1991 Census. Among the Juang 14.46 per cent of the total population were literate. The percentage of literacy among males was 25.57 and among the females only 4.13 (1991Census).

The Juang villages are mostly homogeneous, generally located at the foot of the hills or in the valleys surrounded by forests. Some settlements are also situated in the plains .Each village presents a scene of scattered houses. Frequent change of village site is an unique feature of Juang settlement pattern.

There is nothing peculiar in their dress pattern. They dress like the neighbouring castes. The women adorn their body with varieties of ornaments and multi-coloured bead necklaces. Besides, the women also practice tattooing in their foreheads and arms.

In Juang society family is mostly nuclear. Their system of clan organization seems complicated. According to Elwin (1948) the Juang word for sept is bok, Bose (1928) writes it as bak and Risley (1891) as ba. They are divided into a number of clans, which are patrilineal and strongly totemistic. Risley

(1891), who listed twenty-four clan groups have given an elaborate list of clans. Bose (1928) has given two lists of clan names, one for Pallahara area and the other for Dhenkanal area while Elwin (1948) has found four such lists.

They follow both village exogamy and clan exogamy. Formerly the Juang villages were uni-clan in nature and according to the clan names the villages were named. Due to immigration, now the composition of villages have become multi-clan. Therefore, at present, marriage within the village is neither forbidden nor considered improper. For matrimonial purposes, the villages are divided into Bandhu villages and Kutumb villages and every Juang village has a few Bandhu villages and some kutumb villages.

#### Study area

The field study was conducted in the Banspal Block of Keonjhar district. For this purpose six villages namely Gonasika, Guptaganga, Baitarani, Kadalibadi, Jantari and Talabali belonging to Gonasika and Barhagada G.Ps are covered. Table 1 shows distribution of Juang households, population and different clan groups in the study villages.

**Table 1**

#### **Village-Wise distribution of households, population and clan groups**

| Sl No | Name of the village | No of house hold | Population |        |       | Name of the clan             |
|-------|---------------------|------------------|------------|--------|-------|------------------------------|
|       |                     |                  | Male       | Female | Total |                              |
| 1     | Gonasika            | 60               | 146        | 135    | 281   | Tambarambo                   |
| 2     | Guptaganga          | 52               | 122        | 129    | 251   |                              |
| 3     | Baitarani           | 39               | 74         | 99     | 173   | Kalarai, Gangibuk, Kubakalia |
| 4     | Kadalibadi          | 36               | 97         | 97     | 194   | Samrabuk                     |
| 5     | Jantari             | 97               | 207        | 205    | 412   | Barambuk, Gangibuk, Saibuk   |
| 6     | Talabali            | 32               | 74         | 66     | 140   | Baliali                      |
|       | Total               | 316              | 720        | 731    | 1451  |                              |

The above table reveals that in all the six study villages the total number of Juang households is 316 with a total population of 1451. While the villages such as Baitarani and Jantari are multi-clan in composition, the other four villages are uni-clan in nature..

#### The Dormitory:

#### Structure and function:

The dormitory institution of the Juang represents one of the traditional aspects of their culture and is central to all their activities relating to social,

economic and cultural spheres. The institution plays a very significant role in guiding the youths to maintain social solidarity and loyalty to their customs and traditions. A brief account of the structure and function of the dormitory institution is discussed below.

The dormitory of the Juang is mono sexual and is meant for the unmarried boys only. The girls do not have their separate dormitory house. Their activities are associated with bachelor's dormitory that presents an extended form of dormitory system. The institution is formerly known as Majang and now as Darbar or Mandaghar. The unmarried boys who are the members of the dormitory and sleep there at night are known by the name Kangerki. The unmarried girls are called as Selanki. The group of Kangerki and Selanki called themselves as Bida or Manda. In the past, there was spinsters' dormitory known as Dhangiribasa or Selaninja. Today, this has been totally disintegrated. Now, they sleep in some of the widows' house in groups.

#### **Origin:**

About the origin of the dormitory institution, the Juang have their own myths as described by Elwin(1948). It is linked with the Juang mythology that trace their origin from Rusi and Rusini (founder of the tribe). The story tells that Rusi and his wife Rusini had twelve sons and twelve daughters, all dressed in leaves. As they grow up, Rusi thought it indecent to sleep with the grown up children in one house. So, he built a separate house for the children. But, it so happened that frequently the children came crying to their parents at late night. This disturbed the parents' sleep and to overcome this problem Rusi made a plan. He thought of making a musical instrument called changu and invented the dance. He taught the children this new game. The children at every night started to dance till they were exhausted and then they fell asleep quietly in their own house. From that day onwards, the institution of dormitory came into existence. The above myth implies that the dormitory house was instituted to prevent grown up children from sharing the same room with their parents and to prevent them from witnessing the primal scene and being an embarrassment to their parents.

According to a second view, the dormitory is originated perhaps to serve the purpose of a rest house for the visitors in the village and to form the organization of the younger generation to work as village work force. Besides, as the Juang society is based on age grades there was need for special clubs for the younger people and the unmarried boys.

#### **Location:**

The dormitory house is located at the centre of the village. It is the largest and the most prominent house in the village. Whenever a village is about to be shifted, the community house must be built first with the Guardian deity ritually installed followed by the house of the Priest, Headman and so on. It signifies the importance of the dormitory house in the Juang social life.

### **Shape and Size:**

The dormitory house is invariably bigger in size than the ordinary houses. It is open all along one side with a high verandah. This open side extends in the form of a slightly raised verandah with a deeply overhanging thatched roof to prevent the entry of rainwater. The roof is supported by carved posts. At the central point of the house, there is an intensively carved wooden pillar, representing the deity of the community house. The wooden beams of the roof are also carved with elephants, animals, hunting and dancing scenes of male and female figures. These are now in most of the villages replaced by simple pillars and beams. Out of the six study villages, carved beams and pillars are found only in Guptaganga. In rest of the villages, the dormitory institution is constructed either by Govt. Agencies (JDA) or by Private Agencies and the traditional structure of the dormitory house is no more in existence. The walls are mud plastered and are built on a framework of wooden posts. The interior walls of the house are decorated here and there with moulded and painted symbols of animals and human figures. The hunting scene symbolizes male virility and female figures indicate fertility. The wall paintings are also in the process of degeneration and only drawn on the occasion of Am Nua. There was a time when the dormitory was the museum of their art and craft.

In front of every dormitory house, there is an open space set aside for dancing on ritual occasions and during visits of the young people from bandhu villages. On one side of the open space, there is a sacred tree, katha champa or temple flower tree accompanied by the village Guardian deity (Gramsiri). Several long pointed stones standing upright beside the tree represent the deity.

Construction and repair of the Majang is a co-operative work. Each house collects construction materials from the forest. The jobs are assigned according to age, capability and experiences on the basis of division of labour along the sex line. Young and able men bring the construction materials from the forest and do the thatching and young women and men hand up the prepared materials, and the women prepare the mud-mixture and plaster the walls and the floor.

### **Interior Decoration:**

Near the centre of the floor of the dormitory house, the sacred fire known as Rusi Dhuni is kept burning day and night throughout the year. There is no hearth but several smoldering logs are kept burning. This sacred fire is used to burn the felled trees and dried bushes when the burning operation starts in the swiddens. At present, the fire sometimes is allowed to go out, to be rekindled when required due to shortage of wood and restriction imposed on the use of forest.

On the walls of the dormitory house at several points are fixed stags antlers, which are male symbolism, and from these changu drums are hanged. These are large tambourine shaped sacred drums. Other musical instruments that are kept inside the house are Badakatha, Dhola and Madal. The Badakatha is a big wooden drum, one side of which is covered with goats' hide and the other with cows' hide stretched and tied tightly to the body with leather strips. This is so big that two persons on their shoulder carry it while the third man plays it, with sticks. Both

Badakatha and Dhola are used when ritual dances are performed. Of the six study villages, the Badakatha is found only in the dormitory house of the Guptaganga village. Changu is the most important musical instrument of the Juang. It is a circular wooden frame, on one side covered with goats' skin. The dormitory boys play it with fingers while the girls dance singing songs. Changu is regarded sacred as Bhima and Kanchuni, the husband and wife deities dwell in it.

On wooden platform across the back of the dormitory house grain bins are stored which are of two kinds, one containing the last seasons store of seeds or millets, pulses or paddy to be shared out in the coming year for sowing and the other, a large globe shaped basket containing community fund of grains supplied by every household and the penalty grains to be spend for providing free hospitality to the village guests The later stock are also used to provide loans to villagers in their time of need to be returned at the next harvest with fifty per cent interest. At present, a separate room attached to the dormitory house is constructed for storage of food grains and utensils for communal feasts. In the past, the money lenders' records were kept written on the walls of the dormitory house. But now the educated youths keep the records in the form of written documents in this house.

#### **Composition and Membership Rules:**

The dormitory institution is meant for all unmarried boys and widowers.. When parents send their eight-year old sons to sleep in the Mandaghar, they become formal members and admitted to the junior section. Though, they are eligible to participate in the tasks required of a Kanger, still they remain subject to the authority of their own family heads. They are admitted to full membership of the Mandaghar only after attaining adolescence / puberty followed by an initiation ceremony. The celebration takes place during the first mango eating ceremony known as Am Nua, in three phases. In the first phase, the whole village and ritual heads are involved, in the second phase the ritual elders assisted by the senior young men perform worship of the changu drums in the Mandaghar. The final part involves only the young men. A feast is arranged; the young men cook rice and a goat or chicken head and serve these to the newcomers who henceforth, become the full-fledged members. A girl after attaining puberty is called Selan. But only after a full fledged Selan, she can enjoy same status with the formal Selanki like, can make gift to Bandhu boys and have share of the gift which the Bandhu Kangerki give to the village Selanki. She also can accompany dance groups and visit the Bandhu villages. There is no specific ritual observed for a girl to become a Selan. When a Selan wants to be a full-fledged member, her friend Selanki offer her a share of their gifts from the Bandhu boys and then she becomes a member. There is a taboo for admission of a girl to the extended dormitory system where her brother is a member. Similarly a boy is not allowed to be a member in case his sister is a member. However, only after one gets married and ceases to be a member, the other can be a member. A few case studies regarding dormitory membership are given below.

### Case studies

1. 'G' Juang, son of 'K' Juang of village Kadalibadi is 18 years old. He is not admitted to the dormitory as a formal member since his sister 'R' Juang, 21 years old is a full Selan.
2. 'P' Juang daughter of 'S' Juang of Kadalibadi village is 19 years old. She has not been a member of the dormitory as her brother 'M' Juang, 21 years old is a member.
3. 'S' Juang, 25 years of age, son of 'B' Juang of Kadalibadi is a regular member of the dormitory. Therefore his two sisters 'R' Juang, 22 years old and 'H' Juang, 19 years old could not be admitted as members.

It is not customary to give dormitory names to Kangerki and Selanki; they are addressed by their original name. A divorcee/ widower is allowed to sleep in the dormitory house. The Kangerki sleep in a circle on mats woven by young unmarried girls with feet pointing towards the fire.

### Status of the members:

The Kangerki enjoy certain status similar in many ways to that enjoyed by the ritual heads. For example, to eat the meat from the head of the sacrificed animals is a taboo for all other males except the ritual elders. But the Kangerki are exceptional as they are allowed to eat it. Moreover, after death, an unmarried youth from the deceased persons' mother's village is called to perform certain rites in the purificatory ceremony, a practice normally carried out by the ritual heads. According to Nayak and Others (1993), "the identical treatment of the two groups attribute to the fact that neither of the two are engaged in the procreation of children where as rest of the males in the village are so engaged". Moreover according to them, "this means that, from the Juang view point, an inactive sexual life increases ones' ritual status where as an active one increases ones secular status"(ibid: 48). A young man who is not a dormitory member neither allowed to beat the changu nor can he /she take part in a dancing expedition. The girl who is not a member cannot accompany the group to market places. Moreover, among other facilities enjoyed by the formal members are that during the marriage occasion of a young boy who is not a dormitory member the Kangerki and Selanki deny to provide necessary services like, providing leaf plates, fetching water, preparing food for the feast, making dances and accompanying the bride and the bridegroom. In fact, they boycott the marriage function and to overcome such problem the concerned young man has to pay the jury (penalty), which includes a goat, rice, liquor and some amount of money fixed by the elders' council to the dormitory members. Then only they participate in the marriage ceremony. A case study is given below;

### Case study:

'S' Juang, son of 'P' Juang, 28 years old belongs to village Gonasika. He is a graduate and working as a member of the Jilla Parishad. He has never been

admitted to the dormitory as formal member. So at the time of his marriage, the youths of the village did not agree to participate. The meeting of the elders' council was convened and the jury amount was fixed at 30 kgs of rice, a goat, two bottles of liquor and rupees one hundred. 'S' Juang paid the above amount and then only the youths and villagers participated in his marriage ceremony.

### **Classification of dormitory members, their ascribed roles and privileges:**

The Juang social life is based on age grade classification. Rout (1963-64) gives a nine-fold classification of age groups and each one is entrusted with special roles and responsibilities prescribed under the purview of the Majang. Both the boys and the girls select one among them known as Tandakar to be their guardian, supervisor and moral guide.

Important roles and responsibilities of some of the functionaries who are directly concerned with Majang are as follows;

#### **1. Kangerki:**

- Construction of new Majang in case of change of village site, thatching and repairing, collecting firewood for the Majang fire.
- Installing stone emblem in the new village site, making the sacred changu and drums.
- Taking active part in important village rituals by collecting goats, pigs for cooking in the village feast.
- Collecting rice and other foodstuff from each and every house for entertainment of guests.
- Helping in marriage ceremonies and death rites like, bringing firewood, performing customary rituals with the bride and bridegroom.
- Beating changu throughout days and nights on ritual days and during visits of Bandhu girls.
- Assisting Tandakar and the village elders in providing hospitalities to visitors / outsiders, storing common grains and providing service as communal working party.

#### **Selanki:**

- Plastering the Majang and sweeping the dancing ground on every three or four days and on ritual occasions.
- Making leaf-cups and plates for festive occasions and community feasts.
- Husking of community paddy.
- Preparing cakes on certain village rituals.
- Dancing overnight on festivals and ritual functions.
- Providing service as a communal working party
- Obeying the Tandakar and village elders.

#### **Widows and Spinsters (sleeping with girls):**

- Watching the activities of the girls and taking care of them.

- Selecting the Bandhu villages for dance visits.
- Accompanying girls in dancing troops and while visiting weekly markets .
- Helping in making courtship between the girls and the boys of Bandhu villages.
- Acting as representatives by carrying gifts sent by the girls to their Bandhu boys and bringing the information back.

#### **Widower and Bachelors :**

- Keeping an eye on the activities of the boys.
- Providing leadership to youths in cooperative works.

#### **Junior Kangerki and Junior Selanki:**

- Assisting senior Kangerki and Selanki in running errands and in other activities whenever they need.

#### **Tandakar:**

- Helping the Kangerki and Selanki when ever they are in need by lending money, rice and other items.
- Keeping an eye over them that they do not violate the Juang norms or neglect their duties and punishing them for their negligence of duties.
- Taking decision on requests for rendering services by the Kangerki and Selanki on hired basis as a communal working party.
- Providing a goat for the feast when he retires from the office of the Tandakar.

In case of disobedience to perform the prescribed duties the village elders punish the offenders. The punishment includes both physical assault and fine in cash and kind. These include expulsion from the Majang, physical punishment like rebuke and standing in humiliating posture outside the dormitory, fines in the shape of rice, goat, liquor and money and warning. For any fault of the Kangerki or Selanki they shift the responsibility on the Tandakar for his faulty supervision and sometimes he is fined first with some money and thereafter, the actual offender is punished. Until the full payment of fine followed by a formal ritual is completed, all the members are neither permitted to enter the dormitory nor enjoy the privileges. During this period, old men and women of the village opt to perform the youth peoples' duties in the dormitory. Thus, collective responsibility is one of the main features of the Juang youth organization. For negligence in duty by any one of the members, all the members of the organization are liable to be punished. They either collect the fine from their own houses or borrow it from somebody to repay him back by working on the creditor's field. The fines collected are used for holding a community feast.

