Natural Resource Conflict and Indigenous Methods of
Conflict Resolution:

A Comparative Study of Arunachal Pradesh and Orissa

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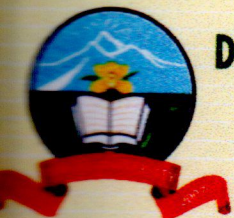**Degree of Doctor of Philosophy**

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INDIA

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DECLARATION

I declare that the thesis entitled "**Natural Resource Conflict and Indigenous Methods of Conflict Resolution: A Comparative Study of Arunachal Pradesh and Orissa**" submitted to Sikkim University in partial fulfilment of the requirement for the degree of **Doctor of Philosophy**, is my original work. This thesis has not been submitted for any other degree of this University or any other university.

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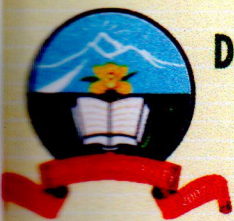
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"Natural Resource Conflict and Indigenous Methods of Conflict Resolution: A Comparative Study of Arunachal Pradesh and Orissa"

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Lord Shiva has always been gracious with his blessings on me and my family. *Jai Shiva! Jai Mahakal Baba! Jai Kailasha Natha!*

CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF MAPS

LIST OF ABBREVIATIONS

AASU	All Assam Students Union
AIMSU	All Idu Mishmi Students Union
AMSU	All Mishing Students Union
APSPCB	Arunachal Pradesh State Pollution Control Board
AdiSU	Adi Students Union
ASS	Anchalik Surakhya Samiti
BALCO	Bharat Aluminium Company
BBK	Bogum Bokang Kebang
BOOT	Build Own Operate Transfer
BNS	Bandha Nirodh Committee
BPS	Bandha Pratikriya Samiti
BRICS	Brazil Russia India China South Africa
BSS	Baphlimali Surakhya Samiti
CEC	Central Empowered Committee
CISMHE	Centre for Interdisciplinary Studies of Mountain and Hill Environment
CRPF	Central Reserve Police Force
CWC	Central Water Commission
DMPP	Dibang Multi- Purpose Project
DPR's	Detailed Project Reports
EAC	Expert Appraisal Committee
EIA's	Environmental Impact Assessments
ENCOP	Environment and Conflict Project
FAC	Forest Advisory Committee
FGD	Focused Group Discussions

FRA	Forest Rights Act
GASS	Ganatantrika Adhikar Suraksha Sanghatan
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GNP	Gross National Product
GoAP	Government of Arunachal Pradesh
GoO	Government of Orissa/Odisha
GSYP	Gandhamardhan Suraksha Yuva Parishad
GSI	Geological Survey of India
HDI	Human Development Index
ICH	International Corporate Houses
ICOLD	International Commission on Large Dams
ICID	International Commission on Irrigation and Dams
IEA	International Energy Agency
IGSP	Indravati Gana Sangharsh Parishad
ILO	International Labour Organisation
IMCLS	Idu Mishmi Cultural and Literary Society
IMCR	Indigenous Methods of Conflict Resolution
IMF	International Monetary Fund
IPCM	Indigenous Processes of Conflict Management
IUCN	International Union for the Conservation of Nature and Natural Resources
JAPL	Jaypee Arunachal Power Limited
KMSS	Krishak Mukti Sangram Samiti
KW	Kilo Watts
LPG	Liberalisation Privatization and Globalisation
LSHEP	Lower Siang Hydro Electric Project

LSHP	Lower Subansiri Hydropower Project
MMDRA	Mines and Minerals (Development and Regulation) Amendment Bill
MNC	Multi National Corporation
MoA	Memorandum of Agreement
MoEF	Ministry of Environment and Forests
MoU	Memorandum of Understanding
MTPA	Million Tonnes Per Annum
MU	Million Units
MW	Mega Watts
NBA	Narmada Bachao Andolan
NBWL	National Board for Wildlife
NEFA	North East Frontier Agency
NGO's	Non Governmental Organisation
NGT	National Green Tribunal
NHPC	National Hydro Power Corporation
NPC	National Productivity Council
NNS	Nav Nirman Samiti
NSS	Niyamgiri Surakhya Samiti
OECD	Organisation for Economic Cooperation and Development
OMC	Odisha Mining Corporation
OSPCB	Odisha State Pollution Control Board
PBSO	Peace Building Support Office
PMSBV	Peoples Movement for Subansiri Brahmaputra Valley
PML	Proposed Mine Lease
POSCO	Pohang Iron and Steel Company
PPSS	POSCO Pratirodh Sangram Samiti

PSSP	Prakrutik Sampada Surakhya Samiti
PRIO	(International) Peace Research Institute
PUCL	People's Union for Civil Liberties
RBA	Rashtriya Barh Ayog
RRRC	Rengali Rehabilitation and Resettlement Committee
RTS	Reservoir Triggered Seismicity
RYS	Rashtriya Yuva Sangathan
SAP's	Structural Adjustment Programmes
SECC	Socio-Economic and Caste Census
SEZ	Special Economic Zone
SC	Scheduled Castes
SIIL	Sterlite Industries India Limited
SMRF	Save Mon Region Federation
SNWD	(Great) South-North Water Diversion (Project)
SPV	Special Purpose Vehicle
ST	Scheduled Tribes
TISCO	Tata Iron and Steel Company Limited
ToR	Terms of Reference
UAC	United Action Committee
UAIL	Utkal Alumina International Ltd
UNDESA	United Nations Department for Economic and Social Affairs
UDHR	Universal Declaration of Human Rights
UNDRIP	United Nations Declaration on Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational Scientific and Cultural Organisation
UNWGIP	United Nations Working Group on Indigenous Populations

