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Precariousness of Indigenous Population of India as A Legacy of The British Colonialism

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ABSTRACT

We live in a civilization, in a society, in a historical moment of precarious frame of mind. Precariousness is the postmodern declination of existential restlessness. But perhaps at the term precariousness we do not all give the same meaning. This article is an attempt to show how the British colonialism has deprived of steady living conditions the indigenous inhabitants of India, considering them a „law and order problem” for the state.

India is the home to large number of tribal population, who is still untouched by the lifestyle of the modern world. There are more than 84.4 million of tribal people generally called adivasis ‘original Inhabitants’ of the land, who are the poorest in the country, still dependent on hunting, agriculture and fishing. They have their own culture, tradition, language and lifestyle, being a vivid richness of the unique folkloristic tradition of India.

And yet, in the 1871 Criminal Tribes Act has been enforced throughout the territory of the country, grouping together indigenous tribes, nomads, travelling tradesmen and even the third gender. Legacy of the colonial British, the Land Acquisition Act of 1894 is a law still prevailing in India that allows the government to acquire private land in the country. Thus indigenous people across all India are being alienated from their lands (and natural resources) and losing their traditional culture, knowledge and lifestyle as a result of developpmet-induced displacement and resettlement, finding themselves in a very precarious conditions. The conditions that totally deny the principles of human justice or equity representing existential situation of tribal communities' displacement.

Key words: precarioius, precariousness, British colonialism, tribes, adivasis, Criminal Tribe Act, displacement.

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Introduction: the meaning of the term „precariousness”

We live in a civilization, in a society, in a history and in a precarious frame of mind. Precariousness is the postmodern declination of existential restlessness. But perhaps at the term precariousness we do not all give the same meaning. Nowadays the term precariousness is widely used, especially to describe the existential situation of young people. However in the history of literature and philosophy the attribute "precarious" was used to define the main structure of the existence: in fact, it referred to the immanence, the physicality, the temporality and the transience of all things.

The human being as such, unlike any living being that has no consciousness or self-awareness, it is the only one who perceives its temporality and therefore the impossibility of lasting eternally. From this fact derives an existential anguish that accompanies the inner life of each individual and places him in front of himself and his own limits: the impossibility of making himself immortal physically however arises the possibility of trying to impress the world and in the world. collective life by building its own identity and social role.

Only through the work and use of one's faculties (intellectual or otherwise) in a project of individual and public life (of community), each personality can emerge from itself and build itself from time to time in the relationship with others.

Etymologically 'precarious', connected with Latin *praecor*ⁱ and *prex*ⁱⁱ, refers to something that must be obtained by praying and endeavours and which does not last. The initial use of the term belongs to the social and economic field, and is used above all in reference to work: almost all those who start their work, have to deal with precariousness. And even if we stress the need to be flexible, to 'reinvent ourselves' it is an existentially difficult condition when it lasts too long: unacceptable indeed, when it condemns people to continually reprogram their lives for short segments, to have no certainties, not being able to do long-term projects.

But what exactly do we mean by precariousness? The definition of Wikipedia says: «It is a condition of what is precarious, unstable, uncertain» The precariousness if we look at it from an objective point of view is the status of those who do not have another subject that guarantees something. If we look at it from a subjective point of view it is a condition very close to fear, to the fear of the unknown, to the nightmare of uncertainty.

'Liquidity' and precarity

In the last decade the ideas of a Polish sociologist of Jewish origin, Zygmunt Bauman, who summarizes in the category of 'liquidity' all the threats (many) and opportunities (many, but ephemeral) of today's life, are becoming more and more popular. The modern and postmodern epochs are compared to the solid and liquid phases of society respectively. (Bauman)

Our present life, no more only in the West, is precisely 'liquid', that is constitutionally incapable of keeping its form unchanged and of following the same course for a long time: it thus becomes a ~~continuous succession of new beginnings, in which the fast and painless ends, necessary to make new~~

beginnings possible, they tend to represent the most challenging and difficult moments to bear. The liquid society can not stand still, terrified by the deadlines and driven by the imperative to modernize in order not to succumb, or to "run with all their strength to remain in the same position", to gain temporary salvation from being caught unawares, stay behind, come out.