Moreover, the system is so well organized that along with the responsibilities and duties assigned to the respective age groups, privileges and powers are also provided to them as remuneration for proper discharge of their duties. Each

responsibility is rewarded in the formal structure of the society. A brief note on such rewards is given below;

#### **Kangerki and Selanki:**

- In lieu of their services during the marriage ceremonies the groom's villagers feed them.
- They get a portion of the bride's wealth for their expenses towards the cost of turmeric and oil.
- They get a special share for providing company to the bride and the groom.
- During the feast organized in connection with death rituals, Selanki, that supply leaf plates get special share of rice used for preparing cakes.

#### **Dancing Groups:**

As mentioned earlier, traditionally the Juang follow village or territorial exogamy, the villages being uniclans. As such marriage within ones' own village is forbidden on the ground that such relationship may be incestuous. For matrimonial purposes the villages are grouped into Kutumb and Bandhu villages, this pattern has been developed over centuries. From the Bandhu villages partners are chosen and these rules are also applied to the dancing groups of the dormitory boys and girls. The young people know these relationships from their very early childhood.

The youths of both sexes meet at marriage or funeral ceremonies and in market places where they talk and get acquainted with each other and exchange gifts. After such few meetings the Kangerki invite the Selanki for a dance visit to their village. This is known as labab. Sometimes, gifts like fried rice, soap, hair clips, ribbon, beaded necklaces etc. tied in towels are given to the Selanki to be returned these to them in their respective villages. On the other hand, the girls according to their convenience, in groups, accompanied by one or two elder widows go to the Bandhu villages. Generally, they visit the villages during the occasions of Dola Purnima festival, Baruni festival or in lean agricultural season. They take cakes prepared from rice, liquor, tobacco, bidi etc. as gifts for the Kangerki.

The Selanki during such visits sleep with the other Selanki of the village. During the stay the Kangerki and the village elders feed the party. The villagers cooperate fully with Kangerki of their village in preparing food for the visitors. The cooking is done in the community house with grains brought from the common fund and equal contributions from each family. The visit of dancing groups cost much for the village. The expenditure involved during such a visit is described below.

#### **Case study:**

A group of 30 Selanki belonging to villages Panasi, Buddha Khaman, Talapansanasa, Masarijodi, Khajuribani came to village Talabali during the Baruni

festival held in the month of April last year. They stayed there for 4 days and the expenditure incurred during this period was as follows;

|              |                                     |
|--------------|-------------------------------------|
| Rice         | 3 Khandi (60 kg approx)             |
| Goat         | 2 nos. (@ about Rs500-600 per goat) |
| Chicken      | 4 nos.                              |
| Other items. | Rs.250                              |

In the last year, the Kangerki had collected from different sources about six Khandi (120kg) of rice. They met the other expenditure by collecting from the their respective fund. A group of 15 Kangerki of same Talabali villge during the last years Dola festival visited Telkoi, Budhakhaman, Panasi, Pansanasa and Khajuribani. They had spent approximately rupees fifteen hundred for purchase of gifts and other items. To arrange the amount, they have to collect Rs.50/- per head.

Thus, the visit of dancing groups involves much cost. During such visits, changu dance is performed day and night continuously for three to four days. A competitive spirit develops between them and each group tries to defeat the other. The boys beat changu in alternative groups and the girls also split into two groups and dance intermittently amidst much fun and joking.

They follow clan exogamy strictly. If a young woman is found to be pregnant by a young man belonging to bandhu clan both of them are allowed to marry. But clan incest is treated as a severe social offence. Some related case studies are given below.

#### **Case study:**

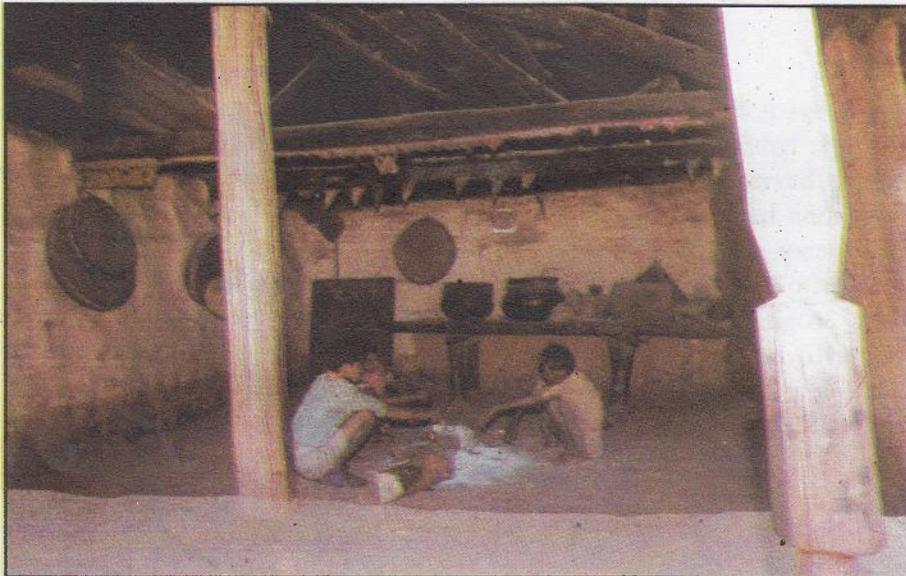
'S'. Juang, aged 35 years; daughter of 'J' Juang, village Kadalibadi was pregnant before marriage. The culprit was 'M' Juang, 25 years old, son of 'B' Juang belonging to the same village. He is the nephew of the girl. The tribal council was convened. The council fined 'M' Juang with a goat, 30 kgs of rice and rupees fifty. Later she gave birth to a male child that died soon after the delivery. Then after a long waiting 'S' Juang got married at the age of forty to a widower from the village Baitarani having two children from his first wife. It is customary in the Juang social life that a woman of such type will never get an unmarried youth for marriage. Bride price for such type of marriage is also very nominal which includes one or two bottles of liquor and some money.

#### **Leaving the dormitory (Sanga chhada):**

The dormitory membership continues till marriage. After marriage, they automatically cease to be members of the dormitory. But widows or widowers are exception to the standard norm. The widowers always sleep in the dormitory with the unmarried youths and widows sleep with the unmarried girls. Those widowers/ widows having no scope for their remarriage are fully considered as Kangerki/Selanki as the case may be in a formal way. They also take active part in the group activities of the youths.



The Juang dormitory house



The Juang youths sitting before fire in Mandaghar

Though after marriage, a Kanger automatically ceases to be a member of the dormitory, he still continues to work and associate himself with the dormitory activities until he affords to perform a special ceremony. As a customary practice, immediately after the marriage the groom does not sleep with his wife until a new house is built for the couple. On the consummation day of the marriage, the boy gives cakes, tobacco and a mat to his dormitory members and takes fare well from them. This occasion is known as Sangachhada.

This again does not mean final termination of his membership. It takes place only after the Kanger pays some money i.e. approximately rupees twenty to twenty five, few pai of rice and chicken to the other Kangerki on the day of Am Nua festival.

A similar procedure is followed for a Selan who after marriage and before sleeping with her husband visits the dormitory friends of her own village. She offers them with cakes, tobacco and a new mat and takes fare well from them and enters into a full-fledged married life.

#### **Dormitory Fund:**

The dormitory youths are allotted with one or two patches of forest land by the elders' council for communal cultivation. The produces from the land are kept in the dormitory fund. Besides, they earn additional money from collection of forest produces like sal seeds, char seeds etc., from wage earning and working as hired labour parties. A major portion of their earnings they save communally to be utilized for purchase of gifts, entertainment of dancing groups and payment of fines. At present, they choose two or more youths from among themselves to remain in charge of the common fund. They keep the accounts of income and expenditure and make it known to others in a meeting. The community grains are given as loan to the villagers and the interest they get adds to their common fund.

#### **Function:**

The community house of the Juang influences their socio cultural life in many ways. To quote Nayak and Others, 'The multifaceted significance of the community house in the Juang life needs to be observed, appreciated and understood, for it provides the key to all that has formed and held the Juangs together as a people down the centuries. It is similarly the means through which they continue to adapt to pressure around them with no loss of identity but rather with a wider use of their cultural gifts and an understanding of what constitutes true community life. The community house is the center of involvement for all age groups of the Juangs especially the males, in the social, economic, political, religious, educational and aesthetic areas of their life'. (ibid:27).

Its functions are described below.

### **Socio-Religious Functions:**

- The community house acts as a community centre for the youths.
- It is a meeting place for the elders where they gather both in the morning and evening to discuss local affairs. It also serves the purpose of an informal leisure centre for the males.
- It functions as the centre for planning and co-ordination of each and every collective activities of the community.
- It acts as the court house of the village elders where feuds are settled and often justice administered informally.
- It also acts as a communication centre for all messengers that bring news from the Juang villages.
- Its most important function is to provide sleeping accommodation to the youths, bachelors and widowers.
- It is used as a storehouse of the communal properties and a place for keeping common accounts.
- It is a museum of their art and craft with all its carved structures on the pillars, paintings on the walls and the musical instruments stored.
- It is the starting point for the ritual occasions, in each and every religious ceremony organized by the community like taking the sacred fire to kindle the first bush wood for shifting cultivation.
- It is a sacred centre as the deities connected with the musical instruments particularly changu are supposed to reside in the community house.
- It is also used as a rest house for the guests and visitors.

### **Educative Functions:**

- The community house acts as the educational institution for both the sexes. It acts directly in educating the boys and indirectly the girls about fulfillment of responsibilities required of them.
- The junior members are trained by the seniors to direct their energy to adjust with the people in social, economic, religious and other aspects of life. Thus it is through the senior- junior relationship, the process of socialization takes place.
- Each and every member of the community house has to fulfill the requirements and obligations of their age set, failing which they are subjected to punishments. These obligations make them disciplined and responsible persons of the society in future.
- Further, by association with the senior members, the juniors also learn to become a part of the village economic and social system.

Thus, the community house trains the young generation to grow conscious of their community and its need before marriage and enable them to become responsible adults. These children though spend more time with their new age group mates than with the family; the two areas of responsibilities never clash and are recognized by all.

Above all, in course of the dormitory life, they learn from elders about their traditional art and craft such as wood carving, painting, different types of

traditional dance and song and preparation of musical instrument. They are also acquainted with their cultural heritage through folk tales, riddles, stories, myths etc. by hearing from the elders. It is no doubt that the dormitory house serves the purpose of perpetuating the cultural heritage from generation to generation and helps in the process of socialization.

#### **Other functions:**

Various Non Govt and Govt agencies working in the area are also found utilizing the institution for different development works. In the Mandaghar of nine villages like Saria, Kaptidiha, Barahagada etc. chata-salis for the Juang children run by the JDA are functioning.

Similarly under the DPEP programme, training to the teachers working in the Juang area are given at the Mandaghar in six villages like Talabali, Buddhighar etc. as their own centres are under construction.

Moreover, Government of India, Ministry of Tribal Affairs has launched a scheme of 'Village Grain Bank' in 13 States. Under this programme, it is proposed to open such grain banks in twenty Juang villages in Banspal block and these are to be functioned in the Mandaghar of concerned villages.

#### **Persistent and Change:**

The dormitory organization is in the process of disintegration due to the impact of both internal and external forces.. Change in the attitude of younger generation to follow their own traditional customs and practices, opening of the area with more and more out side contact and development interventions by Govt. and NGOs etc. have induced changes in their living style. The dormitory has already been disappeared in Dhankanal and is in the process of decay in Pallahara and Keonjhar. Some of such changes are highlighted below.

The community houses are no more a museum of the Juang art and culture. In most of the villages, the traditional community houses with its wooden pillars and beams richly engraved with beautiful animal and human figures have been replaced by simple houses with cemented walls.

Customs like burning of the sacred fire day and night through out the year in Mandaghar is not strictly followed. Now a days, it is extinguished to be rekindled whenever required.

Changu dances, one of the characteristic features of the Juang aesthetic life are losing its importance. Changu dance competitions are rarely held in the villages. The attention of the youths now have changed to morden games like playing cards etc.

The traditional songs associated with their cultural activities are not sung more often now a days in leisure time by the maidens. Rather Colloquial Oriya



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# **Child Rearing Practices and Socialization Process among the Dongria Kondh**

*F. Bara*

## **Introduction:**

Ethnography of Primitive people gives us a picture of their culture and varied aspects of human life. However, a systematic account of human activities gives us very little insight into the mental attitude of the individual. His thoughts and actions appear merely as expressions of rigidly defined cultural norms to which he belongs. We comprehend little about his rational thinking, his feelings, his friendships and conflicts with his fellowmen. The personal side of life of the individual is almost eliminated in the systematic presentation of cultural life of the people. The way in which a person reacts to his culture is a matter that should concern us deeply. Courtesy, modesty, good manners and conformity to definite ethnical standard are universal, but what constitute courtesy, modesty, good manners and ethnical standard is not universal. It is more important to know how the individual reacts to these standards.

The human infant comes into the world, as a biological organism with animal needs. The basic needs of all the children are the same i.e the infant must be fed when he feels hungry, he must be covered with warm cloths when he feels cold must be given the lap of the mother or mother surrogate whenever insecure and thus, made comfortable in all respect. But the differences between the culture and societies can be observed in the way in which these basic needs are met with and the children are taught to manage with such situations with a consistent behaviour pattern of a particular society. Thus, he is gradually moulded into a social being and he learns social ways of acting, feeling and behaving. Every human being tries to adjust himself to the conditions and environment predominantly determined by the society to which he is a member. If he fails he is ridiculed and warned not to do so. He becomes a social deviant. Some times, he is brought back into line by the efforts of the group to which he belongs. Thus, one of the most significant tasks that each human being must face is that of adjustment with other members of the society. The child must learn ways of developing effective social relationship with a variety of individuals within his society and environment.

The biological maturation of the child leads to his social development, Maturation is basic to the development of certain motor skills and some nerves and muscles used in language. These skills, motor and language are basic to a number of relationships. Thus, the child must also develop some capacity to differentiate to empathies and to understand before he can react and function effectively to his social world.

Each society appears to have distinctive values characteristic patterns of behavioral expectations and differences in child rearing practices. It furnishes a set of expectations and relationships, which influence the eventual development of

social skills, behaviors and attitudes. The way a child relates society is first learnt in the family with his parents, more specifically with the mother, the siblings and then eventually with his peers and finally with other significant adults.

Thus, socialization is a very broad concept and process. It is the process whereby original nature is transformed into human nature and the individual into a person. It is the process of adjustment the process through which an individual is fitted into a given society. The whole way of life concerned with, how a child becomes a social being how he is born and brought up., how he is cared for, how he perceives and interacts with physical world around him how he deals with his environment and problems of life. The chief actor in a process of socialization is the family, which inculcates in the growing child the basic discipline necessary for living with others. The family makes it easier for the child to internalize the social norms by creating the design to live up to the expectations of others.

The physical dependence of the child upon the parents and in particular upon the mother soon after birth develops into emotional involvement. This emotional involvement arises largely because the parents and siblings are a source of both frustration and satisfaction. The human organism does not suffer from deprivation and frustration passively. It reacts to it by manifesting rage, anger, hostility and aggression. As the child matures he is expected to control his impulse and part of his frustration and deprivation may be expressed as hostility and resentment against those adults who are the source of his frustration.

The newborn infant is responded to as a biological organism, he is taken care of and given physical attention. His primary need is food and his most important early experiences center round the act of feeding and being fed. Between maximum satisfaction and starvation lies a wide range of variations. Feeding habits differ from society to society, culture to culture and from family to family. In some groups the infant is fed whenever he cries, in others, only at rigidly prescribed intervals. He may be nursed well until childhood or may be weaned early. Some infants experience alternate period of satisfaction and neglect. The way the infant's biological needs are met with and the degree of satisfaction and deprivation he experiences, convey an image of the world as niggardly or indulgent, capricious or reliable. This image may remain as a permanent part of adult character. especially, if it is reinforced by later experiences.