VAL	Vedanta Aluminium Limited
WCD	World Commission on Dams
WTO	World Trade Organisation

GLOSSARY OF ADI WORDS

Abang	:	Rhapsodies regarding myths of creation and origin of institutions
Abe	:	Introductory speech before every village council meeting
Abo Tani	:	Mythical father
Ape	:	Bride Exchange
Apong	:	Local beer
Bari	:	Rhapsodies regarding myths of creation and origin of institutions
Besung Nayi	:	Forms of dance drama
Bogum Bokang	:	Regional Council
Boying Nero	:	Forms of dance drama
Dapo	:	Peace negotiations
Donyi	:	Sun
Donyi-Polo	:	Sun and Moon God
Doying	:	Stories and histories of clan feuds
Kebang	:	Village Council
Kongki Bote	:	Narration of historical facts and exploits of ancestors
Mimat	:	Tibet
Minpaknanap	:	Ex-communication
Miri	:	Priest
Mithun	:	Semi-domesticated animal
Musup	:	Boys Dormitory
Ngamengtato	:	Negotation
Nigoni	:	Bride Price
Nunu Pipi	:	Forms of dance drama
Nyodong	:	Elopement

Odong   : Genealogy of various sub tribes

Padam Nyani   : Forms of dance drama

Pasi Kongki   : Forms of dance drama

Polo   : Moon

Raseng   : Girls Dormitory

Rot kamnan   : Bride Capture

Tumperik   : Jhum Farming (Shifting Cultivation)

GLOSSARY OF DONGRIA KONDH WORDS

Anopi	:	Suspicion
Bahuki	:	Priest's assistant
Bajayun	:	Musical instrument specialist
Barika	:	Village messenger
Basa	:	Place
Beju	:	Male shaman
Bejuni	:	Priest
Bejuni	:	Female shaman
Bismajhi	:	Assistant of Jani and Mandal
Danda Madri	:	Centre of the village premises
Dasa	:	Punishment
Dharani Kudi	:	Place where the Earth Goddess resides
Dharani Penu	:	Earth Goddess
Dharani Vali	:	Stones representing the Earth Goddess
Dhnagidi Basa	:	Girl dormitory
Disari	:	Medicine man cum astrologer
Dishari	:	Shaman
Domb	:	Scheduled caste community living in Dongria Kondh villages
Dongara	:	Swidden
Dumba	:	Ancestral spirit
Elka	:	Ostracize
Gurmeni	:	Pejuni's assistant
Hadada Munda	:	Wooden post erected in honour of ancestral spirits
Had-asi-hada	:	Girl dormitory

Icha Punja	:	Junior sub-clan
Jakeri Penu	:	Earth Goddess
Jani	:	Religious head
Jati-pihpa	:	Outcasted
Kajava	:	Punja headman
Kajavali	:	Big polished stone
Koteyavalli Penka	:	God protecting the village from harm and evil
Kuda	:	Clan
Kuda Kutumbi	:	Clan members of a village
Kui	:	Language of the Kondh tribes
Kutumbi	:	Village body
Kuvi	:	Dialect of the Dongria Kondh
Malis	:	Hills
Meria	:	Most important festival of the Dongria Kondhs
Mutha	:	Clan group having one dominant clan and sub-clans
Niyam Raja	:	Lord of the Laws
Salpa	:	Traditional alcoholic drink
Sambandha	:	Negotiation for Marriage
Santa	:	Head at the Mutha or intra-village level
Sisa	:	Assistant of a Disari

EXECUTIVE SUMMARY

Conflicts over natural resources have a history as long as the existence of mankind and will continue for ages to come. The unbridled exploitation of natural resources began in earnest with the establishment of the industrial and mercantile age which also witnessed the intensification of conflicts and wars over natural resources. The process of colonization was intrinsically linked to the acquisition of new colonies to sustain the need for natural resources. At present wars over oil and other non-renewable resources makes natural resources an important element in the onset and continuation of conflicts with the huge stakes hinging on the ability to control and access natural resources.

The efforts to establish linkages between natural resources and conflict have gained considerably in the last few decades. The vast array of literature evolving from different disciplines and scholars has provided contradictory and at times ambiguous opinions and theories. Though armed conflicts over natural resources is believed to have decreased after the Cold War, it has manifested in various other forms in which natural resource forms a crucial ingredient in the likelihood and the continuance of conflicts, particularly in the Global South. The earliest trend of acknowledging the relationship between natural resources and conflict can be traced back to Malthus who postulated that conflicts over natural resources would arise as a direct consequence of population growth coupled with increasing consumption leading to the scramble for scarce resources. The resultant violence, wars and diseases would act as equilibrium and positive checks to maintain balance. Malthus' theory though criticized for neglecting the role of technological innovations that would increase the carrying capacity of the world nevertheless provided the groundwork for further theoretical considerations regarding natural resource conflicts.

Since then, many theories from various schools of thought have tried to provide justifications for conflicts over natural resources. The divergence of thoughts on the issue is intrinsically linked to the underlying concepts and theories surrounding conflicts as well as the founding principles of a particular discipline. Lately, the linkages postulated

between natural resources and conflicts have come from three major traditions of neo-Malthusianism, neo-classical economics and political ecology. Thus, for some, environmental degradation laid the framework for understanding conflicts either at the macro or micro levels, others focused on the scarcity of resources and subsequent distributive policies. The idea of resource abundance or 'resource curse' and the 'greed grievance' approaches explained through the 'economies of violence' has also provided justifications for the conflicts over natural resources. Still others have tried to adopt a broader livelihood approach and brought in social and cultural contexts into the study of natural resource conflicts while debates on the issue of climate change and its possible role in fueling conflicts in the future have also emerged.