Liquid life is inherently precarious, having lost form and foundation, uncertainty has become a system of life. We know that human existence as such is limited, even in its highest achievements; but in the liquid society, according to Bauman, the idea seems to be that "if one moves at a sufficient speed, without stopping to look back and counting winnings and losses, it is possible to compress an ever greater number of existences in the life of a mortal life, perhaps all those that eternity could offer ». (Bauman, p. 22)

In this context the stranger, the other, represents the risk in his own alterity. In particular, the city, in which strangers live close while remaining strangers, is a place of chronic and irreducible precariousness. In addition to liquid modernity, liquid society, liquid love, there is therefore also 'liquid fear': which is able to preserve itself and feed itself. Thus in the framework of precarious age also the phenomena of fanaticism, intolerance and neo-fundamentalism that are seen to grow in our time, appear

. It is clear that under the name of precariousness we pass many things, and some of these are certainly negative, fruit and cause of injustice and source of suffering, others simply unavoidable, others interesting and perhaps even providential. All are among the signs of the times. Precariousness is not automatically an evil, as it undermines the pre-existing balance but it can reveal what there is something of deceptive or inconsistent or even insufficient in a changed situation.

India under the British Rule

In the 16th century, the influx of Europeans to India began. In 1510 The Portuguese occupied the island of Goa and dominated the trade with India. In the mid-sixteenth century, the English and the French, established trading companies (East India Company, Indian Company), forts and factories, which in the seventeenth century gave rise to the cities like Madras, Mumbai, Calcutta and others. In the 18th century, the British, who gained a decisive advantage over other countries competing for influence in India, began to conquer the interior part of the country. Until the mid-19th century, they mastered almost the entire territory of India. English became the official language. Gradually, the country was transformed into the raw material base and the England's market.

The plundering economy, huge taxes, the impoverishment of the peasants resulted in the outbreak of the general Indian uprising of 1857-1858 suppressed by the British army. This rebellion commonly known as the War of Independence made by sepoys had emerged against numerous elements of British rules like the recruitment of soldiers to the British infantry troops among the local tribes,

mainly Gurkhas and Sikhs, while the officers were exclusively English. This often resulted in mutual conflicts.

Another reason for the revolt was the British disregard towards the beliefs and customs of the population. According to the hinduism, the soldiers forced to do foreign service would lose their caste of belonging. The problem was also the using of the beef (for the Hindus) and the pork (for the Muslims) fat for soaking cartridges (the soldiers had to bite off the paper cap) which was a violation of religious regulations for both and threatened with loss of caste and becoming a dalit (here: broken/scattered/untouchable).

As a result of the defeat of the uprising, in 1858, India was incorporated into the English Crown. In 1877, the Queen of England was proclaimed the Empress of India. On her behalf, the country was governed by the governor. There was no empire larger than British in the history of the world. In the peak period it covered almost a quarter of the land and one fifth of the population on Earth. And the pearl in the British crown was India - strategically located, populous and full of wealth.

Finally, in 1885, the Indian National Congress was established, and with it the national liberation movement started to develop. But what are the consequences of the British rule over indigenous, ethnic populations?

Indian Indigenous Population

It is hard to believe, but more than 80 million Indians live apart from the caste division of the Indian society, belonging to different strains. This population, known as Adivasis, lived on the subcontinent even before the arrival of the Aryans and the displacement of the Dravidians towards the south. It is estimated that they have been living in India from as early as 2000 BCE. For thousands of years indigenous Indian tribes have lived a peaceful life in inaccessible mountains and forests, and so in areas of low importance for agriculture. These people speak their tribal languages and they maintain their customs which distinguish them from the rest of the population. At present, they are spread over the whole Indian sub-continent: India, Nepal, Bangladesh and in the Andaman Islands, dwelling almost exclusively in rural areas.

The term 'adivasi' derives from modern Sanskritⁱⁱⁱ and defines original inhabitants of India. Wiktionary gives two definitions of the word: 1. A member of a heterogeneous set of ethnic and tribal groups claimed to be the aboriginal population of India,

2. member of the tribal groups considered the aboriginal population of India. The Collins Dictionary says:"a member of any of the aboriginal peoples of India", The Oxford Dictionary:"A member of any of the aboriginal tribal peoples living in India before the arrival of the Aryans in the second millennium BC. A descendent of any of the Adivasi peoples", The Encarta Dictionary:"a member of an aboriginal people of South Asia; a descendant of the ancient kin Adivasi, living mainly in the Bangla and Bihar regions of India", so as we can see, Adivasi is a term which covers a broad category of people living in the diverse endogamic tribes, but even though they are different and

uncontaminated, the ones by the others, to the general public they all fall under this generalizing umbrella term.

According to researchers, Adivasis arrived to India during the earliest human migration in the period of the earliest inhabitation, coming from Africa, much before anyone else settled down in the sub-continent. Some rivalling theories even propose that the rest of the population has originated out of them, what is however a very risky theory. In any case we can say that the arrival of the Adivasis to India resulted in a cross-cultural exchange among people.