The infant is also responded to an emotion-laden ways. The attitudes of acceptance or rejection, approval or disapproval, relaxation or tension colour the physical care he receiver. The mother's attitude, affectionate fondling, caressing and physical posture accompanying the act of feeding are prompted by cultural values.

As the infant grows to childhood, emotional responses to his behaviour take an increased importance. The adult responses change from efforts to satisfy his bodily needs into attitudes of approval and disapproval designed to encourage him to exercise self-control. Thus, the child is encouraged to feed himself instead of being fed and he has to renounce the satisfaction of being fed. He must learn to control his elimination and to stop depending upon his mother for cleanliness.

Thus present report is on child rearing practices and socialization process of the Dongria Kondh society a Primitive tribal group of Niyamgiri hill ranges, which is based on the field study during November-2000.

### **Methodology:**

A semi-structured guideline was prepared for collection of data on child rearing practices and socialization process. Personal interview and observations were made and case studies were collected to support the analysis of different events of the Dongria Kondh socialization processes.

## **II. Maternity & Child Birth:**

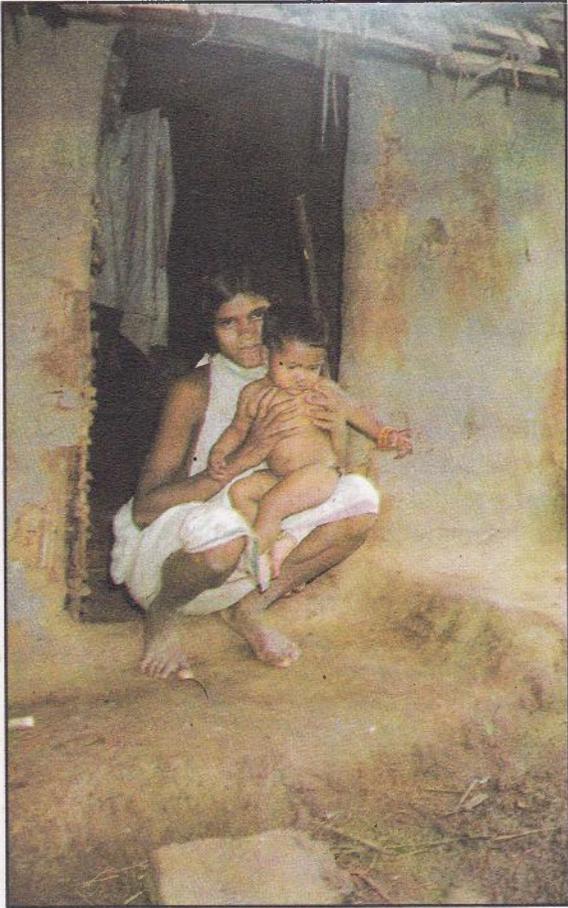
### **Craving for children:**

Pregnancy followed by childbirth is one of the most important events in the life of a Dongria Kondh woman. The main purpose of her marriage is to beget children. To become a mother is the ever-cherished desire of a married woman in their society. Children, as the binding force tightens the relationship between the husband and the wife. Like all other societies in Dongria Kondh society children are the source of joy and future hope of the parents. They are the economic assets to their parents. They share the burden of their parents from their early childhood by assisting them in all kind of economic and domestic activities. Perhaps this is one of the most important reason for which the parents like more number of children.

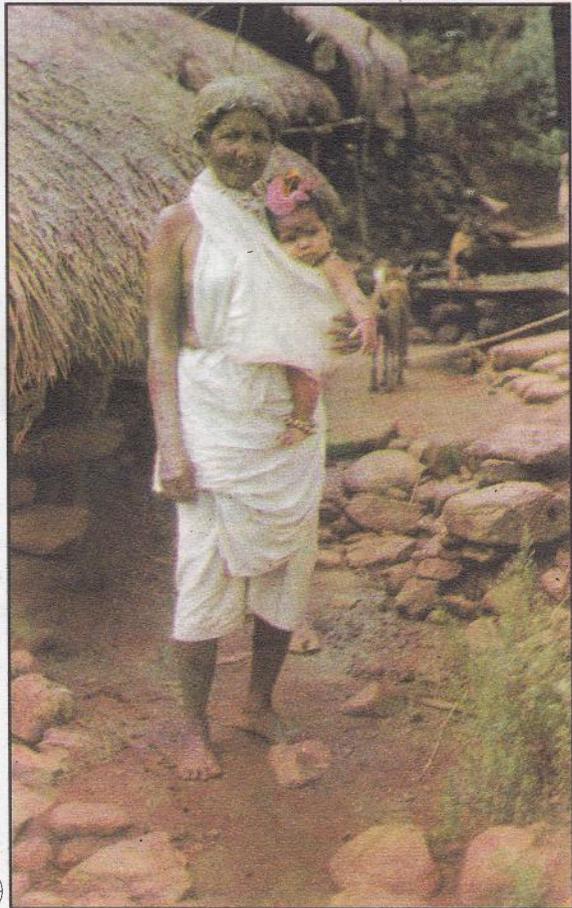
The Dongria Kondh couples both men and women are very eager to have children immediately after their marriage. The husband and other family members anxiously wait for the message of carrying of a matured married woman, especially for the first issue which confirms whether she is capable of bearing children or happens to be a barren lady.

Smt. Singari Sikoka of village Kolerpota in Muniguda GP was married to Sri Katri Wadaka S/O Kokunda Wadaka of village Khambesi by way of bride-capture. She was matured when she was captured and she conceived within one year and delivered a son after nine months. She vividly remembered her nine months period of bearing the baby during her gestation period. She avoided eating all non-vegetarian food items in order to protect the fetus. She did not take dry fish, which is used as a part of her favorite item in her meal after market days. She is loved and appreciated by all her family members and neighbors.

A married woman after her maturity and marriage has strong desire to have children. But if she does not conceive within two to three years she consults the Jani and the Disari for some herbal medicines and to know the supernatural power who is displeased and responsible for her infertility. She takes herbal medicines as given by the Jani. She also offers Puja as prescribed by the Disari.



Dongria Kandha woman with her child



Dongria Kandha child-rearing practice

Smt. Palo Sikoka W/O Sri Sukru Wdaka of village Khambesi was married after she was captured by a group of 5 friends of Sukru. He paid Rs.500/- as Jhola, bride price (about 15 years back). She was matured when she married, but she did not conceive after one year. She consulted, the Bejuni who offered Puja for her and she was paid Rs.300/- cloth and rice (5 mano). After two years she conceived and Bali was born after nine months. But, the child died at the age of 2 years in Nambri (fever) and vomiting. The couple consulted the Disari and as per his advise went to Kalabandh near Mukundpur where Praska Dombu the Disari offered Puja to Dharani Debta and the couple vowed that if they are blessed with a baby and he/she grows to childhood they will come back with a buck to offer puja to the Dharni Debta. Harischandra was born after a year and when he became 7(seven) years old the parents with their child and offering (a buck) went to kalabandh and offered Puja. Now, besides Harischandra they have 2 more sons and a daughter. The Disari had advised them about the Dharni Debta at Kalabandh where he himself and gone to offer Puja after the death of his two children at early ages.

Though health centre, dispensary PHC and private hospital run by the missionaries are available at a distances of 15 Kms at Bissam Cuttack they rarely consult a medical personal or avail any medical facilities, During the field visit it was found that a mobile health camp was organized by the health department but out of 3 expectant mothers only one was available in the village for undergoing medical check up.

In Dongria Kondh society the married couple never like to adopt any type of family planning measures. However, recently due to wide spread advertisement and publicity about family planning measures some of them have developed a positive attitude towards this practice. Smt. Singari Sikoka, the second W/O Sri Tunia Jakasika of village Kurli has adopted family planning measures after her fourth issue. She has two sons and two daughters from herself in addition to 3 children of her co-wife Smt. Sitari Mandika and Sri Tunia the husband allowed Singari to undergo this operation. She used to have very painful period of pregnancy with waist and stomach pain and difficult delivery in all four cases. Last delivery was conducted at Bissam-Cuttack. She was admitted to the hospital after three days of difficult labour pain. They had to stay for eleven days in the hospital and so finally, they decided for the operation as they already have 7 children. Sitari herself delivered 5 issues out of which one boy and a girl died at the age of 5 & 2 half years respectively. She explained all her pregnancy period and the related problems including difficult deliveries. She was married to Tunia before attaining puberty. She became mature after five years and since then each of her pregnancy, period and delivery were very difficult. She uses to suffer from general weakness, nausea, waist and stomach pain. She works as a helper in the village Anganwadi centre. As such she came in contact with the Anganwadi worker and other health personal at regular intervals. Thus, she has been motivated by these personnel and expressed her desire to undergo family planning measure. But her husband disagreed as she is the first wife and their cultural norm do not allow for such practices. Tunia, her husband reported that he is often being ridiculed by the neighbours for allowing his second wife to adopt family planning measure. He feels sad when he hears the comments that he has two wives and as if he cannot feed them (including their off springs) allowed one of his wife to undergo operation.

Sometime he feels that he has committed a mistake. But his first wife Sitars feels it was right because she has empathy for her co-wife who suffered so much for all 4 pregnancy periods and subsequent deliveries, because she herself had the experience of such pains.

#### **Confirmation of Pregnancy:**

The married Dongria Kondh woman on cessation of her monthly periods for continuous two to three months and in some cases nausea and vomiting becomes confirmed about her pregnancy. She proudly communicates the message to her husband and mother in law. All the family members and the society welcome the message of her carrying with joy. It is considered a blessing from Dharani Penu (God). It enhances the social status of the woman in their society. The husband boasts over the message of carrying. He proudly declares among his friends that his wife is rich as she is pregnant and will give birth to a child "*Na Wadi Dukri Milaya mane-Fututa*".

On the other hand, her husband dislikes a barren woman and he is at liberty to marry a second wife to beget children. No medical treatment is undertaken for getting children though such facilities are available at Bissam-Cuttack. But, such women use to take recourse by taking some indigenous medicines and make vows to sacrifice animals if she gives birth to a child. In some cases Disary also advices to offer Puja to appease the gods and deities to get rid of their wrath.

#### **Preference for Sex:**

Although birth of a male child is generally preferred two/three issues of arrival of a female child is never disliked. It is equally welcomed and the parents show equal treatment as both of them provide economic assistance to their parents since early childhood during their stay in their families. Girls fetch high bride-price to their parents where as boy's parents have to pay bride price to get them married. It is also observed and reported by many of the informants that among the Dongria Kondhs in comparison with the boys and girls work more both in domestic front and in donger field. However, in most of the tribal societies women work more than the men. Besides, they fetch high bride/price to their parents during their marriage.

#### **Restriction and Taboo:**

In Dongria Kondh society maternal and child, mortality is caused due to their ignorance, illiteracy and strong traditional belief system. Cases of abortions and stillbirths are reported due to lack of awareness of the mothers and their preoccupation with their works. They are not much careful about the general precautions and preliminary health care during early pregnancy and gestation period as a whole, which leads to further complicacies. Some of them fall pray to malnutrition due to lack of balanced diet. Extra or nutritious food is never a regular habit of an expectant mother. This is due to their ignorance, poor economic conditions, combined with the prevailing social customs and food habits. It is reported by all the mothers who were interviewed that as soon as the gestation

period starts many of them stop taking even regular food due to nausea and vomiting whereas others abstain from taking non-vegetarian food except dry fish. Non-vegetarian food is an occasional item available to them. The pregnant woman is restricted to take pork. They believe that non-vegetarian food items will harm the baby or cause indigestion. They also fear that the baby may overgrow and cause difficult delivery. Pregnancy is a normal and causal occurrence after the marriage of a woman. No special attention is given to the pregnant woman who continues her normal household and outdoor duties till the occurrence of labour pain. She also takes her normal food during this period, which is not at all different from that taken normally by other members of the family barring some restrictions of a few food items. Occasionally, seasonal fruits like pineapple, banana, jackfruit, mango, orange etc. from a part of her extra diet when ever available. Snacks like biscuits, fried rice, flattered rice, cake etc. are given to her incase of few well to do families.

The pregnant Dongria Kondh women avoid visiting lonely and dark places in order to protect her fetus from the eyes of the evil spirits. They never visit the origin of the spring and fountains as the spring deities are considered to be harmful and feel annoyed if a pregnant woman goes to such places where spring deities are believed to stay.

#### **Special Treatment:**

In Dongria Kondh society the men or women do not have any idea about special treatment of the carrying mother and immature baby. They also never take special care for embryonic development to facilitate growth and ensure healthy off spring.

#### **Belief about Twins:**

Birth of twins is considered inauspicious among them and they apprehend it as a sign of some misfortune to the family. On query about this they reported the case of Laxmidhar Wadaka of village Khambasi whose wife gave birth to a pair of twins in her second issue and her husband died after suffering from Nambri (Malaria) and stomach pain for continuous three years even after consulting the Disaries of 10 to 15 villages and taking herbal medicines as prescribed by them. They also reported the cases of Ghasi Wadaka of the same village whose wife gave birth to twin and both of them died after two days.

#### **Abortion:**

The woman does not disclose early abortions, as she is held responsible for this. Some among them believe it to be caused by some evil spirit. Stillbirth is considered a disease. Though most of the Dongria Kondhs believe stillbirth and infant mortality are caused due to the wrath of the evil spirit but in actual case, deaths occurred due to fever, malaria, diarrhoea, missals, and other such health related factors.

Abortion is practised in cases of illegitimate pregnancy as it is always disapproved and looked down upon by the society. In case of unsuccessful abortion, delivery takes place in her parental home. If the person involved does not accept the unmarried mother voluntarily, the mother and the illegitimate child both are often humiliated and teased by other members of the society. In some cases when someone belonging to their society agree to marry the woman agrees to do so and the child may be accepted by her husband or can live at her parental home. Ame Wadaka S/O Buklu of village Khambesi who was staying at Khajuri with his wife and children was excommunicated, due to his intrigue with another woman from their village for life long.

#### **Delivery:**

The parturient mother and the neonate are treated as impure and both of them are secluded in the 'Dhapa' the second room used for the purpose for a minimum period of a month. Seclusion period is also the time for drying and dropping off of the naval stump. After dropping of naval cord the child can be taken to the first room and taken to lap by the family members and others as it is considered clean.

Usually delivery takes place at husband's house in the second room known as *Dhapa*. The neighboring elderly women of her society including her mother-in-law assist the parturient woman and delivery takes place in sitting posture. One of the assisting women cuts the umbilical cord with a small knife (Kati) and places the placenta in an earthen pot and burry the same behind the house. After the delivery the mother clean herself with tepid water. The neonate is wrapped out with term cloth anointed with turmeric paste and bathed with tepid water. During confinement period, the mother has no other work excepting her personal cleanliness and caring the baby. The baby is breast fed whenever he cries or needs sucking. The mother is given ragi gruel and rice with some salt or vegetable curry. During the pollution period, the family members and consanguine kins are considered polluted. The villagers and other members of the community do not accept food or water from them. They are also restricted to participate in any common social or religious functions of the village. The family members do not take any non-vegetarian food and abstain from participating in any communal feasts and festivals.

#### **Purification Ceremony:**

Purification ceremony is held usually after one month when the seclusion period is over. All the cloths used during her seclusion period are taken out to the stream for washing after boiling with ash. Those who can afford are now-a-days using washing soaps for this purpose. The Dhapa and backyard is cleaned and smeared with cow-dung. The parturient mother takes bath after head wash and then she is considered purified. Thereafter, she is allowed to resume her normal duties.

Name giving ceremony (Mila-Daru) is held as per their convenience. During this occasion, maternal uncle and grand parents are invited. The baby is anointed with oil and turmeric paste, bathed and made to sit on the lap of the

mother. Grain divination process takes place for selection of name of the baby. Usually, the names of dead ancestors are considered for the neonate because they believe in rebirth. They believe that some one of their dead ancestors of their family has taken rebirth. Now-a-days due to external influences many new non-tribal names are being given to the Dongria Kondh children.