In India, the intensity and range of resource conflicts have continuously widened as predatory exploitation of natural resources to feed the process of development has increased in extent and intensity. The nature of natural resource conflicts in India has the strands of both resource scarcity and abundance along with environmental and ecological concerns but the primary factor is the motif of industrial development and the growth of GDP and per capita income. Thus, while land as a resource has become a scarce commodity with conflicts over its acquisition being common, the abundance of river waters and its harnessing for hydro-electric and irrigation projects has witnessed intense protests and long drawn conflicts. At the same time, ecological and environmental concerns over the use and abuse of natural resources and its concomitant effects on the present and future generations supplement both cases of resource scarcity and abundance.

Natural resource conflicts in India represent opposing strands of belief in which two contending perspectives are pitted against each other. The first perspective represents the state's vision of the rationality of economic growth through industrialisation. The latter represents the concerns of adivasis, dalits and other marginalised sections of the society whose lives are intertwined with the natural resource base and who stands to lose the most. The magnitude of the gulf between the two perspectives in which fundamental self-interests are at stake makes the possibility of mutual comprehension and the ability to appreciate the rationality of the other side increasingly difficult. Conflict between these two opposing forces becomes inevitable with each party galvanizing support for its cause

and belief systems. These conflicts with local and regional roots over localized issues of land, forests and water often take on national and even global dimensions and represent the conflict between 'two India'- one with an economic and super-power ambitions and the other with sustenance and livelihood concerns.

This process has been characterised by the massive expansion of energy and resource-intensive industrial activity and major development projects like large dams, mining and energy-intensive agriculture. The resource demand of development has led to the narrowing of the natural resource base for the survival of the economically poor and already marginalised indigenous communities, either by direct transfer of resources or by destruction of the essential ecological processes that ensure renewability of the life-supporting natural resources. This has invariably led to conflicts between indigenous groups and the harbingers of development and economic prosperity. Developmental projects and its subsequent opposition in various forms has become one of the striking features of natural resource conflicts in India.

The present study analyses the nature of natural resource conflicts in the Indian states of Arunachal Pradesh and Orissa and explores the avenues for resolution of the conflicts through a synthesis of the western and indigenous methods of conflict resolution. In Arunachal Pradesh, field studies were conducted to study the conflict over the construction of the Lower Siang Hydro Electric Project and the protests by the indigenous Adi population against the project. In Orissa, the study focused on the conflict over mining bauxite in the Niyamgiri hills and its opposition by a defiant Dongria Kondh indigenous group.

Apart from studying these two conflict scenarios, field studies were conducted to analyse the prevailing methods of conflict resolution in contemporary Adi and Dongria Kondh society. The attitudes and perceptions of the Adis and Dongria Kondhs in ascertaining a viable mode of resolving these conflicts were also studied. Further, the inputs from the field were applied in establishing a framework for the resolution of these conflicts over natural resources through a synthesis of western methods of conflict resolution and indigenous practices of conflict resolution. Having said that, the research does not aim at

providing the way out or taking a messianic or moralistic viewpoint and offer readymade solutions to the conflict, rather it aims to bring into focus the conditions that could facilitate the resolution of the conflict and provides the elements intrinsic for the resolution of the conflict. Moreover, the research contends that not all conflicts require a win-win solution and in some conflicts a party will also have to lose for the sake of justice. The rights of indigenous groups and the maintenance and preservation of their culture, lifestyles and ethos must form the bedrock of any developmental activities undertaken by the state or its partners.

Dedicated to

My

Ama, Jamuna Lata Chettri,

Baba, Kharga Bahadur Katwal

And

Bhai, Shrotam Katwal

With

Lots of

Love, Prayers, Affection and

Gratitude.

CHAPTER 1

INTRODUCTION

1.1 Background

Does the ever expanding conflict over natural resources beg an inquiry into the efficacy of the present modes of conflict resolution? Can indigenous knowledge systems and indigenous methods of conflict resolution lead to a more nuanced application of techniques for resolution of natural resource conflicts? The conflict over the access and denial of natural resources has been a major and constant theme since times immemorial. The insatiable need for valuable natural resources has witnessed ravaging wars, exponential conquests and plundering of nature's wealth. The negative consequences of this irrational scramble have profound dimensions to both Mother Earth and its inhabitants. It is only a matter of time before the very existence of life on earth will be a long lost memory. Realisation of this impending doom has slowly crept in but "nature wars" continues unabated. The modes of warfare may have changed and the character of colonization and imperialism taken nebulous forms; the conflict over natural resources has become more frequent and even more pronounced.

The competition and competing claims over the control for scarce and valuable natural resources among nation states, multinational corporations and the local and indigenous population has characterized most of the resource conflicts in the present age. The inter-dependency between economic prosperity, industrialization and globalization and the possession and control of natural resources fuels and sustains the conflict. The depleting and exhaustible nature of natural resources also makes the conflict more pronounced with many stakeholders involved in it.

Conflicts over natural resources have a history as long as the existence of mankind and will continue for ages to come. The unbridled exploitation of natural resources began in earnest with the establishment of the industrial and mercantile age which also witnessed the intensification of conflicts and wars over natural resources. The process of

colonization was intrinsically linked to the acquisition of new colonies to sustain the need for natural resources. At present wars over oil and other non-renewable resources makes natural resources an important element in the onset and continuation of conflicts with the huge stakes hinging on the ability to control and access natural resources.