Adivasis who are the earliest inhabitants of the subcontinent in the past inhabited much larger areas than they do at present. We don't know much about their history, except that after the invasions of the Indo-Aryan tribes they were pushed into the hill and forest areas. These indigenous peoples were not integrated into the Hindu caste society, because considered uncivilised and primitive, even though not intrinsically seen as impure. That is why there are testimonies about people who descended from mixed Aryan - Adivasi marriages which proves that their position was not so low and mutual influences, cultural and religious, are confirmed. The author of Ramayana, Valmiki, was, for example, of the mixed Rajput and Bhil origins. (Wikipedia, access: 08/09/2019).

The situation of Adivasis has changed abruptly with the arrival of the British. The tribesmen from the very beginning even more than whole the rest of the population resented the British intrusion upon their tribal system. Despite their resistance and rebellions, the British introduced a feudal zamindari system, strongly oppressing indigenous populations. Zamindars were Indian aristocrats who held huge areas of land and the control over their peasants. They had as well the right to gather taxes on behalf of imperial rulers and to exploit inhumanly indigenous people for extracting the maximum economic benefit possible from their subordinates, what is perfectly shown in the Satyajit Ray's movie *Sadgati (Salvation or Deliverance)*, based on a short story of same title by Munshi Premchand.

In the beginning of the 18th century the British imposed the Permanent Settlement starting from Bengal and Bihar, with time extended to the whole country for a deepening of feudalism uprooting the previous social and economic system (C.R. Bijoy, 2003). Thus, forest areas, the property of Adivasis and settled farmland which belonged to non-advansi peasants, at a rapid pace became the legal property of landlords who were zamindars designated by British. And so the tribal population first deprived of their land which was giving them all the resources: food, work and abode, until then autonomous and self-sufficient, suddenly plunged into poverty. Drastically impoverished many times they had no other option than to borrow at steeping rates from moneylenders whom in many cases were the zamindars themselves. Gradually those who had no possibility to pay, were forced to become bonded labourers. Many of them couldn't pay their debts with interests increasing considerably during their life-time, which meant that the debts fell on their children (Trust, 1974).

Some isolated, specially insular tribes (like for instance the Andamanese Adivasis), which didn't have for a very long time any contact with the outside world, living in their autonomous communities,

through the British invasion were exposed to dangerous epidemics that often killed whole kins. (Venkateswar 2004).

Criminal Tribes Act, 1871

If it was not enough, after some legitimate revolts of inhumanly oppressed indigenous native groups, the British produced several new policies that had deleterious consequences for these tribal communities. They surrounded the forests by the sentries in order to bring 'primitive' peoples under the control of their sophisticated, centralized bureaucracy. (Sivaramakrishnan, 1999). This led to the official classification of tribal populations, the result of which was the establishment of the Criminal Tribes Act in 1871^{iv}. Thus the members of tribes mentioned in this act was considered criminals and widespreadly stigmatized on account of their alleged history of criminal activity (all members of a designated tribe, even if they had never committed any crime(sic!)). (Radhakrishna, 2001).

Next step was the Indian Forest Act of 1878 (followed by the Land Acquisition Act of 1894), under which government announced itself the only and direct owner of forests; forests which Adivasis had used boundlessly and incessantly for centuries. Hundreds of thousands of acres of forest lands, the natural area of habitation and use of Adivasis, all of sudden was kept in reserve and led to extensive Adivasi's terrains displacement.

There is not surprising, therefore, that the consequences of such an invasive colonial policy were numerous uprising and rebellions, what additionally strengthened supposition about their allegedly criminal nature. The law was introduced on 12th October 1871 by T.V. Stephens with these words:

People from time immemorial have been pursuing the caste system defined job-positions: weaving, carpentry and such were hereditary jobs. So there must have been hereditary criminals also who pursued their forefathers' professions.

and:

The special feature of India is the caste system. As it is, traders go by caste, a family of carpenters will be carpenters a century of centuries hence, if they last so long. Kepping this in mind, the meaning of professional criminal is clear. It means a tribe whom ancestors were criminals from times immemorial, who are themselves destined by the usages of caste to commit crime and whose descendent will be offenders against law, he had been so from the beginning and will be so to the end, reform is impossible, for it is his trade, his caste. I may almost say, his religion to commit crime" (*The Member for Law and Order, Mr. T. V. Stephens , p.5 in: Raghavaiah, 1979).