#### **Adoption:**

The kinsmen in Dongria society usually adopt the parentless child. If the mother dies after delivery any of the wet woman among the kins breast-feed the baby. In case no wet nurse is available the baby is given ragi or rice gruel.

### **III. Infancy:**

#### **Feeding:**

As soon as the seclusion period is over and the Dongria Kondh mother resumes her, normal works like attending to all household chores and other economic pursuits. As such, she fails to devote much of her time in attending to the need of the infant. Sometimes she is so much busy with her work that the infant has to wait crying bitterly to be fed. The mother, who usually devoted full time in nursing the baby in the first month, shifts her attention abruptly to other works. Such an abrupt change in attending & feeding creates a sense of confusion and frustration in the infants mind. In several such cases the Dongria Kondh women reported that the infants very often cry bitterly and even refused to suck for some time. They reported that they had to pacify them by caressing, fondling and then breast feed for long hours. Such situation arises when the mother goes to work leaving the baby with a child nurse or the grand mother. In such case after return from the field the Dongria Kondh mother feels it to be her first duty to fondle caress and breast feed before looking to other works. The Dongria Kondh women use to breast-feed the baby in sitting and sleeping position. But it has been reported and observed that women while in journey tie their babies in sling with a piece of cloth and the child can suck comfortably while walking over mountainous routes. It has been noticed that the babies being satisfied after being breast fed taking a deep slumber in this position while the mother is walking through mountainous route for long hours. But during the night the mothers usually feed their baby in sleeping position. Supplementary starchy food like ragi gruel or rice is given to the baby after 3 to 4 months. No such ceremony of first rice eating is held.

#### **Weaning:**

Weaning or discontinuation of breast-feeding depends on the liking of the baby and no flow of milk from mother's breast. Dongria Kondh women never like to practise forceful weaning unless the milk ceases to flow due to unexpected pregnancy, disease or it other reasons. They allow suckling till the child himself dislikes sucking after taking sufficient amount of solid food like rice and ragi gruel. In case, milk flow ceases to flow before completion of a year or so the mother forcefully wean her child with much sorrow. In such case she consults the Disari or Jani for remedial measures. If some of their family member is in lactating

stage the child is given her breast if her milk flow is enough for two babies. It has been observed that Sitary Mandika of village Kurli, some times feeds Singary's her co-wife baby when she is busy in some domestic works. In their society, weaning is never practised till the baby to suck or the next child is born. It has been observed during field study that children of 3 or 4 years continue to take milk from the mother. In case of weaning due to shortage of milk due to prolonged illness or unexpected pregnancy the baby is given rice and mille gruel for about 5 times a day. In case of gored weaning the mother apoints some bitter paste around her nipples so that the child starts disliking the breast and give up sucking. During early infancy the sleeping hours of the baby is long, but slowly it is reduced with age. The infant is usually made to sleep on the ground over a mat or gunny bag on which some torn clothes are spread. Now a days some of the Dongria Kondh families are using small cots made of wooden frame and local ropes or plastic roles available for the purpose.

The Dongria Kondh parents and elders do not expect bowel and bladder control during infancy as the baby has no control over it. Elders do not mind if the child urinates or defecates anywhere at anytime. The urinated clothes are dried under sun where as defected clothes are washed with water. Now-a-days washing soaps are used for cleaning such dirty clothes instead of just washing. The buttocks are washed or wiped with a piece of torn cloth if available. Infant in some cases if give indications about it are taken out for defecation. The infants of walking stage who also start talking and can understand baby language, is taught to go outside for defecation. But infants who continue to urinate on bed at night are sometimes awakened and taken out for urination.

The infant usually starts walking at the age of one and half years. This is also the period when the infant starts toddling and learn talking. The work oriented parents and elders in Dongria Kondh society find little time to help the baby to assist in walking and talking. But a child nurse and old grand parents often teach and help the baby in learning to walk and talk through baby language. Thus, the infant listens, imitates that utterance, and slowly develops his language.

#### **IV. Childhood:**

Differentiation of sex among Dongria Kondh children is marked from early childhood. A girl child of about 5 years most often follows the sister, mother or grandmother whereas a small boy, usually follows the brother, father or other male relatives while going to the work site. It is really interesting to see a female child following her sister, mother or aunt with a small vessel while going to fetch water from the stream. She learns household works, like sweeping and cleaning, bringing fire wood and looking after the younger siblings in the absence of the mother when she is busy with her domestic chores, Subsequently, when she becomes 13 to 14 years old she learns to husk paddy, operate grinding stone and to plaster the house with mud and cowdung and do agricultural operations like weeding, reaping, threshing winnowing, cleaning and storing.

Boys at the age of early childhood do not have much to do but, follow the male members, especially the father and the brother and observe the males at work.

They accompany them to the field to learn the agricultural operations, watching the crop fields and assist in tending cattle's. At about the age of 13 to 14 they practically start doing the work of cattle tending, driving plough, hoeing, tree felling, sowing, reaping, threshing, house building and other hard manual work.

During early childhood i.e up to 5 years both the sexes go naked. There after boys wear small clothes and girls use lion clothes and small saris. Now-a-days, some boys and girls use modern dress like pants, shirts and frock etc. if their parents are capable of providing them.

Both parents and their children love each other very much and their love is expressed in terms of their affectionate talk and cheerful smile. Children anxiously wait for the return of their parents after day's work. On many occasions, the former accompany the latter when going out side their village. Although children have to participate in various works of the household the parents maintain them till they are married. They want their children stay with them till their marriage. The married daughters exchange visit to their parental home and maintain cordial relationships.

#### **V. Adolescence:**

Adolescence is the most critical period in the life of an individual. The first phase of adolescence starts generally with the onset of first menstruation in case of girls and emergence of pubic hair in case of boys. No specific pubescence ceremony is attached to the boys here as in case of girls with the onset of her first menstruation symptoms she is made to confine herself in the Dhapa, back room, specifically made for women for seven days she is considered polluting. She is restricted to look at any body, more specifically she should not look at the face of any male member. She has to put on oil on her head. She is tabooed to enter the main room and touch any other belongings of the house. There is a restriction for her to participate in any communal or household ritual. Ragi cake baked upon fire is served to the girl as food besides in addition to her normal diet i.e ragi gruel. She cleans and washes herself and her clothes at the backside of the house attended by her mother or other female members. On the seventh day she is taken to the stream for purification. She puts on oil and turmeric paste on her body and takes bath washing her head. The Shamanin accompanies her and invokes the 'Gangu Penu' the deity who is supposed to have entrapped her during this period. She sacrifices a red-feathered chick and sprinkles the blood on the feet of the girl. She also utters incantation and puffs intermittently over all parts of the body of the girl to drive away the deity and after which the girl is treated purified and free from the clutches of the deity. In subsequent monthly periods, no such restrictions are imposed and a menstruating girl is free from pollution after her bath and she is allowed to go to the Dhangdi basa, the youth dormitory.

#### **VI. Training:**

The parents and other kinsmen do not give scope to their children to develop aggression and to become revengeful. Instead, they help them to lead a friendly and corporate life. They encourage bravery and want their children to be

brave and courageous enough to face difficult situations in life. Inculcation of courage and bravery starts at the late childhood at about the age of 11 to 12 when a male child goes to the jungle to fetch fuel wood or donger field to watch and guard the crop field. Some times he also stays in the field at night with his father. There he learns to confront and chase wild animals with loud noise, making fire and use of weapons. Anger of the boys are tolerated and inspired in some cases, like clan feuds but anger of the girls are suppressed and discouraged. Parents' donot support their children who fight and quarrel among themselves. Verbal aggression, disobedience, defiance, temper tantrum, etc. are dealt with by scolding and sometimes even beating.

Parents and elders are not much careful about giving cleanliness training to their children during their infancy and early childhood. During the first year sometimes up to the age of walking they are given daily two times bath by their mothers after which bathing and feeding routine often depend upon the grand parents or the child nurse. They mostly neglect daily cleaning of teeth as a primary cleanliness habit. Children below the age group of six never brush their teeth and others above this age group are also very casual in brushing teeth.

Cloths are washed at an interval of fortnight by using ash or soap. The habit of spitting everywhere even nears the hearth inside the kitchen makes unhealthy surroundings. The Dongria Kondh houses and the children have very little in scope to learn about sanitation. Women do not do combing of hair. They do it occasionally at leisure hours or while going to market or visiting friends, relatives and on festive days. However, in case of males, combing is irregular. Young girls before going to dormitory often do combing regularly.

A girl at her teen-age goes to sleep with other girls of the village in the dormitory house during night. This provides her the scope to develop friendly and corporate life in a wider circle. Thus, a part of her emotional attachment shifts to her friends from her mother and family. Likewise, the grown up boys from groups, gossip among themselves play drums and go to bandhu villages to visit girls of Dhangdi basa. Boys and girls become friendlier with other group members of other sex and during this period they develop curiosity of knowing the intimate relationship between the two sexes and develop a liking for the opposite sex. Dance visit and singing are regular features of the Dongria Kondh villages during off-seasons; Sex knowledge is acquired during this period.

## **VII. Adulthood:**

The girl attains her adulthood with the onset of puberty at the age of 14 to 15 years and she is ready for marriage in Dongria Kondh society. But there are cases when a girl is married before attaining her puberty. In case of Sitari Mandika, 1<sup>st</sup> wife of Tunia Jakasika, she was married before attaining her puberty and she was matured only after 5 years of her marriage with Tunia.

A Dongria Kondh boy is considered matured only when he is physically fit and has acquired adequate knowledge in earning his livelihood independently. Only after this the parents think of his marriage. In some exceptional cases boys also marry early, so as to increase the number of working members in the family.

An adult boy can participate in the village affairs. After marriage, a boy attains full adulthood and maintains his family independently. He becomes the master of his household. Like wise a girl attains adulthood after her marriage and when she goes to stay with her husband. She becomes the active earning member of the household. Finally, she attains her womanhood after becoming a mother by which her relationship and attachment with her husband are strengthened,. Though women are submissive and obedient, they are at liberty to play their role in certain spheres. In case of unsuccessful marriage the man or the woman both can initiate divorce and go for second marriage. Masculinity in case of men and fecundity in case of women are great virtues, which are framed by one's capacity to bear children, whereas impotency in case of former and barrenness in case of the latter is ridiculed in Dongria Kondh society. Couples after marriage lead a conjugal life. They are loyal to each other, shoulder responsibilities of adulthood, bear children, rear them up, train them in economic activities, social mores and help them to achieve their adulthood.

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# A Comparative Study of Indebtedness Among the Dongria Kondh and the Juang

A. Mall  
T. Sahoo

## Introduction

The term indebtedness is synonymous to borrowing, debt, loan and credit. As mentioned in New Webster dictionary (1981-487), Indebted means being under or having incurred a debt required to pay a loan beholden and indebtedness implies "obliged by something received for which gratitude or restitution is due". 'Indebtedness' in broader connotation implies the feeling of gratitude for somebody's help, kindness that the debtor cannot pay back in equal amount in reciprocity. But the term is generally used to signify a sum of money owed to' or 'deferred payment of goods and services received at present.

Though the meaning of these two terms 'debt and borrowing appears to be the same and these words are used interchangeably from the layman's point of view, there seems to have a little difference between these two words. The dictionary meaning of the term debt is bound to pay or perform for another an obligation. Borrowing means to obtain something as loan, trust or credit with the intention of returning the same or an equivalent to adopt from another source for one's own

Generally in debt one has to pay the interest while returning the principal amount to the creditor but in case of borrowing the debtor returns the exact amount taken from the creditor may be without any interest. Moreover, debt is used for long term loan and borrowing for short term. In case of borrowing if the amount (cash or kind) is small, the creditor does not mind at time if the debtor fails to return the same, which generally does not happen in case of debt.

The tribal society is a closed and simple one. Tribal indebtedness forms a part and parcel of their socio-economic and cultural behavior and credit practice indicates their economic life. The Scheduled Tribes in general and the Primitive Tribal Groups (PTGs) in particular are at the level of subsistence economy. Expensive marriage ceremonies, birth and death rites and rituals and worships of gods and goddesses largely account for their indebtedness. These lead them to drown in debt. Their principal source of debt is local moneylenders. Often the tribals remain in debt to moneylenders in perpetuity, and after their death, their indebtedness is handed down to their descendants. Due to indebtedness some tribals lose their lands and fall victims to the practice of debt bondage and land alienation. Indebtedness thus becomes a different form of exploitation of tribals by non-tribals and this has weakened the economic conditions of the former.

The problem of indebtedness is primarily attributed to poverty of the tribals. It also reflects their under-economic malaise, i.e. lack of education, low purchasing/bargaining power and lack of resources for investing in gainful

activities and meeting culturally inevitable expenditures. The legal measures to restrict the activities of private moneylenders have failed to reduce the severity of the problem. This is due to ineffective enforcement machinery and lack of alternative source of credit for meeting consumption and productive needs. Lack of suitable National Policy to provide consumption credits to poor tribals have tended to make them dependant on usurious moneylenders.

Indebtedness is a wide spread and chronic problem in tribal societies. It is very acute among primitive tribal groups living in remote and inaccessible areas. The problems of indebtedness are economic and social in nature. The former aspect pushes the people into penury while the latter aspect explains the state of conditions, like social inequalities, deprivation and social and ritual obligations.

The study on indebtedness poses two important aspects to be discussed before unveiling the problem, as it would be seen from the field situation. The 'concept of indebtedness' and the transactions of 'money lending in tribal areas' need thorough examination.

#### **Money lending in tribal areas**

To study the role of private moneylenders it is essential to understand the failures of various Governmental and Institutional credit agencies to sanction loan to tribals. The transactions of traditional moneylenders are very simple and convenient to the tribal debtors. They are the nearest neighbour ever present in the scene. Whenever a tribal needs money for whatever reason, he first goes to the moneylender's house, which is, situated a few furlongs away and where he is always welcome. The moneylender provides him money without any conditions, sureties, guarantees and guarantors since an average tribal has very little to offer in the way of movable or immovable property. But the moneylender recognizes his honest desire to fulfill his loan obligation out of his earning and that is treated as good surety against his loan.

On the other hand, institutional sources that extend credit to tribals are situated at far off places from the tribal habitat. Again a number of formalities, cumbersome procedures, like security, guarantee, and time lag between date of application and date of disbursement of loans, that is too, for productive purposes only disheartens the tribals to borrow from these agencies. The poor tribals generally need loans for consumption and fulfillment of social and ritual obligations and the traditional moneylenders offer loan for such purposes instantly without placing any condition.

#### **Findings of earlier studies on indebtedness**

The earlier studies on tribal indebtedness show that it is a socio-economic phenomenon, and is too rampant among the tribes. The moneylenders have established a symbiotic relationship with their tribal clients. In spite of debt legislation, the fraudulent and evasive practice of unscrupulous moneylenders continues and that has reduced the effectiveness of the Government and statutory credit agencies. The non-institutional loan is taken either in cash or kind and the

rate of interest is generally usurious. The non-tribal creditors extract the major portion of the tribal produce from the fields and forests. At times fresh loans are made to repay the old ones. With the spread of moneylenders' business the incidence of debt is high. The debt owed for non-productive purposes is substantially high among the tribals. Poverty pushes the tribals into indebtedness, which in turn forces them to become bonded labour.

The earlier studies on indebtedness of the Dongria Kondhs highlight the following points. The Dongria Kondhs borrow money for their inevitable traditional socio-religious obligations and to meet the requirement of food and drinks. Under the armour of ceremonial friendship the Domb neighbour maintains a symbiotic relationship with the Dongria Kondhs and exploit the former in the process of economic transactions. The contracts between the Dongria Kondh and the Domb are established through annual lease of fruit-bearing trees by the former, partly for cash and partly for few bottles of liquors. The price of the produce offered to the Dongria Kondh is lesser than the prevailing market price.