The efforts to establish linkages between natural resources and conflict have gained considerably in the last few decades. The vast array of literature evolving from different disciplines and scholars has provided contradictory and at times ambiguous opinions and theories. Though armed conflicts over natural resources is believed to have decreased after the Cold War, it has manifested in various other forms in which natural resource forms a crucial ingredient in the likelihood and the continuance of conflicts, particularly in the Global South. The earliest trend of acknowledging the relationship between natural resources and conflict can be traced back to Malthus [(1798)1970] who postulated that conflicts over natural resources would arise as a direct consequence of population growth coupled with increasing consumption leading to the scramble for scarce resources. The resultant violence, wars and diseases would act as equilibrium and positive checks to maintain balance. Malthus' theory though criticized for neglecting the role of technological innovations that would increase the carrying capacity of the world nevertheless provided the groundwork for further theoretical considerations regarding natural resource conflicts.

Since then, many theories from various schools of thought have tried to provide justifications for conflicts over natural resources. The divergence of thoughts on the issue is intrinsically linked to the underlying concepts and theories surrounding conflicts as well as the founding principles of a particular discipline. Lately, the linkages postulated between natural resources and conflicts have come from three major traditions of neo-Malthusianism, neo-classical economics and political ecology (Clausen, D, 2011). Thus, for some, environmental degradation laid the framework for understanding conflicts either at the macro or micro levels, others focused on the scarcity of resources and subsequent distributive policies. The idea of resource abundance or 'resource curse' and the 'greed grievance' approaches explained through the 'economies of violence' has also provided justifications for the conflicts over natural resources. Still others have tried to adopt a broader livelihood approach and brought in social and cultural contexts into the

study of natural resource conflicts while debates on the issue of climate change and its possible role in fueling conflicts in the future have also emerged.

In India, the intensity and range of resource conflicts have continuously widened as predatory exploitation of natural resources to feed the process of development has increased in extent and intensity. The nature of natural resource conflicts in India has the strands of both resource scarcity and abundance along with environmental and ecological concerns but the primary factor is the motif of industrial development and the growth of GDP and per capita income. Thus, while land as a resource has become a scarce commodity with conflicts over its acquisition being common, the abundance of river waters and its harnessing for hydro-electric and irrigation projects has witnessed intense protests and long drawn conflicts. At the same time, ecological and environmental concerns over the use and abuse of natural resources and its concomitant effects on the present and future generations supplement both cases of resource scarcity and abundance.

This process has been characterised by the massive expansion of energy and resource-intensive industrial activity and major development projects like large dams, mining and energy-intensive agriculture. The resource demand of development has led to the narrowing of the natural resource base for the survival of the economically poor and already marginalised indigenous communities, either by direct transfer of resources or by destruction of the essential ecological processes that ensure renewability of the life-supporting natural resources. This has invariably led to conflicts between indigenous groups and the harbingers of development and economic prosperity. Developmental projects and its subsequent opposition in various forms has become one of the striking features of natural resource conflicts in India.

Over the years, conflicts over the construction of hydro electric projects, mining and extractive industries have witnessed sustained opposition from indigenous communities and local populations. These movements based on ecological and livelihood concerns echoes the ideological underpinnings of transnational environmental and indigenous movements. While the rhetoric of being 'anti-development' or 'anti-national' is brought forward and the movements usually defeated through force or coercion, it nevertheless succeeds in bringing the concerns of the marginalised and oppressed to the foreground.

The attitude of the Indian State towards these movements is indicative of the various deficiencies that plague the current model of economic development and at a deeper level it reflects the lack of an effective mechanism of resolving such conflicts. The adoption of one-size-fits-all approach has led to greater intensification and diversification of these conflicts into intractable and protracted ones. The costs of these conflicts may entail big corporate houses and the Indian elite losing their investments but the already marginalised section of tribal/indigenous communities stand to lose everything.

The present study seeks to analyse the nature of natural resource conflicts in the Indian states of Arunachal Pradesh and Orissa and explore the avenues for resolution of the conflicts through a synthesis of the western and indigenous methods of conflict resolution. In Arunachal Pradesh, field studies were conducted to study the conflict over the construction of the Lower Siang Hydro Electric Project and the protests by the indigenous Adi population. In Orissa, the study focused on the conflict over bauxite mining in the Niyamgiri hills and its opposition by a defiant Dongria Kondh indigenous group.

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1.2 Literature Review

Conflict

Conflict is a complex and a dynamic phenomenon. Conflicts have a parallel history with mankind and are seen as a part and parcel of human life. It is normal in human relationships and sometimes may also act as a catalyst of change (Lederach, 2003). The Merriam-Webster's dictionary defines a conflict as a "competitive or opposing action of incompatibilities: antagonistic state or action." This definition is valid to a certain extent given the fact that conflict does not arise in a vacuum and arises due to opposing action of incompatibilities between individuals or groups. These incompatibilities could be in the form of structure, values, resources, data, relationship and interest of the parties.

Ordinarily conflict is associated with tensions surrounding decisions on various choices and is sometimes evident in confrontations between social forces (Dahrendorf 1959 cited in Jeong, H, 2008).*"In a broad sense, the concept of conflict has been stretched and moulded to describe any discord resulting from almost every aspect of social situations…… 'conflict' has been applied to quarrels within a family and workplace arguments as well as violent clashes between states."* (Jeong, H, 2008:32).

In defining a conflict it is imperative to consider various factors that lead to a conflict. It is also important to distinguish between conflict and dispute which have similar connotations. Burton (1990, 1997) makes this distinction clearer by describing a conflict as a serious challenge to the existing norms, relationships and rules of decision making and dispute as issues of discontent arising out of management policies which can be sorted out by the fairness of authoritative decisions.

