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A Critical Examination of Human Impact and Nature's Demise in Pankaj Sekhsaria's The Last Wave: The Jarawa Tribal Reserve Dossier

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Abstract

The human rights violations and resource exploitation in the Andaman and Nicobar Islands, as portrayed in Pankaj Sekhsaria's books, are the main topics of this thesis. The author of the book makes an effort to demonstrate in it how the indigenous people are progressively being pushed out of their homeland and their traditional lands. Further, the article examines how, under the guise of a civilising mission, strangers are invading their territory and taking advantage of them via drug trade, human safaris, and other means. At a time when European colonisation of this region is coming to a close, this sort of behaviour is similar to a new kind of colonialism. Against this backdrop, this piece seeks to draw attention to the problem and reveal the colonial practices of terra nullis acquisition for industrial purposes. In doing so, the paper will emphasise how these actions lead to a cascade of catastrophes that negatively impact mankind, including exploitation of humans, displacement of cultures, and a catastrophic environmental catastrophe.

Keywords: tribes, encroachment, terra nullis, land rights, human safari, drugs, human rights

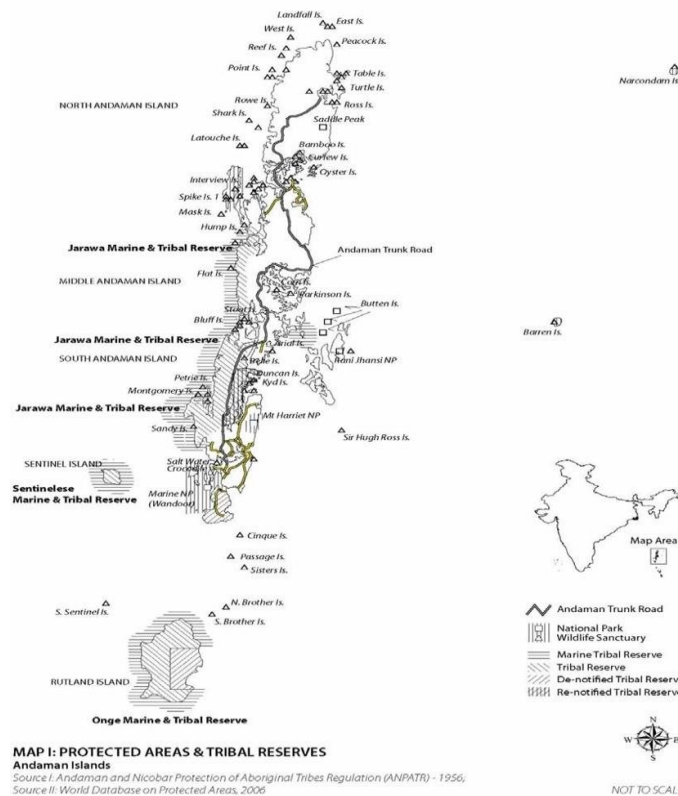
Protection of Aboriginal Tribes Regulations (ANPATR) for the Andaman and Nicobar Islands were issued in June 1956 by the Governor of India. In accordance with this law, the island's top official may set aside portions of territory occupied by indigenous peoples for their exclusive use. The transfer of responsibilities also included the prohibition of alienating tribal territory and the prevention of "non-tribals" from invading specified tribal areas. 1 Upon becoming chief commissioner on April 2, 1957, the commissioner wasted no time in reserving portions of the Andaman and Nicobar archipelago for indigenous peoples (see Map 1). 2 Great swaths of terrain are generally accepted as "exclusive tribal

territory," and the rule "guaranteed the protection of tribal culture by law." 3 This is in line with the popular knowledge, which views the formal adoption of the ANPATR in a

positive light. 4 This reading is too hopeful if we take the rule at its value. Agricultural colonialism, which influenced the government's understanding of tribal territory, is disregarded. As a result of its actual wording and its subsequent implementation, the law seems to have laid the legal groundwork for the slavery and expulsion of indigenous tribes instead of protecting them. Consequently, the

When considering the historical backdrop of colonial India's exclusion of "primitive" tribes

and "backward tribal areas" from any kind of independent India, thanks to the specific self-governance, it is important to keep in mind allowances made for "schedule areas."5 the protection of people who live naturally in the Andaman Islands. In the end, these communities discovered a paradise in newly