The earlier studies on indebtedness of the Juangs, another PTG, though appear to be meager, highlights the following aspect. Very often the Juangs are unable to repay and free themselves from the clutches of the moneylenders. In the process, they lose all they owe, their lands and the houses. Aftermath of indebtedness lead to land alienation and loss of property of the Juangs

### **The present study**

The earlier studies suggest further study on the issues, like understanding the socio-economic implications and identifying the problems. With this backdrop, SCSTRTI, Bhubaneswar had conducted a comparative study on indebtedness between Dongria Kondhs of Rayagada district and Juangs of Keonjhar district in the State of Orissa. This paper is a concise form of the comparative study on indebtedness of the Dongria Kondhs and the Juangs by the first author conducted during 2000-01 under the guidance and supervision of Prof. (Dr.) P.K. Nayak, the then Director, SCSTRTI and Shri B. B. Mohanty, Dy. Director of the Institute.

The study was conducted among the Dongria Kondhs of DKDA, Kurli area in Bissam-Cuttack block of Rayagada district and among the Juangs of Gonasika area of Banspal block in Keonjhar district of Orissa. The objectives of the study were to find out the social and economic aspects of indebtedness, its magnitudes and impacts on the lives of the Dongria Kondhs of Southern Orissa and the Juangs of Northern Orissa, and to evolve a comparative profile of the system operating among both the PTGs in their respective areas.

## **INDEBTEDNESS OF THE DONGRIA KONDHS**

### **Study area and the people:**

The Dongria Kondh constitutes a primitive section of the principal Kondh tribe of Orissa. They inhabit exclusively in the forest-clad Nigamgiri hill ranges, which lie in the boarder of Rayagada and Bissam Cuttack police station. The study

village Kurli is situated at an altitude of 3000 ft. above the sea level and is surrounded by hills. The village comes under Kurli Gram Panchayat of Bisasam-Cuttack block of Rayagada district. It is one of the adopted villages of Dongria Kondh Development Agency and comes under Gunupur ITDA. The Dongria Kondh and the Domb, a Scheduled Caste community, live together in the same village. The Dongria Kondh males, like their female counterparts keep long hair and use varieties of hair clips.

As per the survey, the village Kurli comprises 105 households and 537 persons. Out of 105 households, 70 households belong to the Domb community and 35 households to the Dongria Kondh. The Dongria Kondhs constitute one third and the Dombs two-third of the total population of Kurli village. Therefore, at the village level the Dombs are numerically preponderant over the Dongria Kondhs.

The Domb is the immediate neighbour of the Dongria Kondh. Nayak says, "previously in a Dongria Kondh village only one or two Domb families were allowed to stay with the Kondh to render some traditional services like acting as messenger (Barika) and/or acting as sweepers and cattle herders for all the villagers" (1989:188). The Dombs are, therefore regarded as helping hand to the Dongria Kondh for management of their essential services. Sometimes they are also tied to them as ritual friends. The Dombs carried out petty business on fruits and forest produces of the Dongria Kondhs. Thus their number increased and they piled their trade in the hills and started the business of money lending taking lease of fruit-bearing trees or orchards of the Dongria Kondhs. The Dombs sometimes act as intermediaries in settlement of quarrels that take place among the Dongria Kondhs or between the two communities. Besides, they also take the responsibility of collection of cash/kind from each individual household for arrangement of feast. In course of time, the Dongria Kondh and the Dombs have developed their relationship as the debtor and the creditor, respectively.

#### **Dongria Kondhs' concept of indebtedness:**

The Dongria Kondhs use the terms, *Rina* for loan and *Adi* or *Kantari* for interest. They consider loan from non-institutional source, i.e. Domb, as borrowing rather than loan. According to Das Pattnaik "anything borrowed either in cash or kind is not considered as loan. Similarly anything extracted by the creditor from time to time or at future in exchange of this temporary help at present either through fair or foul means is not considered to be undue. These feelings are the outcome of a network of symbiotic relationship established with the creditor since past. It is considered as mutual give and take' (1990:28-41). To them 'indebtedness' is generally an economic transaction tied with social obligation especially with Domb, the non-institutional source. Further according to Das Pattnaik the emic views of Dongria Kondh about loan is; "to Dongria Kondh 'loan' embraces all types of transactions, whether cash or kind which a person brings as per his requirements either from a Domb, a non-tribal creditor or from a tribal creditor or from Govt. Agency for specific period and for specific purpose, either orally or executing written documents with interest or without paying any interest, either by keeping mortgage or without keeping any mortgage, either by giving any excess (*faida*) or without giving any excess, either by personal surety or without

any personal surety and it must be repaid within the stipulated time either partially or fully in excess without breaching the contract” (Pattnaik & Mohanty, 1990:28-41).

But the views of Daspatnaik are not applicable to transaction with both non-institutional source and institutional source. Loan does not embarrass economic transaction with non-tribal or tribal creditors. Loan embraces economic transactions with Govt. agency or institutions and is found with elution of written documents, which carries a fixed rate of interest, and with personal surety. The loan amount is always paid in cash. In case a person fails to repay the loan within stipulated time, it becomes compound, merge with the principal amount of loan.

The Dombs, constitute the main non-institutional loan source. The Dongria Kondhs do not think that they are in debt when they receive cash/ kind from the Dombs in exchange of their orchards or fruit trees. Sometimes they also take advance (cash/kind) from the Dombs at the time of their necessity on the condition to give them fruit orchards. Though exploitation exists in the process of the transactions, it is in a disguise form of mutual help and social relationship. The Dongrias do not feel shame or think themselves as debtors and the Dombs as creditors. In their view it is a mutual exchange and the extraction of Dombs from them is due to foregoing the use of his money/article at present. On the other hand, they feel themselves to borrow from their relatives or kins group as in exchange of loan amount; the creditor does not receive anything. Thus borrowing from kin groups or blood relations is a rare incidence, which takes place in dire necessity when the Dongrias fail to get the required amount from the Dombs in exchange of their orchards.

#### **Extent of indebtedness among the Dongria Kondhs:**

According to the survey out of 35 total Dongria Kondh households, 26 (74%) households are found indebted. Most of the households have incurred loan from more than one source (see table below).

**No of households incurred loans from difference sources**

| Sl. No.      | Source                     | No. of indebted household |              | Total indebted households |
|--------------|----------------------------|---------------------------|--------------|---------------------------|
|              |                            | Previous loan             | Current loan |                           |
| 1.           | Non-Institutional          | 13                        | 7            | 20                        |
| 2.           | Institutional              |                           |              |                           |
|              | i) Bank                    | 2                         | 2            | 4                         |
|              | ii) Co-operative societies | 4                         | 7            | 11                        |
| <b>Total</b> |                            | <b>15 *</b>               | <b>14*</b>   | <b>26*</b>                |

*\*Total number of indebted households is not equal to the total number of households from different sources, as one person has taken loan from more than one source.*

The total loan amount of 26 Dongria Kondh households comes to Rs.2, 53, 450/-. Out of the total loan amount, Rs.1, 57,950/- (62.32%) has been taken from non-institutional sources and Rs.95, 500/- (37.68%) from institutional sources. Further Rs.1, 02, 150/- (40.30%) is taken during the year 1999-2000 and the remaining loan amount of Rs. 1,51,300/- (59.70%) has been out standing from the



previous year. Out of institutional loan, Bank loans constitute (19.73%) and loan from co-operative society (17.95%). Loans from non-institutional source include the Dombs, own community members (Dongria Kondhs) and community fund whereas loans from the institutional sources include Niyamgiri Fruit Growers Co-operative Society and commercial banks. The average loan out standing per household is Rs.9748/-(see table below).

**Total loans of Dongria Kondhs of Kurli village from different sources up to 2000**

| Sl. No. | Loan from different source | Amount of loan (in Rs.)           |                                   |                                    |
|---------|----------------------------|-----------------------------------|-----------------------------------|------------------------------------|
|         |                            | Current loan                      | Previous loan                     | Total loan                         |
| 1.      | Non-Institutional          | 39,150                            | 1,18,800                          | 1,57,950<br>(62.32)                |
| 2.      | Institutional              |                                   |                                   |                                    |
|         | i) Bank                    | 32,000                            | 18,000                            | 50,000<br>(19.73)                  |
|         | ii) Co-operative society   | 31,000                            | 14,500                            | 45,500<br>(17.95)                  |
|         | <b>Sub total (i + ii)</b>  | <b>63,000</b>                     | <b>32,500</b>                     | <b>95,500</b><br><b>(37.68)</b>    |
|         | <b>Grand Total (1+2)</b>   | <b>1,02,150</b><br><b>(40.30)</b> | <b>1,51,300</b><br><b>(59.70)</b> | <b>2,53,450</b><br><b>(100.00)</b> |

**Causes of indebtedness:**

The Dongria Kondhs spend lavishly while observing social functions like marriage, birth and death rites, religious ceremonies etc. Besides, they are often involved in clan feuds, which arise out of child betrothal and dormitory system and due to stealing of *salap* juice or fruits from the trees. To settle the disputes, they require spending a lot of money towards payment of penalty. Further the poor section among them having no horticultural plots is forced to borrow in cash and kind for their consumptions. The specific purposes for which they incur loans include the following:

- To meet the expenses of feast to be arranged for the kinsmen, relatives and villagers during birth and death rituals, marriage ceremonies and festive occasions including the payment of bride price and festive occasions.
- To meet the expenses of settling a conflict arising out of clan feuds due to breach of betrothal and forcible capture of bride for marriage and stealing of sago palm liquor and fruits of an individual of a clan by another person of a different clan.
- To bear the heavy expenditure for celebration of *Meriah* festival held communally in which buffaloes are sacrificed before the *Dharani Penu* for a bumper crop and for purchase of cattle to be sacrificed before their traditional deities.

- To meet the expenses of cultivation of horticultural crops. Persons having large number of orchards sometimes employ labour co-operatives to take up different works connected with horticultural plantations.
- For expenditure towards construction and repair of houses, inevitable treatments of chronic diseases, investment by way of purchasing agricultural lands in the plains, repayment of old loan and even payment of LIC premium amount.
- To meet the expenses of day-to-day consumptions during the lean season mostly the poor people having no horticultural plots borrows both in cash and kind for meeting the day-to-day necessities.

#### Purpose of indebtedness:

The study shows that out of 35 households at village 'Kurli', 26 (74.29%) households have incurred loan for more than one purpose. It reveals that maximum number of persons, 19 (73.08%) have taken loan for celebration of marriage and other festivals and rituals. For consumption and shifting cultivation / agricultural purposes 8 (30.71%) persons in each case have taken loan. Only one (3.85%) person in each case like payment of old loan and payment of fine, treatments of diseases, construction of houses and for education of the children has taken loan.

The Table below reveals that out of the total loan amount, 55.28% loan was spent on rituals and ceremonies, 11.05% in cultivation, 6.88% in consumption, 3.55% in education of children, 3.95% in repayment of old loan, 1.18% for payment of fine, 10.22% for treatment of diseases and 7.89% for construction of houses. Loan amount spent on different purposes are presented in case studies.

#### Utilisation of previous and current loans by Dongrial Kondh households of 'Kurli' village

| Purpose   | Non-Institutional source |                 | Institutional sources    |               |                          |               | Total                       |                             |                              |
|---|--------------------------|-----------------|--------------------------|---------------|--------------------------|---------------|-----------------------------|-----------------------------|------------------------------|
|   | Current loan 1999-2000   | Previous loan   | Bank                     |               | Co-operative society     |               | Current loan                | Previous loan               | Total loan                   |
|   |                          |                 | Current loan (1999-2000) | Previous loan | Current loan (1999-2000) | Previous loan |                             |                             |                              |
| Consumption                                     | 4,100                    | 5,350           | -                        | 3,000         | -                        | 5,000         | 4,100                       | 13,350                      | 17,450<br>(6.89)             |
| Celebration of marriage and festivals / rituals | 25,300                   | 67,650          | -                        | 15,000        | 7,000                    | -             | 32,300                      | 82,650                      | 1,14,950<br>(45.35)          |
| Shifting cultivation<br>Agriculture             | 9,750                    | 7,900           | 12,000                   | -             | 14,000                   | 9,500         | 35,750                      | 17,400                      | 53,150<br>(20.97)            |
| Payment old loan                                | -                        | -               | -                        | -             | 10,000                   | -             | 10,000                      | -                           | 10,000<br>(3.95)             |
| Payment of fine                                 | -                        | 3,000           | -                        | -             | -                        | -             | -                           | 3,000                       | 3,000<br>(1.18)              |
| Self treatment                                  | -                        | 25,900          | -                        | -             | -                        | -             | -                           | 25,900                      | 25,900<br>(10.22)            |
| Construction                                    | -                        | -               | 20,000                   | -             | -                        | -             | 20,000                      | -                           | 20,000<br>(7.89)             |
| Education                                       | -                        | 9,000           | -                        | -             | -                        | -             | -                           | 9,000                       | 9,000<br>(3.55)              |
| <b>Total</b>                                    | <b>39,150</b>            | <b>1,18,800</b> | <b>32,000</b>            | <b>18,000</b> | <b>31,000</b>            | <b>14,500</b> | <b>1,02,150<br/>(40.30)</b> | <b>1,51,300<br/>(59.70)</b> | <b>2,53,450<br/>(100.00)</b> |

- Current loan (40.30%) is less than previous loan (59.70%)
- The current loan from institutional source (Rs.32, 000/- + Rs.31, 000/-) is more than from non-institutional source (Rs.39, 150/-)
- Though loan from institutional source is advanced for productive purposes, like cultivation, horticultural plantation, etc. it has been utilized otherwise (non-productive purposes, like consumption and celebration of marriage, rituals, etc.).
- A portion of loan amount from non-institutional source has also been utilized in productive purposes like shifting cultivation and in agriculture.
- Total loan amount (current + previous) from both the institutional and non-institutional sources shows that a major portion (45.35%) has been spent in festival, marriage and rituals.
- Loan from non-institutional source has been decreased by approximately 3 times the previous loan amount.

**Utilisation of loan amount (source wise) by Dongria Kondh households at 'Kurli' village**

| Purpose                                  | Private loan |                          | Bank     |                        | Co-operative society |                        | Total     |                          |
|--|--------------|--------------------------|----------|------------------------|----------------------|------------------------|-----------|--------------------------|
|  | No.          | Amount (in Rs.)          | No       | Amount (in Rs.)        | No                   | Amount (in Rs.)        | No        | Amount (in Rs.)          |
| Household consumption                    | 6            | 9,450 (5.98)             | 1        | 3,000 (6.00)           | 1                    | 5,000 (10.99)          | 8         | 17,450                   |
| Celebration of marriage festival rituals | 14           | 92,950 (58.84)           | 1        | 15,000 (30.00)         | 3                    | 7,000 (15.38)          | 18        | 1,14,950                 |
| Shifting cultivation/Agriculture         | 3            | 17,650 (11.18)           | 1        | 12,000 (24.00)         | 5                    | 23,500 (51.65)         | 9         | 53,150                   |
| Payment of old loan                      | -            | -                        | -        | -                      | 1                    | 10,000 (21.98)         | 1         | 10,000                   |
| Payment of time                          | 1            | 3,000 (1.90)             | -        | -                      | -                    | -                      | 1         | 3,000                    |
| Self treatment                           | 1            | 25,900 (16.40)           | -        | -                      | -                    | -                      | 1         | 25,900                   |
| Construction                             | -            | -                        | 1        | 20,000 (40.00)         | -                    | -                      | 1         | 20,000                   |
| Education                                | 1            | 9,000 (5.70)             | -        | -                      | -                    | -                      | 1         | 9,000                    |
| <b>Total</b>                             | <b>26</b>    | <b>1,57,950 (100.00)</b> | <b>4</b> | <b>50,000 (100.00)</b> | <b>10</b>            | <b>45,500 (100.00)</b> | <b>26</b> | <b>2,53,450 (100.00)</b> |

(Figures in parentheses indicate percentage)

- The loans from both the institutional and non-institutional sources have been utilized for both productive and non-productive purposes.
- 36% of the Bank loans have been utilized for non-productive purposes.
- Similarly, 48.35% of total loan from co-operative society has been spent on non-productive purposes (out of these 21.98% have been spent for repayment of old loans taken from non-institutional source).
- Of private loan, 66.72% have been spent for non-productive purpose, 16.40% on health and 5.70% on education.