However the context of defining a conflict depends upon the individual and his/her academic orientations. For example, the domain of political science and international relations define conflict through the lens of realism and interdependence theories and the understanding of power politics, whereas the field of communication focuses on systems and communication theory (Thurston, 2008). Therefore, the definition of conflict is as numerous as the act itself.

Himes (1980:14) defines it as *"purposeful struggles between collective actors who use social power to defeat or remove opponents and to gain status, power, resources, and other scarce values"*. Kriesberg (1982:17) describes it as *"when two or more parties believe they have incompatible objectives"*. Pruitt and Rubin (1986:10) see conflict as a *"perceived divergence of interests"* while Blalock (1989:7) defines conflict as *"intentional mutual exchange of negative sanctions."* Katz and Lawyer (1993) states that for conflicts to arise the actions of one party must affect another and if they do not then differences would exist, but conflict would not. Deutsch (1973:23) defines it as *"existing whenever incompatible activities occur."* and Coser (1956: 32) sees it as *"a struggle over values or claims to status, power, and scarce resources, in which the aims of the conflicting parties are not only to gain the desired values but also to neutralise, injure or eliminate their rivals."*.

Conflict in a broader sense invokes and suggests a state of disagreement or opposition. Conflict can be understood as an action based upon the understanding and recognition of incompatible interests or intention between two or more persons or parties. The widely comprehended meaning of conflict is quarrel between two persons or groups. It can denote a physical duel or war of words. Disagreement, indifference and enmity are the foundation upon which conflict is based. The term may have multiple implications involving singular individuals in conflict with himself i.e. internally or to disagreement between two or more people. In a wider context it can even involve large majority of people involving the whole society and nation as well, having prolonged conflicts of interest and complex web of actions and consequences (Pruitt and Rubin, 1986).

The term 'conflict' can be dissected and interpreted in two ways: firstly as overt conflict referring to conflicting interests and actions by two or more parties. The outbreak of a war falls into this first category. Secondly it can be understood as subjective conflict, referring to anger and irritation attributed to another party. Subjective conflict is often a source of overt conflict. Subjective conflict can yield other results as well like mediation, problem solving, yielding and interaction. It refers to a situation, in which a person is motivated to engage in two or more mutually exclusive activities (Schellenberg, 1982). As mentioned earlier conflict is a complex phenomenon and exists and functions at multiple levels. On an overt behavioural level, a person may be motivated, attracted and

enticed to approach and to avoid something taboo or forbidden at the same time. On a verbal level, a person may want to speak the truth but may abstain due to fear thinking that his words may cause offence. On the symbolic level, there may be clash of ideas and ideology resulting in disagreement of a cognitive nature. On the emotional level, negative responses involved in fear and rejection become incompatible (Schellenberg, 1982). Conflict is a universal phenomenon existing in all human societies. However the degree and form of expression varies depending on the place and situation. In some societies, verbal rather than physical aggression is the norm, while in other societies; more passive forms of expression may predominate.

Thus it can be said that conflict by definition is natural and unavoidable part of human existence, i.e. a natural disagreement resulting from individual or groups that differ in attitude, beliefs, values or needs. Conflict can be considered to be indispensable in a human society. It cannot be viewed separately; they are always working in tandem (Jessie, (et.al) 1957). Kriesberg (1992) remarks that it is unconceivable to think of a society without conflict. Conflict influences human behaviour in myriad actions and consequences. Slabbert (2004) comments that, conflict is a process that begins when one party perceives that another party has negatively affected, or is about to negatively affect something that the first party cares about. Attempts at avoiding conflict is unnatural since it is a core essential of human nature. However, it does not mean that it should be encouraged, thinking it's natural. Efforts should be made to resolve conflict before it turns to be destructive.

Conflicts have existed as long as human society has existed. History is evident of this wherein people have conflicted for political power, religion, territory and ideology. Bitter wars have been fought to eliminate and annihilate rivals and enemies. Goodhand and Hulme (1999), states that conflict is only a problem when society cannot represent, manage or resolve its different interests in a productive manner, thus initiating a degenerative or destructive cycle of physical violence. Conflict can also be defined as a situation in which two or more parties strive to acquire the same scarce resources at the same time. It can even be commented that the absence of conflict usually signals the absence of meaningful interaction. Deutsch (2006) has commented that conflict by itself

7

is neither good nor bad. However, the manner in which conflict is handled determines whether it is constructive or destructive.

Conflict viewed with a slightly positive perspective acts also as a natural consequence of major reform and of popular pressure for fundamental political or economic change. Conflict can also arise over non-negotiable issues such as fundamental human needs, contradictory moral values, or issues of sharing of essential resources such as water land or even food. Hence, conflicts can be defined as *"a situation in which actors use conflict behaviour against each other to attain incompatible goals and/or to express their hostility"* (Bartos and Wehr, 2002: 35). Here actors refers to both individuals and groups who represent antagonistic or conflict behaviour. The conflict behaviour can be in the form of any behavior which helps the party to achieve its goals which is irreconcilable with the opponent by expressing hostility towards them by the use of coercive or non-coercive force. The most significant aspect of this definition is its focus not only on incompatible goals but also on irreconcilable relationships which makes a conflict "take a life of its own" and makes the resolution of the conflict seemingly impossible (Bartos and Wehr, 2002).