This legal protection measure was meant to turn the once-primitive and lawless tribes into subjects of the law instead of citizens with rights, according to my contextualised interpretation of the ANPATR and its mobilisation efforts in the Andaman Islands from 1956 to 1979. By the time the Government of India issued the ANPATR in 1956, the colonisation of the Andaman Islands by mainland people had progressed significantly. Tribes and civil society organisations that have been affected and have played a significant role in influencing policy vi

inventory, the Andaman Islands were already divided into two groups: one that was wooded and believed to be inhabited by "hostile" or simply "primitive" indigenous people, and another that was populated and where the state had a presence. The state did not maintain a permanent presence in the woods, despite the fact that employees of the Forest Department made regular visits to cut down trees. As soon as work in a certain location was completed, the extraction tramlines were "pulled up immediately."vii. The result is that the approach to the Jarawas in the last many years, failed to

expanding colonisation at a quick pace. The islands of Nicobar and Andaman were designated as Union Territories. As part of an administrative reorganisation and territorial

fulfil any particular requirements that led the government to grant the protection. Despite being at odds with the local context of the Indian Union's territorial restructuring, which was made

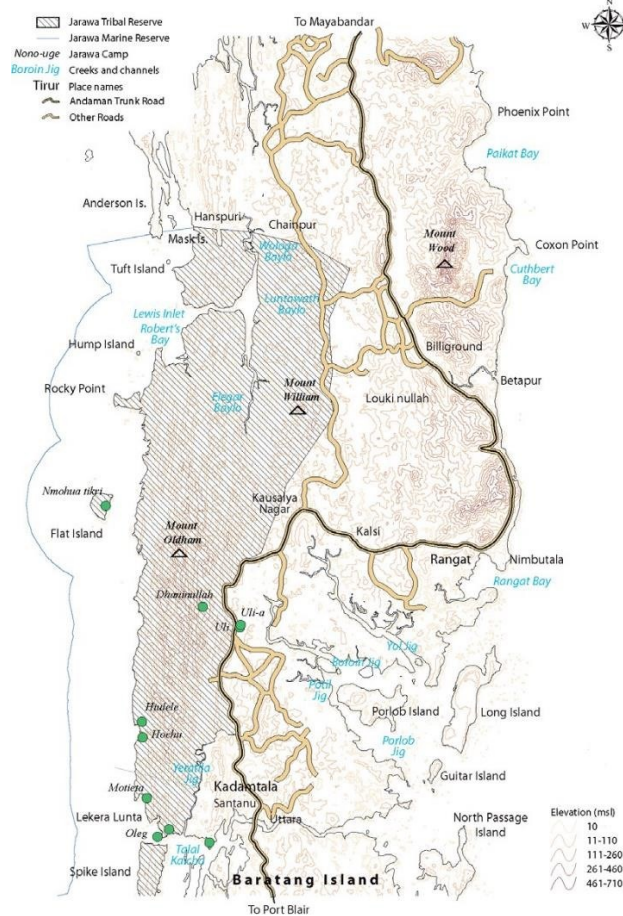
feasible by the State restructuring Act of 1956, this one-sided "protection" given to indigenous tribes made sense within the present national framework.

The true situation was acknowledged in 1957 when the Chief Commissioner issued a proclamation declaring some areas as tribal reserves. The relevant tribes were not consulted on their historical land use practices or customs when the limits of "tribal territory" were being referenced. All the rule accomplished was to legitimise the already established colonial and

settlement boundaries, upheld via harsh law enforcement, formal structure. Particularly in the Jarawa Tribal Reserve in the South and Middle Andamans was this the case. These areas had already become major holding facilities for the "hostile" Jarawas when the notification was made. The reserve's borders were marked by bush police camps to ensure the safety of its inhabitants. These communities

and the limits of tribal lands are relatively new since the Indian government intended to move refugees to "empty" areas. Take Tirur, a location in the South Andaman that underwent colonisation between 1949 and 1952, as an example. viii One may argue that this

the area where the hills meet the agricultural fields called Jarawa country. In order to safeguard the settlements, four outposts of the bush police were established, dividing "their" land from the settlers'. Resettling refugees from eastern Pakistan was the primary goal of the first five-year plan, which began in 1952. To protect the Middle Andamans against Jarawas assaults, the plan called for the establishment of new communities and the formation of a 45-man jungle police squad. Uttara, Santanu, and Kalsi were newly established in the Middle Andamans' Rangat and Kadamtala regions between 1952 and 1956. Their arrival marked the beginning of settled agriculture into forested regions (see Map 2).



MAP VII: MIDDLE ANDAMAN ISLAND
 JARAWA CAMPSITES RECORDED BY ASI, ZSI & BSI
 Source: Anthropological, Zoological and Botanical Surveys of India as reported in the
 2003 Expert Committee Report submitted to the Kolkata High Court.