And so under the pretext of detaining criminal behavior of people like, for instance, the group of Thuggies (*thag* in Hindi means 'swindler') who were not a tribe but a gang of organised professional robbers and murderers, the British administration has marked all members of the tribal communities as criminals, because of their poor, nomadic living, forest and hills dwelling, low caste or because of other reasons considered by colonizers incomprehensible and far from 'civilised living'. Even Indian ~~third gender individuals passed into the same group of unreformable criminals, though they couldn't~~

hereditate criminal behavior biologically but just because they were '*a law and order problem*' for the state.(Wikipedia, access: 12/01/2019). The groups included as well cattle grazers, wandering singers, traders, acrobats who lived predominantly out of the large population centers, what- according to the British- only criminals would do.

The Act was proclaimed as „not punitive” but as a project for saving criminal tribes from themselves (sic!) as well as for taking under protection other classes of the population. It was commonly claimed that tribes was not only criminal but also that they were outside of realm of the state, what was deepening the extent of their deprivation and marginalisation.

The Act was ammended several times, definitely (officially) in 1924, but the label of tribal criminals was still alive until 1952 when finally repealed in favor of Habitual Offenders Act. (Haikerwal (1934, so after the official abolition of the Criminal Tribal Act), classifies criminals in India into 4 categories:

- the incorrigible, who chooses crime as a profession, not necessarily committing crimes himself, but employing others to execute it,
- the habitual, who commits a crime as a habit, but who is not incorrigible,
- the accidental, who commits a crime unwittingly, just by mistake,
- the criminal tribes and castes (!).

Scheduled Tribes

It is estimated that in India there are more than 800 denotified nomadic and semi- nomadic tribes composing a population of approximately more than 84 million people. They are still called Adivasis, but their official name in the Constitution of India is Scheduled Tribes (De-notified tribes or vimukti jatis^v) and it is defined in the article 366 as "*such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Article 342 to be Scheduled Tribes for the purposes of this constitution*". The name appeared for the first time in 1950 together with the Scheduled Castes category for classifying the most disadvantaged social groups over the centuries in India.

Article 341 authorizes the President of India to specify "*castes, races or tribes which shall for the purposes of this constitution be deemed to be scheduled tribes*".

Article 342, prescribes procedure to be followed in the matter of specification of scheduled tribes. The majority of them are living in the northeastern states of Arunachal Pradesh, Nagaland and Mizoram, others- in the hills and forests of central and southern India as well as on the Andaman and Nicobar Islands. The largest groups are: the Bhil spreading around Gujarat, Madhya Pradesh, Chhattisgarh, Maharashtra, Rajasthan and Tripura; the Munda inhabiting mostly Jharkhand, Odisha, West Bengal but also Bihar, Chhattisgarh, Arunachal Pradesh, Bangladesh, Tripura and Madhya Pradesh; and the Santhal populating areas of Jharkhand, Assam, West Bengal, Bihar, Odisha and Bangladesh. (Encyclopaedia Britannica).

Since 19th century the tribesmen (Adivasi peoples) have experienced major changes in their traditional ways of life with the lost of their lands, social position and habits. They have been widely marginalised and debarred from most of the rights that are guaranteed to the other social groups in India. Adivasi who have always been outside the caste system, in spite of deprivation and stigmatization, retained through the centuries the original tribal structure, whose main assumption was to create a self-sufficient, endogamic community. The right to use land was a result of belonging to a tribe. They did not recognize external authorities, except those existing within their group. Thus the system introduced by the British and then continued by the Indian authorities led to the gradual erosion of traditions and to the decline of traditional system of governance worked out through the centuries:

Right now in central India, the Maoists' guerrilla army is made up almost entirely of desperately poor tribal people living in conditions of such chronic hunger that it verges on famine of the kind we only associate with sub-Saharan Africa. They are people who, even after 60 years of India's so-called independence, have not had access to education, healthcare or legal redress. They are people who have been mercilessly exploited for decades, consistently cheated by small businessmen and moneylenders, the women raped as a matter of right by police and forest department personnel. Their journey back to a semblance of dignity is due in large part to the Maoist cadre who have lived and worked and fought by their side for decades.

If the tribals have taken up arms, they have done so because a government which has given them nothing but violence and neglect now wants to snatch away the last thing they have – their land. Clearly, they do not believe the government when it says it only wants to "develop" their region. Clearly, they do not believe that the roads as wide and flat as aircraft runways that are being built through their forests in Dantewada by the National Mineral Development Corporation are being built for them to walk their children to school on. They believe that if they do not fight for their land, they will be annihilated. That is why they have taken up arms." (Roy, 2009).