Usually the word conflict denotes a negative connotation but not all conflicts are destructive if they ultimately produce creative elements which can change societies and realize the goals and aspirations of individuals and groups. Non-violent conflict intended to transform oppressive relations is intrinsically beneficial as a harbinger of liberation rather than accepting the oppressive status quo (Jeong, 2008). On the other hand a destructive conflict is characterized and sustained by escalatory spirals that produce self-perpetuating damages following a heavy reliance on threats and coercion. Violent behaviour, encouraged by a dehumanization process, is designed to cause harm to other conflict participants" (Kellett and Dalton 2001 cited in Jeong, 2008).

Natural Resource Conflict

The conflict over the access and denial of natural resources is a major and constant theme since times immemorial. The insatiable need for valuable natural resources has witnessed ravaging wars, exponential conquests and plundering of nature's wealth. The competition and competing claims over the control for scarce and valuable natural resources among

nation states, multinational corporations and the local and indigenous population has characterized most of the resource conflicts in the present age.

The competing claim over the use of natural resources characterized by hostile behaviour between two or more parties is the nature of conflict over natural resources. It can be broadly defined as confrontation between groups who are competing for the control, use and or responsibility for a particular natural resource. The conflict may take different forms and may range from mild tensions to outright violence and includes peaceful protests, legal submissions, civil confrontations, violent strife and civil wars. The conflict could also be characterized as a spiral with phases of escalation and de-escalation depending on the issues involved and could well move from mild peaceful demonstrations to a full- fledged war.

It is also important to identify the intensity, duration and scope of natural resource conflicts to enable a better understanding of the complexities in resolving it. The intensity of the conflict may be peaceful protests of low magnitude to a full-blown armed violence. The duration of the conflict plays a vital role in determining the attitudes and behaviours of the parties involved. Consequently, it is relatively easier to address the elements of conflict resolution in a conflict of less duration than for one which has been dragging on for decades and generations. The scope of the conflict refers to the geographical space over which the conflict is spread and may be local, national, regional or between nation-states (Green, B, 2005).

The inter-dependency between economic prosperity, industrialization and globalization and the possession and control of natural resources fuels and sustains the conflict. The depleting and exhaustible nature of natural resources also makes the conflict more pronounced with many stakeholders involved in it. The High Level Panel on Threats, Challenges and Change, convened by the then UN Secretary General Kofi Annan in 2004, declared that commodity shortages can trigger social unrest and civil wars (United Nations, 2004). In 2009, the United Nations Environment Programme (UNEP) Expert Advisory Group on Environment, Conflict and Peace building stated that conflicts over natural resources would intensify significantly in the coming decades.

According to the Organisation for Economic Co-operation and Development (OECD), natural resources are *"natural assets (raw materials) occurring in nature that can be used for economic production or consumption."* The World Trade Organisation (WTO) defines natural resources as *"stocks of materials that exist in the natural environment that are both scarce and economically useful in production or consumption, either in their raw state or after a minimal amount of processing."* Hence, natural resources can be defined as any naturally occurring material which can be harnessed or extracted for the purposes of profit and use for mankind. It includes water, soil, land, minerals, forests, fossil fuels and bio-diversity but excludes human beings since humans are the instigators of conflict.

Natural resources are classified as flow or renewable resources and stock or non-renewable resources (Rees, 1990). The flow resources includes plants, animals and water which can be renewed within a short span of time and stock resources are those with a fixed supply and have been formed over the course of centuries and includes solid minerals, land and fossil fuels. Natural resources can be renewable if after exploitation they *"can return to their previous stock levels by natural processes of growth or replenishment"*, such as trees, water, grass, solar and wind energy. On the other hand, natural resources which cannot be renewed after exploitation are considered non-renewable, like mineral resources, fossil fuels, oil, etc (UNSTATS, 2009).

The briefing paper prepared by the Peace Building Support Office (PBSO) in cooperation with UNEP sees the relationship between natural resources, environment and conflict as being very complex with many dimensions. It distinguishes conflicts over natural resources into two broad categories (i) conflicts over the fair allocation of wealth from extractive resources which are primarily caused by the failure of national governance and (ii) conflicts over the direct use of land, forests, water, etc which stem from physical scarcity when local demand for resources exceeds supply. In addition when certain groups are prevented sufficient access, governance and distribution can also be added factors (PBSO, 2008).

Apart from environmental factors, ideology, ethnicity, poor economic conditions, rapid regime change, low levels of international trade, and conflict in neighbouring countries

also are important contributors to the conflict. Nevertheless, the exploitation of natural resources and related environmental degradation can be significant drivers of conflict and complicating its resolution. Moreover the inter-connectedness between environment, natural resources and conflicts also provides to the outbreak of conflict, financing and sustaining conflict, and spoiling the prospects for peace.

The academic literature on the relationship between natural resources and conflict can be broadly classified into two parts; namely studies which focus on resource scarcity and conflict and secondly which studies the relationship between resource abundance and conflict. The methods used also vary in which some use quantitative methods like econometric modeling and statistical regressions, cross- country and time-series analyses while the qualitative efforts follow comparative and individual case studies (Mildner, 2011).

Traditional Malthusian theory suggests that with population growth, the human consumption needs will inevitably exceed the availability of natural resources, leading to many negative outcomes like war, disease and famine. According to the Malthusian model, violence and war are "positive checks" that serve to maintain the balance which has been disrupted by scarcity due to population growth. However the traditional Malthusian perspective has been heavily criticised for neglecting the role of technological innovations and other factors that help in the carrying capacity of the world (Barnett, 1974).