NOT TO SCALE

Given the need of a growing number of bush police personnel to contain the Jarawas after this, the degree to which these woods were "empty" before then—i.e., that the Jarawas were not residing there—is arguable. An array of fourteen Bush Police stations, staffed

Along the eastern boundary of Jarawa land, 140 soldiers were stationed by 1957 to prevent the Jarawa people from invading the colonisation region. According to administrative jargon, these areas were referred to as "frequented" by the Jarawas, but ironically, they were never referred to as "occupied" or

"inhabited" zones.¹² When recounting their experiences as pioneers, refugees often downplay the potential impact of their arrival on the Jarawas. According to Shukharanjan Mridha, a settler from Kalsi, with whom I talked in 2007, there were no settlements here. The whole forest was under their control. Upon the establishment of the colony in their

territory, we were transported and made our home. In light of the terrible history of indigenous displacement and refugee relocation, the ANPATR laid the legal groundwork for regularisation. In the Andaman and Nicobar Islands, on April 2, 1957, the chief commissioner imposed a limited territory on the indigenous peoples without consulting them, thereby establishing "a discourse of power, obedience and authority" via the designation of certain regions as "reserved." 13

The possibility of infection with illnesses prevalent in the established groups exists wherever tiny nomadic, forest-dwelling people come into touch with sedentary, high-density populations, as Seema had also responded. An excellent example is measles; what's shocking is that the Andamans and Andamanese were not included in our university coursework. I can see the Andamans, but Australia, Fiji, and the Amazon? Absolutely not. Based on what little I know, the current Jarawa-settler interface is

precisely this—the changes in Kadamtala that you saw, the interactions in Tirur, and who knows what else is happening—it might be a ticking time bomb. Maybe the fuse has been lighted (127)

On the other hand, and more importantly, by using the law as a tool of control, he was also making the violent and recent marginalisation of the Jarawas seem more acceptable. When read correctly, the ANPATR stands as a legal symbol of the settler-colonial power that shaped the postcolonial history of the Andaman Islands.

This view of the ANPATR as a weapon of colonisation and the mobilising of its use as

An analysis of the text reveals that the eleven sections of the ANPATR deal with the administration and occupation of tribal land, lending credence to the idea of "lawfare"—an assault on indigenous existence that is implemented via the language and idiom of law. A few examples include the presence and economic activity of non-aboriginal people inside reserve territories, legal limitations on property sales and transfers, and non-tribal ownership and utilisation of tribal territory. No one ever brought up the need of preserving tribal culture and independence. It thus downplayed the idea of indigenous title or independent land rights. Unfortunately, the regulation had the opposite effect and gave the Indian government even more power over the administration and borders of the Andaman and Nicobar Islands, where indigenous people still live. At any time he saw proper, the chief commissioner might redraft the limits of the tribal reserve without consulting anyone else or having to deal with objections. Similarly, the Act's fourth provision prohibited non-indigenous people from using preserved land for farming purposes, although the chief commissioner might make an exception under certain circumstances.¹⁵

The chief commissioner needed only to make sure that the land was either "not required" by

the indigenous people or that it would be distributed "in the public interest." Without his approval, it was illegal to sell reserved land to non-aboriginals, move non-tribal individuals within reserve regions for commercial purposes, or allow them to do either. These fines and authorizations were no longer provided under extraordinary circumstances; they were now routine processes for governance. Settlers were able to apply for permission to access reserve territories and licences to trade in specified items, like as betel nuts and coconuts, by April 1957, thanks to specific procedures and protocols imposed by the Andaman and Nicobar administration. Predetermined were both the exchange rates and the necessary fees.¹⁷

Further, a 1960 amendment removed the need for government workers to get a permit before entering the reserves "while proceeding on duty to a reserved area."¹⁸ This may be seen as an effort to reduce unnecessary bureaucracy, but oddly, the same law also refused to provide permits to any family members of government officials. The word "family" was used to refer to the most inclusive group of people, comprising not just children but also their parents, siblings, and spouses. Put simply, this created an environment where subordinate employees, especially those working in the forest or as bush police officers and their families, might abuse their power.