When we talk about forced displacement or resettlement of any population against its will, we talk about eviction which, according to Van der Ploeg & Vanclay, violates the basic human rights, like, among the others: right to living in an adequate standard of living and to continuous improvement in living conditions, right to culture, education, religion, information, right to freedom of opinion and expression, in many cases right to food, to water and sanitation, to health and well-being, to private and family life, to housing, to property, to remedy and self determination, to freedom of movement and choice of residence, to work.

This is as well a violation of right to freedom from cruel inhumane or degrading treatment of punishment, of right to participation, to peaceful assembly and association and all together: a violation of the rights of women, men and children to the enjoyment of their human rights. The gradual and continue displacement from the land of their origin was one of the major reasons of Adivasi's economic and social problems. Rehabilitation of Adivasis and financial compensation for injustice

and deprivation is promised in the Constitution was extremely low and not guaranteed for everyone. As we can see, to be a scheduled, constitutionally recognized tribe, means still to be a minority, to have minor rights, to live in precarious conditions.

Conclusions

Less than 2 months ago, 10th December 2018 the whole world was celebrating the 70th anniversary of the Universal Declaration of Human Rights. It is considered the foundation of human rights. Adopted on 10th December 1948, the Declaration was and still is a source of inspiration for many international treaties on human rights. It has a significant impact on such issues as: combating injustice, resolving conflicts and problems of societies experiencing repression, or efforts to ensure universal respect for human rights.

The declaration is based on the assumption that fundamental rights and freedom belong to every human being, they are inalienable and equally applicable to everyone. Everyone is born free and equal in dignity and rights. On December 10, 1948, the international community accepted a commitment to protect dignity and ensure justice for everyone, regardless of any differences in race, color, gender, language, religion, political views or other beliefs, nationality, social background, property, birth or any other differences (Article 2 of the Declaration).

And yet despite such a glorious anniversary of recognition of the equality of all citizens in the world and despite the recognition of India as the largest world's democracy, parity of laws for indigenous people remains still just an Utopia.

Polish politician and writer, Krzysztof Rutkowski in the „*Last passage. A parable of being mediocre*” (in: Standing 2015) gives a definition of the new social class: denizens:

Their rights related to citizenship are limited, but they often fail to see this or do not understand all the consequences of this phenomenon. Many of them become part of the precariat, emerging class, which is still characterized by a sense of uncertainty, detachment from the old norms associated with work and the working class. For the first time in history, governments take away the rights of many of their own citizens, while at the same time weakening even more the rights of those who traditionally constitute one of the groups of migrant citizens.”

In the Western class society similar like in the Indian caste society precarity is associated with a lack or insecurity of employment. But indigenous Indians, the original inhabitants of the country are still facing deprivations which are legacy of colonial and postcolonial rules.

Nowadays still 30% of tribal population have no access to electricity, 83% have no toilet facilities, 10% struggle to live with their agricultural labour, 12% with manufacturing, 17% a non-form labour. There is still a high percentage of illiteracy among them, frequent acts of humiliation in school leading to harassment and torture, stigma and discrimination. (Jiloha, 2010).

Considering the overpopulation on the Indian Peninsula, there are few forecasts for improvement of the living conditions of the members of these scheduled tribes. If their extremely precarious conditions of living will not improve, tribal traditions and customs will gradually disappear until the population assimilates completely with other inhabitants of India as a result of world's globalization trends. This is a serious threat not only for Adivasis themselves, but to the same extent for the multicultural India, which for centuries has been a homeland of various ethnic and cultural groups that have proven its unparalleled cultural wealth.

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i Lat. *praecor*- to pray, to beg, to beseech, to entreat, to implore, to supplicate, to petition a higher being, to talk to God. (Latin- English on-line dictionary).

ii Lat. *prex*- prayer, entreaty, request, curse, imprecation, intercession.

iii (*ādivāsī*= *ādi* "earliest", „beginning” + *vāsi* (√*vas*) „abiding”, „dwelling”, „living”, „inhabitant”, (Monier-Williams Dictionary).

iv According to David Arnold, the Criminal Tribes Act (CTA) was used against wandering groups, nomadic petty traders and pastoralists, gypsy types, hill- and forest-dwelling tribals, in short, against a wide variety of marginals who did not conform to the colonial pattern of settled agricultural and wage labour” (Arnold, 1985).

v Hindi: *vimukta jāti*-”free kin”: *vimukta* – free, released, liberated, devoid, discharged; *jāti* – birth. kin, race, community (English-Hindi, Hindi-English Dictionary, 2010).