On the other hand, classical economic theorists like Adam Smith (1937) have emphasized on the creation of markets and a distributive system based on demand and supply. The argument follows that as resources become scarce, their prices increases which deter over-consumption and helps in finding alternatives through technological advancements or substitutions. This perspective has been criticised on the basis that as resources become scarce and their value increases, the financial incentive to exploit those resources also increases to the point leading to their extinction and disappearance (Clark, 1973; Davidson, 1999). Furthermore, the free-market system has the potential to allow for the vast accumulation of wealth into the hands of a few with the ultimate result being that

some gain control over much of the resources while many have little or none (Trainer, 1998).

The resultant divide between the "haves" and the "haves not" has produced the theories on the Marxian tradition which emphasizes upon the conflict of interests between groups that possess control and access over natural resources and those that do not. This approach argues that free-markets creates a condition in which conflict between the groups with access and control over resources and groups with little or no access to resources is inevitable in the long run (Marx and Engels, 1962).Similarly classical sociological theorists like Durkheim (1965), have emphasized that industrialization will effect human relations and macro-structural changes in human social organisation will have a direct bearing upon social adaptability. Population growth and the competition for resources have brought about the industrial era with a complex division of labour, which increases social adaptability and decreases conflict.

The early social science approach, except the Malthusian tradition has implicitly supported the view that humans are "more or less exempt from the natural limits to growth prescribed by a finite resource base" (Green, 2005:2). These perspectives are unlikely to opine that scarcity of natural resources will directly lead to conflict or at the best is indirectly related to conflict.

However, contemporary research in the nature of natural resource conflicts has established a positive relation between resource scarcity and conflict. Adopting a neo-Malthusian view, many researchers like Homer Dixon (1994), Hauge (1998), Raleigh and Urdal (2007) suggests that the process of depriving people of their livelihoods will inevitably result in conflict as it leaves them with no other means of survival. They assume that rapid population growth reduces the availability of natural resources, inducing competition and ultimately conflict over survival. The neo-Malthusian perspective has again been heavily criticised with two arguments. The first argument holds that there are too many intervening non-environmental factors to establish a direct link between population growth and conflict due to scarcity (Le Billion, 2001; Theisen, 2008; Brown, 2010). The second line of argument argues that absolute scarcity can rarely occur due to the intervention of technological innovations, substitution and international

trade. They believe that scarcity is not necessarily a threat to livelihood but an opportunity to be creative and flexible (Simon, 1966; Lomborg, 2001; Mortimore, 2005).

Recently, the relation between resource abundance and conflict has found greater acceptance in the field of conflict studies and has added to the literature on "resource curse" through the works of Collier and Hoeffler (1998), Le Billon (2001), etc. The research on resource abundance distinguishes between government and rebel groups as actors, and interesting work on both the "looting rebels model" and "state capacity model" have shed interesting light on the nature of natural resource conflicts (Mildner, 2011).

Conflict Resolution

Conflict resolution is customary practice. It involves both the theoretical understanding of studying the root cause of conflict as well as effective techniques to   resolve the said conflict. It also implies the practical application of conflict resolution techniques in real life situations. Very often it is felt that a schism is created between the theoretical aspect of conflict resolution and its real life implementation and application. People applying conflict resolution in real settings very often make the mistake of ignoring theoretical aspects of it. This is more so when the theory is in contradiction to their actions. This problem creates a gap between theory and practice of conflict resolution. Scholars too fall into the same trap wherein they ignore or dismiss the practical expertise and experience of conflict resolution practitioners. They fail to take into account what practitioners and policy makers want or need to know (Deutsch, 2006). From this it can be argued that conflict exists within the field of conflict resolution itself wherein a split is created between theory and practice. Scholars are bound by-due to the scholarly disciplinary boundaries while practitioners dismiss theory as impractical resulting in ideological and value differences (Coleman and Marcus, 2006).

Conflict Resolution is a multi-varied field involving interdisciplinary subjects. Talking about its nascence, it can be traced to the seminal, independent and pioneering works of psychologist Kurt Lewin and his students in the 1920s. Economists such as Von Neumann and Morgenstern further contributed to this field in the 1940s and were subsequently developed by Nash and Schelling. Concepts such as Pareto optimality, zero-

sum games, and non–zero-sum games became common terminology during this period. These terms were later elaborated by social psychologists and applied it to the context of labour disputes (Beriker, 2015). The mid-1960s saw the introduction of management sciences in this field. Subjects like political science, sociology, social psychology and international relations brought in concepts like negotiation, conciliation and mediation. Anthropology, environmental sciences, communication technology, and more recently fine arts and performing arts have also contributed to the wide gamut of conflict resolution (Babbitt and Hampson, 2011)

A characteristic trait of conflict resolution is the manner in which systematic knowledge is generated through multifarious means. The prism of conflict resolution is viewed through unique perspectives and lenses by different disciplines. Both positivist and constructivist approaches characterize it. In the same vein, laboratory experimentation, meta-analysis, content analysis, case studies, field research, oral history, narrative analysis, policy studies, and contemporary issues are also used as research techniques in conflict resolution. Morton Deutsch (2006) talks about the existence of multiple epistemic orientations to the study and practice of conflict resolution. Marieke Kleiboer (2000), has classified the orientations along two lines: firstly involving assumptions about the nature of conflict (conflict as a challenge to order versus as an opportunity for social change) and secondly assumptions about the ontological status of conflict and its implications for theorizing about conflict (realist/objectivist versus nominalist/subjectivist epistemologies). He further attributes the practice of conflict resolution to the solution of problems related to political, economic, social, cultural and military issues. Following this statement it can be commented that conflict resolution can be used for different ends.