Being the only officially sanctioned strangers in the tribal reserves gave them a unique opportunity to exploit the land and the people for financial benefit. Consequently, the ANPATR inadvertently fostered an atmosphere that promoted poaching, the unlawful colonisation of tribal lands, and the notorious Jarawa "safaris," whereby visitors gawk, snap photos, film films, and hurl food at almost naked Jarawas.¹⁹

Lekra lunta is the site of the purported breaking of the ice. The administration's contact parties were little more than a ragtag group of clowns who showed up to hand out presents like coconuts, plastic toys, and red fabric. Jarawa

coastal residents would first pelt tourists with arrows. It shifted thereafter. They began by accepting presents, and then the rest of the party came to the beach to meet the Jarawas. Anthropologist Anil Tripathy, who has a slashed spinal cord, is employed by the Tribal Welfare Department. Jamborees were the name he gave to these get-togethers. Having a good time and making sexual contact with Jarawa women were the primary goals of the males attending these gatherings. They would brag about the places and number of ladies they had touched. He said that this task was "you drop gifts and they pick them up. It's like throwing grain and then waiting to snare the birds. The Jarawas got snared. They lost their freedom. Forever." (TLW137)

The fact that the Jarawa Tribe has been the target of an excessive amount of unlawful "encroachments" by Ranchiwallas, or temporary workers employed by the Forest Department and the Department of Public Works,

Noteworthy are the people who live in the Chotonagpur area and are of the Oraon, Munda, and Kharia tribes.²⁰

Not only that, but it's noteworthy that the man whose voice was heard instructing the Jarawa girls to dance for food in a recent video that brought the harsh Jarawa safaris to the world's attention was allegedly a government official, an Indian army soldier, or a member of the local police.²¹

We encounter European photojournalists who would pay anything to capture nude indigenous ladies in their natural habitat. This usually takes place at home. A financial windfall enticed the locals. Typically, they indicate the exit. Michael Ross is a photojournalist based in London, England, who is working for The Bangkok Mail. A French photojournalist who had previously shot in the Sarawak jungles was also interested in acquiring those Jarawa images. In covertly, he took 10 or fifteen

photographs of the Jarawa ladies. An unusually wide-angle shot of a curvaceous Jarawa lady lounging on her back in the pristine coastal waters, her breasts protruding into the lens, was the most corniest. He clearly had her do it. Embarrassing voyeurism and extreme crudeness. "An innocent creature of mother nature, in the virgin coast of the Andaman Islands." (TLW 154).

The ANPATR effectively stripped the Onge and Jarawa of all political or economic rights. The Government of India Act of 1935 and the Scheduled Districts Act of 1874 created and maintained a separate legal framework for the tribal areas, which were formerly known as "non-regulation tracts," "scheduled districts," "backward areas," and "excluded areas." This system continued the colonial legal system's protection of Indian communities that were referred to as "tribes" instead of allowing them to self-represent. The major argument put out by these rules was that the local caste might exploit the tribal inhabitants.

Hindus because they lacked the sophistication to effectively represent themselves in government. Its primary function, under the guise of "protection," was to maintain direct colonial rule and prevent indigenous peoples from engaging in representative politics inside their own territory. The Indian Constitution maintained the legal pluralism that denied tribes full political agency via its fifth and sixth schedules. As distinct legal exception zones, scheduled and tribal territories were created inside the Indian states. For example, according to Article 244 (1) of the Fifth Schedule of the Constitution of India, which addressed the administration of tribal areas in all of India except the Northeast, the governor of a particular state has the authority to limit the application of existing laws or impose specially crafted regulations on the scheduled area under his control. The ANPATR brought this policy of neocolonial benign dictatorship to the Andaman Islands, where the top commissioner was supposed to play the part of

the benevolent king or queen.

The chief commissioner of the tribal reserves invoked the ANPATR, but the changes he made were mostly reductions of reserved areas to make room for new settlements. In contrast to the rest of India, where the governor was required to confer with a Tribes Advisory Council, in the Andaman Islands, the chief commissioner could enact laws pertaining to tribal welfare without consulting or even notifying the indigenous tribes. Given the significant advocacy for settler-led development of the Andaman Islands, this should come as no surprise.

The Middle Andamans' Jarawa Tribal Reserve had its eastern border altered in 1959 by a notice, effectively giving the Forest Department carte blanche to establish the new 'imaginary line' wherever it liked. So long as "enough land" remained to "provide enough hunting ground to Jarawas while they are on the move," the Forest Department was free to devour the Jarawa reserve, as stated in the notice. However, "the suitability of such alignment, from the point of view of water and terrain, as a patrol path" had to be considered in light of the Jarawas' needs.²⁶

Rutland Island was de-notified in 1973, and a large chunk of Little Andaman Island's eastern coast was removed from reserve areas 97 in 1972, as part of a series of announcements in the 1970s that altered the boundaries of the tribal reserves.²⁸ The whole region to the east of the newly constructed Andaman Trunk Road on South Andaman Island is part of the Jarawa Tribal Reserve, which was de-notified in 1979.²⁹ The road runs straight through the reserve. As part of the 1965 Andamans "accelerated development" plans, which were implemented by the same authorities responsible for "protecting" the local population, these changes amounted to post facto legalisations of incursion into tribal regions.