### Sources of credit:

As said earlier the Dongria Kondhs borrow from both the non-institutional and institutional sources. The former is the main source, which includes the following:

*i) The neighbour:* The Dombs, the immediate neighbour of the Dongrias, are the principal providers of credit for the latter. They help each other at the time of necessity. The Dongria Kondhs possess Donger lands, whereas the Dombs are landless. Traditionally, the Dongria Kondhs were the patrons and the Dombs were the clients, but gradually by virtue of their skill, knowledge and expertise in trade and business and outside contacts, the Dombs emerged as a major trading community. They started supplying Dongria Kondhs their day-to-day necessities, like salt, dry fish, kerosene, oil etc. in exchange of food grains. Gradually the Dombs became rich and emerged as creditors. At times the Dongria Kondhs borrow money and animals (for sacrificial purposes) from the Dombs to meet their ritual urgencies.

*ii) Community members:* The poorer section among the Dongria Kondhs borrow from the well-to-do section mostly in the shape of kind, like food grain, seed etc. in a small quantity for a shorter period. The borrowed articles are returned at the quickest possible time, preferably after of the harvest. In case of seed loan, double amount (100% rate of interest) of the seed is returned after date of maturity, which is not applicable to food grain loan. According to the survey, out of 26 Dongria Kondh households, (7.59%) have borrowed from their own community members.

*iii) Community fund:* The Dongria Kondhs also take loans from the community fund called, 'Kutumb Taka' or 'Kutumb manjiga' at the time of necessity. Community fund is raised through co-operative labour, by selling fruits of the trees owned by the village community and collecting grains from individual households. They select a person as the custodian of the community fund from which the needy households take loan according to their requirements. The borrower repays the loan without paying any interest. The survey reveals 3 (11.54%) cases of borrowing from the community fund amounting to Rs.4, 000/-

Besides the above sources, the Dongria Kondhs also depend on loans from the institutional source, which includes the following:

*(i) Co-operative society:* A co-operative society, named "Niyamgiri Fruit Grower's Co-operative Society" was registered on 6<sup>th</sup> June 1979 by the Micro project (DKDA, Chatikona) for marketing of their horticultural produce and also to supply them necessary consumption articles and to advance loans for improvement and expansion of horticultural fields and for agricultural purposes. The main purpose behind establishing such a society was to save the Dongria Kondhs from the clutches of exploitative Dombs and the local traders. The headquarters of the society is located at Chatikona and to provide credit to its members for horticultural and agricultural activities. Besides, it also looks after the marketing of

the surplus agricultural and horticultural produce by processing it from the members at a reasonable price. The survey reveals that as many as 10 (previous loan 4 households + current loan 6 households) have taken loan from the NFGCS.

**Loan from Institutional source, NFGCS, Chatikona**

| Year      | No. of loanees | Loan amount (in Rs.) | Repayment of loan |          |        | Loan out standing till Nov. 2000 |          |          |
|-----------|----------------|----------------------|-------------------|----------|--------|----------------------------------|----------|----------|
|           |                |                      | Principal         | Interest | Total  | Principal                        | Interest | Total    |
| 1987-1995 | 19             | 16,000               | 3,372             | 6576.5   | 9948.5 | 14,118                           | 8735.31  | 22853.31 |

(Source: DKDA/NFGCS, Chatikona Office)

It was found that out of 35 Dongria families at Kurli village, 19 Dongria Kondh families have taken loan from the Niyamgiri Fruit Grower's Co-operative Society. Out of them, 5 are males and 14 are females. The males and the females have taken loan from their respective branches of the NFGCS. All the loans have been taken for agricultural purposes. The total loan given to these Dongria Kondh families during the 9 years amounts to Rs. 16,000/- of which the repaid amount is Rs.9948.50/- (Rs.3372/- principal and Rs.6576.50/- interest). The loan outstanding during the period of survey is Rs.14, 118/- that is more than 4 times, than the repaid amount. Outstanding interests are also much more than the amount of interests already paid to the society.

The above data reveals that the capacity of Dongria Kondh people in repayment of loan seem to be poor. This is either due to low productivity and misutilization of fund. The other reason which prompted them not to repay the outstanding loans is that they were misguided that they would be exempted from the total loan amount after a long period of time gap which had already happened in the year 1964-65, as per the decision of the government, whereby these poor tribal farmers were exempted from debts due to drought conditions.

**(ii) Commercial bank:** Besides the co-operative society, a branch of the Panchabati Gramya Bank located of Bissam-Cuttack caters to the credit needs of the people, and is providing loans to the needy Dongria Kondh families to meet the expenses of cultivation and horticultural plantation. In the study village as many as 4 (15.38%) families have been advanced loans by Panchabati Gramya Bank. A portion of the loan amount (36%) has otherwise been spent by the loanees, like meeting the expenses of marriage rituals and festivals and in consumptions. Generally Dongria Kondhs having fixed assets like plain lands etc., who could give security, have availed loans from the Bank.

**Process of getting loan & Security for credit:**

The Dongrias do not require intermediaries while asking loan to the known creditor. But the role of intermediaries arises when he wants to take loan from the creditors staying in other villages and personally unknown to him. In these cases witness or written documents are required. But this is a rare case because Doms of the some village rarely give a scope to their debtors to go to other villages for obtaining loans.

Previously the Dombs were the traders of horticultural produce of the Dongria Kondhs. With the development of horticultural orchards and phenomenal increase of fruit production and spices, like turmeric and ginger in the Niyamgiri hills, the Dombs emerged as trader cum creditors. The Dombs also became richer due to their monopolization as the only trading community in the locality. Taking the advantages of the symbiotic relationship between the Dombs and the Dongria Kondhs, the former developed a business motive. Dombs gave advance of the cash and kinds, like buffaloes, goats, hens, pigs, rice etc. to the Dongria Kondhs against the temporary pledging of different types of the latter's orchards like turmeric, pineapple, oranges, fruit trees, like mango, jackfruit and cereals or pulses, like *Jhudunga, Kondula*, etc.

At the outset, the functioning of the Micro Project and the Co-operative Society, the monopoly of the Domb traders seemed to be reduced. But in the latter part due to malfunctioning of the Co-operative Society once again the Dongria Kondhs returned back to the clutches of the Domb moneylenders. With the expansion of their area of horticulture, most of the Dongria Kondh families are not able to take proper care of their fruit-orchards and prefer to enter into a type of transaction with the Dombs in which they mortgage their orchards for a temporary period as against payment of certain amount of cash agreed upon by both the parties through bargain. The type of crop and the period of lease determine the value so fixed for particular orchards. Such type of transaction is made through oral agreement between both the parties based on mutual trust and belief. But now-a-days in some exceptional cases, the Dombs are insisting upon written agreement due to distrust on Dongria Kondhs. The field investigation reveals two to three such cases where particular orchards/fruit trees of one Dongria Kondh have been mortgaged to more than one Dombs (see case studies 13 & 14).

While borrowing from the community members, they prefer their own clan groups and consanguinal kin. Since the clan members are morally bound to help and trust each other, usually the question of demanding any security for any amount of loan borrowed from community members does not arise.

While advancing loan, the co-operative society also does not insist on any security from its Dongria Kondh loanees and member beneficiaries. To obtain loan from Punchabati Gramya Bank or from any Commercial Bank located nearby, the security in the form of fixed assets, like own land, house site, gold etc. are to be pledged, failing which no loan will be sanctioned.

#### **Rate of interest:**

The system of indebtedness that operates among the Dongria Kondhs is quite peculiar and unique and such system is not found in any other tribal communities. It is a kind of economic transaction, which does not involve payment of interest in cash. The Domb being very clever apply a method of taking lease of fruit orchards/fruit bearing trees on payment of contractual amount either partly or fully for a certain period of time, when the Dongria Kondh needs money. In such type of transactions, the Dongria Kondhs being very simple and having no accurate knowledge or having limited knowledge regarding the market price of their

produce are cheated by the Dombs. As for example, an orange tree yielding 1500 fruits was leased for a single bottle of liquor for a year and turmeric field worth of hundred rupees of harvested crops was leased out for a few bottles of liquor or about Rs.10/- (Aparajita, 1994:163). During the field study such types of transactions are also noticed. The pine apple/orange/turmeric field worth of Rs.10,000/- Rs.15000/- was leased out to Domb traders for Rs.4000/- Rs.5000/-. However, the Domb bears certain amount of risks that in case there is any failure of crops due to some reason or the other, in that particular plot which is taken on lease, the Dongria Kondh never returns the money taken in lieu of the crop. In such a situation, the Domb insist upon to take the same plot of land for another period on lease in order to compensate the loss on the basis upon fresh agreement subject to the approval of Dongria Kondh.

Thus the rate of interest calculated in terms of cash is 2 to 3 times more than the amount of loan taken by Dongria Kondh (200%- 300%). But as the interest is not paid in cash or in kind directly to the creditor, the Dongria Kondhs do not feel its burden directly to them as happens in case of loans from institutional sources though the interest is too low than the non-institutional source. Loan taken from *Sahabuti* fund is returned with addition of extra amount of rupees varies between 10-20 as per condition with the members. Individual Dongria Kondh also extends loan like seed, food grain, and small amount of cash to their community members at the time of their need. Seed loan carry 100% rate of interest where as other loans including cash loan are interest free. In case of loan from institutional sources the rate of interest is 12.5% per annum.

#### **Repayment of loan:**

In Dongria Kondh society, the son or legal heir inherit the debt of the deceased persons and obliges with the repayment of the outstanding loans. Extending loans to Dongria Kondh are more or less secured as loans are advanced against pledging fixed assets, like orchards or standing crops. So the Domb never bears any risk of uncertainty of getting repayment of loans. However, at the end of the lease period if the mortgagee wants to extend it for another terms on the ground that the loan advanced by him could not be recouped due to crop failure or some other reason, he has to enter into fresh contract with the son or legal heir of the deceased loanee. Otherwise the loanee or the legal heir of the late person takes back the possession of the pledged land. In case any dispute arises in the loan transaction, the matter is referred to the village council for settlement.

Loans from Community Fund and community members are repaid as per the terms and conditions fixed at the time of taking the loan. Loan from institutional sources (Bank) if not repaid in due time, notice is sent to remind the loanee. If the loanee fails to repay the loan amount after receiving the notice, the principal is merged with the interest and it becomes compound. After the date of maturity, the security of the loanee comes under the possession of bank. In case of Co-operative society; the loan amount is added with interest. From the survey it was found that loanees of the year 1985 has not repaid the loan amount yet.

### Limitations of borrowing:

The Domb creditors on the basis of Hindu belief and ideology do not lend money on Monday and Thursday. Usually, the lending and borrowings do not take place on these two days. However, this restriction is not followed strictly. The Dombs lend everything like rice, salt, chilly etc, animals like buffaloes, goats, etc. to the Dongrias, whenever he is in need, may it be at midnight.

A peculiarity among Dongria society is that they hesitate to borrow from their own relations or clan groups. In a Dongria Kondh family one brother may be well to do person having property more than his requirements. Neither does his poor brother ask money to him nor does he lend to his poor brother in the belief that he may not return the same. The Dongria Kondhs also feel shame to borrow from their clan groups or relatives as the lender would not keep anything mortgaged and this lowers the prestige of the debtor. Under unavoidable circumstances, when they fail to get a loan from the Dombs, they may approach a relative for which he does not have to pay interest while making payment of the principal amount. This, perhaps rarely happens.

Institutional sources, like Niyamagiri Fruit Growers Co-operative Society and Banks extend short-term loans to Dongria Kondhs for production purposes. But as most of the Dongria Kondhs require money for non-productive purposes, and institutional sources have their own constraints against advancing such loans, the borrowings from non-institutional source remain effective.

### Literacy and indebtedness:

Literate Dongrias seem to be aware of the economic transactions with the Dombs. They have developed the bargain powers while leasing orchards and standing crops in the fields and taking right decisions in fixing the price of their orchards. Out of 35 heads of households of the Dongrias at Kurli village, 28 (80%) are totally illiterate. On the other hand, the creditors (Dombs) are highly literate and educated. This may help the latter to cheat them, who precede it as a social phenomenon. As per the table below all the Dongria Kondh literates (including just literates) have incurred loans where as from illiterate mass, 19(68%) out of 28 head of households are indebted. As the literate Dongria Kondhs know little arithmetic calculation they use to bargain the price against pledging their orchards. Therefore, the education has enhanced the bargaining power of the Dongria Kondhs but it has no direct bearing on the issue of their indebtedness.

**Literacy and Debt among the Dongria Kondhs at Kurli village**

| Sl. No.      | Educational Qualification | Total number of households | Number of debtors and % to total indebtedness | % of indebtedness among educated households |
|--------------|---------------------------|----------------------------|---|---|
| 1            | Illiterate                | 28                         | 19 (73.08 %)                                  | 68 %  |
| 2.           | Just literate             | 6                          | 6 (23.08 %)                                   | 100 %                                       |
| 3.           | Primary                   | 1                          | 1 (03.84 %)                                   | 100 %                                       |
| <b>Total</b> |                           | <b>35</b>                  | <b>26 (100 %)</b>                             | <b>74 %</b>                                 |

Among 26 debtors who are the head of the families, 19 (73.08%) are illiterate, 6 (23.08%) are just literate and only 1(3.84%) have studied up to primary level.

Among the illiterates the extent of indebtedness is 68% where as among the literates it is cent percent.

#### **Income and indebtedness:**

Table below presents the grouping of families in different income ranges and their involvement in debts. It reveals that 66.66 % are below poverty line(BPL) and the rest are in the APL category. But the percentage of debtors (82.35) is more between APL group of families than the BPL group of families (66.66). This may be due to high expenditure in rituals and community festivals to maintain social prestige. High expenditure in rituals and community festivals is a status symbol of the Dongria Kondh. Thus Dongria Kondh families relatively in high-income groups have developed propensity to get into debt for more expenses in these rituals and festivals to achieve higher social status and prestige.

The frequent contacts of the Dongria Kondhs with Micro Project (DKDA) Official, researchers, academicians, businessmen and the vendors make them aware of getting more profit through higher investment (i.e. purchasing paddy land at plains, preparing more orchards etc) and to avail loan facilities at a lower rate of interest from the available sources of Government. Therefore, a few of them have obtained loans for purchasing paddy lands and payment of LIC premia, which shows their foresight for future security. As observed, even some of them have taken mutton on credit from the Dombs on eve of *Chhadakhai*, the day following 'kartik purnima' as observed by the neighbouring Hindus.

#### **Income range and indebtedness among the Dongria Kondh of Kurli village**

| Sl. No.                   | Annual income range          | No. of total households | No. of debtors | Percentage of debtors |
|---------------------------|------------------------------|-------------------------|----------------|-----------------------|
| 1.                        | Up to Rs.5, 000/-            | 4                       | 1              | 25.00                 |
| 2.                        | Rs.5001/- to Rs.10, 000/-    | 8                       | 5              | 62.50                 |
| 3.                        | Rs.10, 001/- to Rs.15, 000/- | 6                       | 6              | 100.00                |
| <b>Sub Total (BPL HH)</b> |                              | <b>18</b>               | <b>12</b>      | <b>66.66</b>          |
| 4.                        | Rs.15,001/- to 20, 000/-     | 9                       | 7              | 77.78                 |
| 5.                        | Rs.20, 001/ and above        | 8                       | 7              | 87.50                 |
| <b>Sub-total (APL HH)</b> |                              | <b>17</b>               | <b>14</b>      | <b>82.35</b>          |
| <b>Grand Total</b>        |                              | <b>35</b>               | <b>26</b>      | <b>74.29</b>          |

#### **Savings of Dongria Kondhs:**

Previously the Dongria Kondhs used to hoard their money without saving. In order to hoard, the Dongria Kondh used to dig a hole in the floor close to the area of the hearth inside the kitchen, put coins and notes inside an earthen pot, locally known as *Birgadoka*, seal it properly and bury the same under the earth and plaster the floor to maintain safety and secrecy. Another way to hoard is bamboo

pipe in which money is kept and clothes are put inside tightly and sealed properly and hide it either under the soil or fix a nail on the wall of the house at a higher place and hang the bamboo pipe on the wall. At outdoors, the Dongria Kondh often hide their money kept in a bamboo pipe under the ground near a tree where watch shed is constructed in the Swidden field. Before his death he discloses before his son or wife about the fact.