What Harish saw were alterations to the Andaman Trunk Road. A new kind of Jarawa tourism emerged during the period. The locals saw it as a chance for profit. There was a lot of advertising and the ads were huge and, at times, ridiculous. In the Andaman jungles, you may "see and feel the primitive dark tribe; a once in a lifetime opportunity to meet primitive naked people" (226).

Business for Jarawa Tourism was booming. The Enchanted Islands package was included. Private car hosting fees in Port Blair have increased dramatically. It was a chance to view the ancient black folks and even pose for photos with them. They can also do good by donating food items like bananas, cookies, and coconuts. Tobacco and alcohol were also on the table. Printed on every single sign are these clear instructions:

Do not disrupt the convoy by honking excessively.

Be careful not to exceed 40 kmph. Within the Jarawa Reserve, you must not overtake.

The Andaman Trunk Road is nonstop.

The Jarawa people should not be given any food.

The Jarawa people must not be photographed or filmed in any way.

Who feels the annihilator's pain? When the Jarawa were gone, how would he feel? It wasn't that he desired their defeat; it was rather that he was unable to stop their inevitable decline into obscurity. The universe he was a part of didn't want to wipe off the Jarawa, but it seemed to have no idea any better (TLW 237).

For the indigenous Andaman people, this is the irony of the "protection" offered by the Indian government. Appointed from the outside, it laid forth a variety of special skills, regular

responsibilities, and tasks for the guardians. Due to the lack of proficiency in Jarawa language among local administrators, the Jarawas were probably kept in the dark about their own protection measures, including the exact location of the Jarawa Tribal Reserve.³⁰ In the 1950s, when debates about tribal welfare policies reinforced colonial ideas of backwardness, there was a lot of bigotry towards tribal culture among Indian administrative circles. Surrounded by such bigotry, protectors may easily become exploiters—and some did.

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It would be a misstep, however, to attribute indigenous peoples' marginalisation solely to "degenerate notions about the indigenous tribes in the Andamans" held by "continually changing administrators."³² The laws meant to safeguard indigenous communities had a deep-seated relationship to the belief that indigenous peoples were primitive groups without the authority to govern themselves. In contrast to its promise of ensuring tribal sovereignty, the ANPATR exemplifies the failure of legal protectionism. It provided the groundwork for the Andaman Islands' native population to be forcibly removed.

The Jarawa people need to learn how to deal with those outside their woods, and the people outside their forests need to learn how to negotiate with the Jarawa people. While we wait for that, we'll need to undergo some major surgery, since this is not occurring soon, if at all. (TLW 239)

In the framework of their land rights and the appropriate procedure of acculturating them, I would want to suggest that... Our culture is gradually being imposed on them. The way of life and dietary practices that we are aiming to alter. Their style of life is dictated by topographical and geographical conditions. Their location in the interior does not automatically label them as Jungles or uncivilised. On the contrary, they are culturally

more polite and reasonable. Working together, negotiating, and picking up new communication skills are all things we need to master. We should instruct them in an environment that is conducive to their natural state. All we have to do is dig them up and put them somewhere else. They are distinct from outsiders in terms of their identity, culture, and feeling of community.

Therefore, understanding the indigenous people and taking action for their wellbeing are of the utmost importance. There is no danger to either party since they will both gain. We need to aim for the survival rate. The tidal wave of progress need to be generated from inside rather than by means of them. A prime example of short-sightedness and egotism is the building of the Andaman Trunk Road. We need to figure out how to work with them and coexist peacefully.

References

- Philipp Zehmsch, "A Xerox of India? Policies and Politics of Migration in an Overseas Colony," Working Papers in Social and Cultural Anthropology, vol. 2 (Ludwig-Maximilians-Universität, Munich, 2012).
- Surajit Chandra Sinha, Report on the Possibilities of Further Resettlement of East Pakistan Refugees in Andaman Islands (Anthropological Survey of India, 1952).
- Uday Chandra, "Liberalism and Its Other: The Politics of Primitivism in Colonial and Post-colonial Indian Law," *Law & Society Review* 47, 1 (2013): 135–68.
- Uditi Sen, "'Dissident Memories': Exploring Bengali Refugee Narratives in the Andaman Islands," in Panikos Panayi and Pippa Virdee, eds., *Refugees and the End of Empire: Imperial Collapse and Forced Migration during the Twentieth Century* (Palgrave, 2011), 235.