Now there is a drastic change in the saving pattern of the Dongrias under influence of the modernisation. Now many of the Dongrias have opened LIC policies, a long run savings for their future security. Out of 35 households, 8 (22.86%) households at Kurli village have opened LIC policies the amount of which varies from Rs. 15,000/- to Rs.80, 000/-. They are paying the LIC premium by selling their produce or by mortgaging their orchards. Besides LIC policy; a few of them who have extra incomes have developed the habits of savings in the local banks.

#### ***A Resume of Dongria Kondh Indebtedness:***

- The Dongria Kondhs to a large extent depend on loans from non-institutional source (77%) than from institutional source.
- The Domb creditors take the advantage of the symbiotic relationship with the Dongria Kondh debtors and become the established participant in the network of Dongria Kondh economy.
- The local customs of Dongria Kondh (like payment of bride price, feuds, elopement with girls for acquiring mate etc) drag them to debt net and therefore, open the way to exploitation.
- The loans of Dongria Kondhs from institutional source meant for agricultural development is utilized for non-productive purposes, like payment of bride-price and personal consumptions.
- The loan from non-institutional source carries different rates of interest. Except seed loan, which carries 100% rate of interest, the borrowing from the community members is interest free.
- Irrespective of their income ranges, the Dongria Kondhs are reported to have been indebted. The percentage of loanees in higher income groups is found to be more than that of lower income group.
- The prodigality of the Dongria Kondhs gives more scope to the Domb creditors to exploit the former. The Domb LIC agents have gained the confidence of the Dongria Kondh customers and help them to be LIC policyholders by extending credits to them.
- Dongria Kondh people are most often pulled into the trap of the debt for raising their social status by spending more than their earnings.
- Illiterate Dongria Kondhs often get scared of literate Dombs because the Dombs may drag them to the court of law or police station on any false allegation.
- At times the indebted Dongria Kondhs work in the mortgaged dongers for clearing the credit amount of Dombs.
- Despite the debt legislation, economic development programmes, Governmental measures for exemption of the agricultural loans and

extending further loans from institutional sources, the propensity of the Dongria Kondhs has not stopped them to get new loans from the private creditors. Overtly they have become habitual debtors.

## INDEBTEDNESS AMONG THE JUANGS

### Study area and the people:

The Juangs are a primitive tribal group exclusively found in Juangpirh of Keonjhar district and Pallahara subdivision of Dhenkanal district of Orissa. Linguistically Juangs are Munda (Austroasiatic) speaking people and racially belong to Proto-Australoid stock. Juang settlements are scattered, hidden inside hills and forests of Gonasika region. They eke out subsistence pursuing shifting cultivation and collecting minor forest produce. The Juang village community owns and manages all the productive and useful natural resources, like swiddens, forests, grazing land, and habitation sites etc., which lie within their village boundary. Another important feature of the Juang society is their traditional youth organization and dormitory, *majang* or *mandaghar*. The *majang*, serves as a community house for the youth, court house for the elders and *barabhai*, guest house for visitors, cooperative store for storage of common grains, place for keeping musical instruments, a venue for communal rituals, cultural centre for dance and music and a museum of Juang art and craft.

The study village Kadalibadi is situated at an altitude of 290 ft. above the sea level and is surrounded by hills and forests. The village comes under the Gonasika GP and Banspal block of Keonjhar district. It is one of the adopted villages of the Juang Development Agency and comes under Keonjhar ITDA. The Bathudi and the Bhuiyan tribe are found living in close proximity to Juang. The Juangs and the milkmen (Gouda) inhabit the study village, Kadalibadi. Both the ethnic groups live in separate wards.

The study village consists of 48 households of which 36 belong to the Juang and 12 to the Gouda community. The total population of the village is 243. The Juang constitute four fifth and the Gouda, one fifth of the total population of the village. The household and population composition of the Juang and the Gouda of Kadalibadi village is given below.

**Composition of households and population of Kadalibadi village**

| Sl. No.      | Community | No. of household  | Population |            |                    |
|--------------|-----------|-------------------|------------|------------|--------------------|
|              |           |                   | Male       | Female     | Total              |
| 1.           | Juang     | 36 (75.00)        | 95         | 99         | 194 (79.84)        |
| 2.           | Gouda     | 12(25.00)         | 22         | 27         | 49(20.16)          |
| <b>Total</b> |           | <b>48(100.00)</b> | <b>117</b> | <b>126</b> | <b>243(100.00)</b> |

(Source: SCSTRTI Survey, May 2001)

The Juangs are numerically preponderant over the Goudas both in number of households and population.

The sex ratio at village level is 1077 females, for the Juang it is 1042 females and for the Gouda it is 1227 females per 1000 males.

### **The neighbour:**

The Bhuiya and the Bathudi live side by side with the Juang. Besides, in each Juang village two or three Gouda families are found settled, brought by the Juangs to supply them milk and milk products and to tend their cattle. Now the Gouda population is gradually increasing and they have started living in separate wards. Besides Gouda, the Pano, Chasa, Teli communities are also residing in *Juangpirh*. They are playing the role of intermediaries, traders and moneylenders and supplying paddy, rice, animals, like goat, hen, pig, and buffalo to Juangs at the time of their necessity and charging exorbitant rate of interest. Besides, these caste groups carry on petty business by supplying the Juangs their day-to-day necessities at a much higher rate than the market price, simultaneously cheating them in weights and measures.

### **The Juang concept of loan:**

To a Juang, indebtedness means taking loan, which he has to pay back in future. They make a little difference between loan (*Thika*) and mortgage (*Bandhak*). In case of *Thika* (loan), the land is mortgaged for a certain period against an advance and the creditor takes the produce of the land. After the expiry of the loan period, the debtor gets back his land. In this case the loan amount is not paid back. In case of mortgage, the same process is followed, but the debtor has to clear the loan and interest amount before getting back his mortgaged land. Unless the debtor repays the loan amount, the creditor does not return the land and keep the land under his control beyond the period of agreement. In Juang area, the Juangs prefer to give *Thika* than *Bandhak* unless acute necessity arises.

### **Belief associated with lending/borrowing:**

In the Juang society, all articles and properties, except house can be mortgaged. They usually borrow both in cash and kind. Among the kind paddy, rice, salt, chili, oil earthen pots etc, different domestic animals like hens, goats, pig, bullocks etc. are borrowed from other caste people and from their own kinsmen which are paid back after certain period.

The Juangs follow certain injunctions while extending loans to their villagers or kinsmen. They do not lend either paddy or rice on Thursday because they believe that Goddess Laxmi (Goddess of wealth) would get angry and may leave their house. They do not lend lime (*Chuna*), turmeric or wood at night to kinsmen because of the belief that young babies would cry at night if such articles were given. They also do not lend salt at night on the belief that the tear would appear in cow's eye, which is an inauspicious sign. They also do not extend any thing as loan in *Akshya Tritiya*, the first sowing of seeds in the field at the beginning of the monsoon.

### **Extent of Indebtedness:**

The survey at Kadalibadi village (2001) reveals that all 36 Juang households are reported to have borrowed Rs.32.398/- from different institutional

and non-institutional sources. The average loan per household was Rs.900/-. Out of 36 households, 26 (72%) households had loans outstanding prior to the year 2000-2001. During the year 2000-01 all 36 households had taken loan. The amount of loan of 36 households during the year 2000-01 was Rs.9, 200/- where as the amount of previous year loan outstanding was Rs.23, 198/-. The average amount of loan per household during the year 2000-01 was Rs.255/- and during the previous year it was Rs.892/-. The extent of indebtedness is furnished in the statement below.

**Indebtedness among the Juang of Kadalibadi village**

| Total number of households | Indebted Juang households |      | Total amount of loan (in Rs.) | Average loan amount per household (in Rs.) |
|----------------------------|---------------------------|------|-------------------------------|--|
|                            | No                        | %    |                               |  |
| 36                         | 36                        | 100% | 32, 398/-                     | 900/-                                      |

**Causes of Indebtedness:**

Although most of the Juangs live hand to mouth, they do not like to borrow unless necessity compels them to do so. The necessity of borrowing arises at the time of sowing seeds, during observance of rituals and festivals and in shortage of daily consumptions. The specific purposes for which they ask for loans are (i) to meet the expenses on birth and death rituals and marriage ceremonies, (ii) to meet the expenses of agricultural activities, (iii) to meet the expenses of day-to-day consumption during lean season, (iv) for construction /repair of houses and for treatment of diseases and often for paying LIC premium, purchasing land, wine and meat.

All 36 households of the study village are found to have borrowed grains for sowing seeds in the field and for consumption purposes. Table-2 shows different sources of loan and purposes of getting loan by Juangs of Kadalibadi village during the year 2000-01. Out of 36 households; all have borrowed for cultivation, 28 (77.78%) households for consumption purposes and 2(5.56%) for observation of marriage rites and festivals. Of all 36 households, 30(83%) households have incurred loan from outside moneylenders. These loans are extended in kind comprising rice and paddy. The loan from private sources comes to 49.4 *Khandi* (720kg) rice and 12 *Khandi* (125 kg) paddy, whose money value is Rs.6, 700/-. Similarly loan from community fund consist of 44.9 *khandi* (625kg) paddy worth of Rs.2, 500/-. The paddy loans from community fund were used for seed purposes. The total loan amount from non-institutional sources (private source and community fund) comes to Rs.9, 200/-.

**Purpose of Juang Indebtedness (source wise) during 2000-01**

| Purpose               | Private source |               |         |                       | Community fund |         |         |                       | Bank loan |                 | Total loan amount |                 |
|-----------------------|----------------|---------------|---------|-----------------------|----------------|---------|---------|-----------------------|-----------|-----------------|-------------------|-----------------|
|                       | No             | In kind       | In cash | Total amount (in Rs.) | No. of debtor  | In kind | In cash | Total amount (in Rs.) | No.       | Amount (in Rs.) | No.               | Amount (in Rs.) |
| Household consumption | 28             | 46.4 kandi or | -       | 5700/-                | -              | -       | -       | -                     | -         | --              | 28                | 5700/-          |

|  |    |   |       |        |    |              |   |        |   |    |      |        |
|--|----|---|-------|--------|----|--------------|---|--------|---|----|------|--------|
|  |    | 650 kg rice @ Rs 8 per kg.+ 12 khandi or 125 kg pady @ Rs 4 per kg. |       |        |    |              |   |        |   |    |      |        |
| Celebration of marriage festivals, ritual etc. | 2  | 5 kandi or 70kg rice.   | 440/- | 1000/- | -  | -            | - | --     | - | -- | 2    | 1000/- |
| Shifting Cultivation/ Agriculture              | -  | -   | -     | -      | 36 | 625 kg paddy | - | 2500/- | - | -  | 36   | 2500/- |
| Total  | 30 | 720 kg rice + 125 kg paddy  | 440/- | 6700/- | 36 | 625 kg paddy | - | 2500/- | - | -  | 36 * | 9200/- |

\* Total no of indebted households is 36 as they have taken loan from multiple sources.

- Juangs have not availed any loan from institutional source (Bank) during 2000-01
- All the Juang households have taken seed loan from the non-institutional source (Community fund) and non-productive loan (consumption purpose and celebration of rituals) from private source.

#### Grain loan:

The Juangs do like to have loans in cash and kind. Loans in kind mainly comprise of rice and paddy. Loan is meant mostly for seed purpose and is usually taken from community grain stored in safe custody at *Mandaghar* before sowing of seed starts. This is called as seed loan. This carries 50% rate of interest. The loan payment is made on the ratio 1.1 ½ in form of paddy. The entire community is involved in the process. Besides paddy, the other kind of loan is rice loan. The rice and paddy are utilized generally for meeting the food scarcity of the Juang during lean periods and especially in festive occasions, marriage ceremonies and during ritual occasions.

To have kind loans, the Juangs principally depend on non-institutional source like the Gouda creditors and Juangs' *Mandaghar* (the community grain store). The survey shows that during the year 2000-01, 36 (100%) Juang households have taken kind loans which amount to 7.45 qtls of paddy and 7.20 qtls of rice.

#### Sources of credit:

In Juangs mainly depend on the loans from the non-institutional sources like private moneylenders, employers, traders, relatives and friends. Lack of communication, and an altogether different social environment stand as obstacles

for any organized institution for extending loan facilities to the Juang people at the time of their necessity. There is no credit co-operative society or organized *graingola* of the village or its nearby areas. Therefore, only those infiltrators, who live either in the village or near about and have intimate acquaintance with the Juang people, take the risk of advancing loan to them.

According to the survey cent percent Juang households have borrowed 37.46% of the total loan amount from non institutional source and 20 (55.55%) households of the indebted households have borrowed from the institutional source and the amount constitute 62.34% of the total loan.

The Juangs take loan from private moneylenders belonging to different castes, like Teli, Chasa, Gouda, Pano and Sundhi residing in their area. These creditor groups generally extend credits in shape of kind like paddy and rice and take back the amount in more valuable cash crops like til (*Rasi*). All the Juang households of the study village have been reported to be borrowed Rs.9, 700/- from the private moneylenders. At the time of dire necessity when one does not get loan from any other source, go to the community members who are little above the poverty line. In this case the creditors charge 100%, which is twice the normal lending interest rate. This is because the loan is advanced instantly neither observing any cumbersome process nor asking for any pledge.

It is a traditional practice that at a Juang village community fund is kept in shape of paddy in their '*Mandaghar*'. The paddy is distributed as loan among the needy families at their dire necessity, mainly to augment the seed for agriculture as well as for consumptions purposes. A selected literate person of their community enlists names of the members with quantity contributed. The loan amount is repaid with 50% rate of interest. At village Kadalibadi, all the Juang (36) households have borrowed seed from the community fund amounting to 625 kg of paddy.

#### **Process of getting loan:**

When a Juang approaches to a creditor for loan, other than his community members, he generally takes some gift with him to offer to the creditor, but it does not happen in all cases. If the creditor is staying at a distant place, sometimes the needy villagers go in a group with some gifts like hen, goat or any other rare variety of agricultural produce like *Suturi dal* (a good variety of dal), *Pejua biri* (a good variety of black gram) different types of minor forest produce to present the creditor to please him and get the required amount of loan easily. The creditor keeps note of their names and extends loan. Some times, the Juang takes the help of intermediaries to get loans from the creditor easily. Intermediary usually does not charge anything for the help, but debtor may show him hospitality by offering a bottle of liquor or tiffin. Due to gradual development of communication facilities, some businessmen of Keonjhar belonging to general caste are coming to the area to extend loans in kind, like rice and paddy in lean seasons and collect the same along with the interest after the harvest.

**Security for credit:**

The Juangs do not borrow a lump sum amount. They ask for loan in small amount or quantity according to their needs. Majority of them have hardly any surplus agricultural produce before two to three months of the harvest. So when a Juang badly requires a loan, he surrenders his claim over future yield of his piece of land as a security against the loan to the *Sahukar*. Most of the villagers have taken loan from the people belonging to Gouda or Sundhi caste of the same village or nearby villages by mortgaging their cultivable irrigated paddy lands.

Thus exploitation takes place at the time of bargaining when the creditor is at favourable condition either to take more acres of land or more productive/fertile land or land for a longer period over and above the due against the loan amount. Some times, the creditor does not agree to return the land if he gets more profit out of its produce. Those types of temporary land alienation cases are found in the Juang area, where the lands are usurpedly cultivated by the creditor who belongs to other caste (see, case study). In case the creditor extends loan without any security and the debtor fails to repay the same, his household belongings or cattle are either taken away by the *Sahukars* or are sold off on the spot to recuperate his loan amount. But this incident does happen, if the creditors belong to their own community. Sometimes, the debtor has nothing to offer as security, except his labour and work as *goti* (bonded labour) in the house of the creditor.

**Rate of interest:**

Ordinarily the rate of interest of the loan charged by the creditors varies from 50% to 100%. In majority cases loans are advanced against security of land. Usually the outsiders charge 50% interest for the loan. But if the price of goods is calculated in terms of exchange value; the interest may exceed 100%. The economically better off members of their community who are rarely involved in this type of lending business, charge 100% interest for the loan. This is because the debtor gets the loan from them easily and immediately without going to a distant place and without involving in any cumbersome process. Again the process of getting the loan amount does not involve any bribe or gift, which sometimes he has to pay to other community members for getting the loan. The debtor has to run several times to the creditor's house to get loan, which does not happen in case of loan taken from the community member.

**Duration and repayment of loan:**

Most of the Juangs live almost in subsistence level. They frequently resort to loan after four to five months of their harvesting. Aftermath of the harvesting they repay the outstanding loans. So during the month of May-June they approach the community grain fund for seed loan for agricultural purposes and during the month of July-August they approach the moneylenders to get new loans in order to celebrate various festivals and rituals.

Generally the Juangs repay their loans in kind. In village Kadalibadi loans are repaid in terms of *til*, a cash crop. Usually *til* is exchanged with the paddy in

the ratio of 1:2. But when the loan amount is repaid, the exchange value of paddy and *til* is in the ratio of 1:1:5. Thus they have to pay 200% interest when they take loan from outsiders. Creditors investment at the time of debtors' dire need fetches the creditor huge amount of profit. The capital of bank loan is repaid in cash with 14% rate of interest.

During the year 1999-2000, out of 36 indebted households, only 10 (27.78%) households had repaid their loans which amount to Rs.21, 880/-, e.g. 50.75%. The most striking aspect of the loan repayment by the Juangs is that some of the old loans are renewed by new loans and most of the loans are repaid in kind which leads to economic exploitation of the Juangs by their creditors.

Out of 36 loanees, 30 (83.33%) of the Juang loanees have repaid Rs.5, 700/- (56.52%) as against the total amount of loans (Rs.8, 700/-) from the private source. The loan recovery in case of community fund have been reported to be cent percent whereas loans from the bank have been partly paid (36.31% of the loan amount). Repayment of loan partly and fully by the Juangs during 1999-2000 and taking new loans in the succeeding year 2000-2001. The reasons of such perpetual indebtedness among the Juangs reflect their socio- economic and psychological phenomena.

Loans are also incurred by mortgaging cultivable lands to the creditors living in nearby villages. Sometimes the creditor becomes unwilling to return the land as per the agreement. Temporary land alienation cases are found among the Juang where the creditors are found cultivating the land of Juangs. Some of the land alienation case studies collected confirms this.

#### **Literacy and indebtedness:**

It is presumed that acquired social abilities change the people's behavior especially in economic sphere. Education is believed to be the key development, which brings about social-cultural changes. Education generally plays positive role in distracting people from getting involved in indebtedness, unless they presume a huge amount of return in capital investment by incurring loan.

But paradoxically, literacy does not play any important role to wean away people from indebtedness in Juang area. This is because of acute shortage of bare necessities and with blocking of various avenues for earning i.e. shrinkage of landed property through land alienations, eviction of sharecroppers etc. There is no distinction between the literate and illiterate mass as irrespective of their educational level all of them are in debt and are victims of exploitation. The Table below reveals that out of 36 households, 15 households (41.67%) are fully illiterate and among 21 households 3(8.33%) are just literate, 16 (44.44%) have education up to primary level and 2(5.56%) up to secondary level. Among all these categories the percentage of indebtedness is 100.

**Educational level and indebtedness of the Juangs of Kadalibadi village**

| Sl. No. | Educational Qualification | Total No. of Household | Debtor household |            |
|---------|---------------------------|------------------------|------------------|------------|
|         |                           |                        | No               | Percentage |
| 1.      | Illiterate                | 15(41.67)              | 15(41.67)        | 100        |
| 2.      | Just literate             | 3(8.33)                | 3(8.33)          | 100        |
| 3.      | Primary                   | 16(44.44)              | 16(44.44)        | 100        |
| 4.      | Secondary                 | 2(5.56)                | 2(5.56)          | 100        |
|         | <b>Total</b>              | <b>36(100%)</b>        | <b>36(100%)</b>  | <b>100</b> |

**Income and indebtedness:**

Irrespective of their incomes all the Juang households at Kadalibadi Village are found to be indebted. The Table given below explains so. It shows that the annual income of all the 36 Juang households at Kadalibadi village is less than Rs 10,001/- and thus they belong to BPL category. Among them 26 (72.22%) households are within annual income up to Rs.5000/- and only 10 (27.78%) households come under income range of Rs.5000/- Rs.10, 000/-. All the Juang households of the said village are indebted.

**Income range and extent of Juang debt at Kadalibadi village**

| Sl. No. | Income range (in Rs.) | No. of household  | Debtor households |            |
|---------|-----------------------|-------------------|-------------------|------------|
|         |                       |                   | No                | Percentage |
| 1.      | Upto 5000             | 26(72.22%)        | 26                | 100        |
| 2.      | 5001-10,000           | 10(27.78%)        | 10                | 100        |
|         | <b>Total</b>          | <b>36 (100 %)</b> | <b>36</b>         | <b>100</b> |

**Savings of the Juang:**

Majority of the Juang people lives below poverty line. They spend whatever they earn. It is a customary practice among the Juangs that after harvesting, the community save the paddy in the seed bank inside their *Mandaghar*. The circulation of money is very limited among them. They usually put the cash in a small cloth and put it in the wooden plank in the thatched roof. The well-to-do among the Juangs sometimes keeps their money in bank. During the survey at Kadalibadi village, no such case of saving of the Juangs was reported. This explains their abject poverty.

**A Resume of Juang Indebtedness:**

- The Juangs by and large depend more on loans from non-institutional sources. At times they borrow from institutional sources. But due to non-repayment of outstanding loan, they revert back to the private moneylenders and augment their excess expenditure in the dire necessities.
- Most of the loans are used for non-productive purposes like consumption, meeting ritual expenses including the payment of bride price and social obligations.
- Loans are incurred in cash and kind like rice and paddy. Paddy loans for seed as well as for consumption purposes carry 50% rate of interest.

- The repayment of loan amount by households is 50.75% and the number of households repaid loan is 20.78%. The most striking point of the loan repayment by Juangs is that some of the old loans are replaced by the new loans and most of the loans are repaid in kind which leads to economic exploitation of the Juang.
- All the Juang households reported to be indebted in previous year are also found to be indebted in the succeeding year. This explains perpetuate indebtedness of the Juang due to poverty and socio-psychological network.
- The rate of interest charged for the loan by non-institutional source is usurious which varies between 50% and 200%. The rate of interest charged by institutional source is 14% per annum.
- At times, barter operates during the transactions of kind loan. Repayment of paddy loan is made in exchange of cash crop, i.e., *til*, which is largely produced by the Juangs in the hills.
- All the Juang households in different income ranges and educational level have been reported to be indebted. This shows that income and educational factors have no effect for the cause and extent of Juang indebtedness.
- The traditional custom of savings of grain seeds at *Mandaghar* as community fund has been proved to be quite essential for providing paddy seeds to the seedless Juangs farmers as well as security to fight the food insecurity of the Juangs during the lean season.
- Loans are also taken by the Juangs on pledging small chunks of lands. In some cases pledging of land leads to temporary and illegal land alienation of the Juangs.

### **Comparative study of indebtedness between the Dongria Kondh and the Juang**

The statement of the problem of indebtedness between the Dongria Kondh and the Juang as discussed in this paper speaks of two distinctive aspects of indebtedness between the two Primitive Tribal Groups. The Dongria Kondhs are a primitive section of the Kondh tribe of Southern TSP area of Orissa. They dwell in the Niyamgiri hill ranges of Rayagada district. The Juangs dwell in Gonasika hills of Keonjhar district in the northern TSP area of Orissa. Dongria Kondhs are indulged in clan feuds frequently and thus appear to be aggressive and hostile in nature whereas the Juangs are known to be simple and mild in nature.

The Dombs are the immediate neighbour of the Dongria Kondh. The Juangs live along with the neighboring communities, like the Pano, the Sundhi and the Gauda. In Dongria Kondh area, the Dombs are numerically preponderant, almost double in number whereas in Juang area it is just the reverse, the number of Juang people, the debtors, are more than the Gauda people. The Dongria Kondh social relationship with the Dombs is more intimate and cordial than the creditor-debtor relationship between the Juangs and the Gaudas. These caste-groups, like the Dombs and the Gaudas act as the creditor and lend money and goods to the Dongria Kondhs and Juangs respectively at the time of the latter's necessities and extract exorbitant rate of interest for the loans.

The Dongria Kondh claiming of royal affinity with the Niyamgiri King refrains them to be involved themselves in the derogatory works, like watch and ward of the orchards and selling of the produce at market. On the contrary, the Juangs have neither such royal feeling nor such propensity for the work. Both the tribes are victimized by the economic exploitation of the creditors through the process of credit transactions. It is found that the extent of exploitation is more in case of the Juangs than that of the Dongria Kondhs.

Both the PTGs pursue uneconomic shifting cultivation and use primitive technology and tools. Economic awareness of the Dongria Kondhs is much more than that among the Juang. The Dongria Kondhs are economically better off in comparison to the Juangs, because most of the Dongria Kondh families are owners of the orchards. Because of their royal affinity and lack of time to give proper attention to these orchards, they mortgage the same to the Dombs for temporary period and get money in lump sum, which is considered as their extra income. They do not think it as a loan but an economic transition. But most of the Juang families possess small chunk of land. They are forced to mortgage the same to get loan to meet their necessities. In case of urgency the Juangs voluntarily present some gifts to the creditor in order to get loan. The Dongria Kondhs rarely present gifts to their creditors.

Both the groups take loans from private sources, community fund and bank. For the Juang, community fund and private moneylenders are the major source of getting loans whereas for the Dongria Kondh temporary sale of orchards to Dombs constitute major source of getting money. The Dongria Kondh prefer to take cash loans whereas the Juangs prefer taking loans in kind. In Juang area usually 50% rate of interest is charged on the loan extended for one year whereas in the Dongria Kondh area they do not have any fixed rate of interest. The rate differs depending upon the bargaining capacity of the mortgage of the orchards.

The Dongria Kondh are economically better off than the Juangs. It is found that 48% of the Dongria Kondh families of the study villages are living above poverty line whereas all the Juang households of the study village are found below poverty line. But irrespective of their financial conditions, all the Dongria Kondh and Juang families in the study area are found to be indebted. The Dongria Kondhs utilize the loan amount mostly in different social functions and rituals whereas the Juangs utilize the same for the consumption, purchase of daily necessities and for agricultural expenditure.

Awareness of Dongria Kondh people in the matter of knowledge in simple arithmetic, cheating, and exploitation is more than that of the Juangs. In case of indebtedness the bargaining power always lie with the creditors as it happens in Juang area. But in the Dongria Kondh area the reverse happens. The debtor's bargaining power in valuation of orchards to be mortgaged is much stronger unless otherwise he is in dire necessity of money.

The saving propensity of the Dongria Kondhs differentiates them from that of the Juangs, who mostly live below poverty line and have no attitude towards savings. It is important to note that besides their traditional way of saving secretly, many of the Dongria Kondhs have long-term LIC policies and some of them have

incurred loans for payment of their policy premiums. The Juangs have neither the means nor any attitude for savings.

Though there is a great difference in the process of indebtedness between these two Primitive Tribal Groups, both of them are exploited to a great extent by the creditor communities. Thus the root cause of this basic problem is to be eradicated to protect them from exploitations.

### **Some suggestions**

Indebtedness among the tribals cannot be seen in isolation from the network of the other economic and social interactions. Outside forces play a pivotal role in controlling and influencing the economy of the Dongria Kondhs and Juangs. Being economically weaker and backward sections of the society, they often become victims of exploitation. Indebtedness among the tribals has become almost a ubiquitous factor because whatever economic benefit is brought to the tribal villages to fight against their poverty, it gets ready outlet through various ways of indebtedness. Moreover, prevalence of many traditional belief systems among them brings about many such economic and social maladies. As an economically weaker section they suffer from several constraints of under development. In most cases they possess uneconomic land holdings and lack entrepreneurship for taking up commercial cropping or establishing themselves as traders. It is a common experience that in several cases tribals become the victim of their over backwardness.

Most often lack of funds becomes a serious constraint to manage the food insecurities and to tide over the situation, like meeting the cost of culture bound rituals and ceremonial expenses of Dongria Kondhs and Juangs. Institutional finance has not been able to drive out the operation of non-institutional finance in the areas of two PTGs. The financial institutions have certain barriers, like legal provision, loan policies and procedures that make credit inaccessible to both the groups alike. Further, institutional finance also finds it difficult to meet the credit requirements of the Dongria Kondhs and the Juangs due to lack of assessment of their credit needs and consumption loans. For these reasons the poor tribals have no alternatives but to depend on non-institutional finance by and large. This leads to falling of Juangs and Dongria Kondhs into the clutches of the private creditors, the Goudas and the Dombs respectively. The credit provision of common fund of Dongria Kondh and the *grain gola* of Juang *Mandaghar* is meager and inadequate to meet their dire needs.

All plans for development have greater chances for success if the relevance of cultural and social factors are integrated into planning. Thus credit through micro finance (provision of small working capital to self-employed) can help them, especially their women folk to take up farm allied activities of Dongria Kondhs, like processing, packaging and marketing of turmeric, ginger, pineapple, lemon, orange and forest based cottage industries, such as broom making, mat making, leaf cup and plate making of Juangs. This can be made possible by formation of Self Help Groups of 10-20 women and inculcating in them the habit of regular saving and rotating the saving amongst them for productive and non-productive purposes (consumption under the Self Help Group Bank linkage programme of

NABARD. The existing DWCRA (Development of Women and Children in Rural Areas) groups in Dongria Kondh and Juang areas may be strengthened and the new ones be organized taking 10-15 women into groups for effective utilization of credit under DRDA and ITDA programmes.

The project authorities of JDA and DKDA and their concerned ITDAs should know the tribal traditional ways of solving the food crisis in the lean period and may take effective steps to ameliorate the situation. The Juangs are used to save and store grains in their 'Mandaghar' and distribute the same among needy people to tide over the food crisis. ITDA/Micro Project authority should come forward to provide financial assistance for promoting the activities, like more procurement of grains and storing them in the 'Mandaghar' of Juang and 'Kudi' of Dongria Kondhs for distribution of the same to poverty stricken people during crisis period and recover the same after harvest.

The Dongria Kondhs and the Juangs may be saved from the debt net. To make them free from the clutches of private moneylenders, like the Dombs and the Gaudas, we may take care of the following facts.

- Steps may be taken to identify the poverty-stricken villages in the Dongria Kondh and Juang areas and to establish Grain Banks there along with formation of new SHGs and DWCRA groups and to strengthen the existing ones.
- Awareness campaign and publicity on various protective and legislative measures against tribal exploitation may be organized in tribal and remote areas. Preferably, the campaign should be in tribal tongue with the help of folk songs, street plays, dance and music through the participation of the tribal artists.
- Special efforts may be made for creation of awareness among them about the existence of Money Lending Act, establishment of Market Intelligence Cell in areas where barter economy is gradually changing into money economy and awareness building about the change in prices of different tribal produce.
- The local tribal development agencies may extend support to the Dongrias and the Juangs with the extension services, like training for up-gradation of agro-forest -based livelihood activities, input supply and adequate market support.

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