Scholars like Rogers and Ramsbotham (1999) argue that the purpose of conflict resolution is not to prevent conflict but to transform actual or potentially violent situations into peaceful ones. They argue that conflict resolution as a term is comprehensive having multiple layers which aim to address and transform deep-rooted sources of conflict. When behaviour ceases to be violent, subsequently attitudes also undergo a transformation. Antipathetic lines of thought turn into positive notions of

development. The resolution aims at transforming the situation in such a manner wherein underlying reasons for the conflict has been removed (Beckett, 1997).

Conflict resolution is a dynamic and vibrant concept involving multiple disciplines. It involves the work of scholars wherein they try to bring the conflict under control through useful insights and commentary. The aim is to foster better relations between people, and also between people and the state be it domestically or at an international level. According to Bercovitch (et.al) (2009) conflict resolution is about ideas, theories, and methods that can improve our understanding of conflict and our collective efforts in reducing instances of violence and disharmony.

The main aim of conflict resolution can be considered to be identifying the causes of a conflict and subsequently making positive inroads to resolve the conflict in order to guarantee long lasting peace. The United Nations Department for Economic and Social Affairs (UNDESA, 2001) maintains that a conflict can be resolved when the root causes of that particular conflict are identified and addressed in a positive manner. Joint-problem solving efforts form an essential and integral part of this programme. The resolution of conflict results in positive changes at multiple levels ushering in not only peace but sustainable development as well. Good relations among people and improved security will be the outcomes of positive resolution of conflicts leading to all round human development and well-being.

A conflict can be considered to be genuinely resolved only when disputing or warring parties are pacified and contented and a number of approaches and methods could be used in conflict resolution. Mediation through a third party intervention, negotiation, alternative dispute resolution, collaboration, arbitration and conciliation all form a part of conflict resolution process. The best method which can be applied is dependent on the situation and the severity of the conflict. Among the various methods of conflict each different method requires a certain procedure and suitable time to be applied. Among the different approaches, mediation has been established to be more useful in identifying the main causes of conflict (Godongs, 2006).He further comments that mediations are collaborative and reconciliatory by being productive in designing solutions through a joint problem-solving approach.

Conflict resolution contains two differing viewpoints. The first one assumes that conflict can only be managed and not resolved completely. The supporters of this thought see conflict as both inevitable as well as ineradicable. Conflict resolving methods are considered to be unrealistic and the best that can be done is to manage and contain them and if situation favours to reach a compromise. (Bloomfield and Reilly, 1998).

On the other side of the coin, some conflict resolution theorists argue that it is possible to go beyond conflict with the participation of the parties and explore, analyze, question and reframe their position and interest. It can be seen that conflict resolution, encourages the interference of third party especially when it leads to creation new ideas and new relations. Hence it involves progressively oriented activities which seek to address the underlying causes of direct, structural and cultural violence (Miall, 2003).

There are three ways in which a conflict can be resolved: firstly conflict can be determined i.e. one party becomes the victor while the other loses automatically bringing in an end to the conflict. This becomes an instance of the conflict being determined. Secondly a conflict can be resolved through the interference and intervention of a third party. It can be said that in this case the conflict has been settled. Thirdly the conflict can be transformed with minimum damage or even positive outcomes to all parties involved. This becomes an instance of the conflict being resolved. The first method of termination of conflict involves the imposition of the mighty party's will over that of the weak. The party with the superior force turns victorious. Force in this situation may imply physical superiority, intellectual efficacy and psychological advantage. In this scenario the weaker party is subjugated to succumb to the will of the mightier party. The weaker party gives in to the force of the stronger party. They can be either coerced or even exterminated depending on the situation. However it has been seen that this method involving the suppression of will and use of force does not last long since it leads to vindictive attitudes and long lived enmity (de Reuck, 2002).

The second method involves both the disputing parties arriving at a compromise or settlement since they do not have an option but to accept the intervention of the third party. In this case both the parties reach a common ground and compromise on certain issues. The settlement reduces the level of intensity of conflict behaviour. However the

core issue of the conflict situation may remain untouched. The last method i.e. resolution implies a solution acceptable to all concerned parties. Sacrifice of interest is not needed in this scenario. The disputing parties may suffer minimum loss or in some cases even gain something out of the resolution. This method removes the core of the conflict and transforms the situation resulting in positive change of behaviour and situation. Resolution removes the very ground of dispute by eliminating or transforming the conflict situation (de Reuck, 2002).

Though the field of conflict resolution has garnered much attention and scholarly work, it has nevertheless also drawn persistent fire from critics at different points along the political and intellectual spectrum, from neo- realists to neo- Marxists. The traditional realists consider the soft power approaches of conflict resolution as ineffective and dangerous. The Marxists on the other hand sees liberal conflict resolution as naïve and theoretically uncritical. Thirdly, the field is criticized from a cultural point of view in which it is argued that conflict resolution is based on western assumptions which are not universally applicable since understandings of conflict and its resolution differ between nations, cultures and peoples (Ramsbotham (et.al), 2011).

1.3 Rationale of the Study

The inter-dependency between economic prosperity, industrialization and globalization and the possession and control of natural resources fuels and sustains the conflict over natural resources. The narrowing of the natural resource base for the survival of the indigenous and tribal communities and the threat to their survival either by the direct transfer of resources or by the destruction of the essential ecological processes has witnessed intense opposition from local communities as well as civil society groups.

According to the World Bank (2012), approximately 742 million or 70 percent of India's population live in the rural areas and out of these 88.8 million belong to the scheduled tribes and constitute 8.6 percent of the national population according to the latest census. They are distributed across the country but are mainly concentrated in the so-called 'tribal belt' of central India followed by the second largest concentration in the Northeast. These tribal regions are rich in various natural resources like minerals, water, bio-diversity, forests, etc. and the indigenous people share a very close relationship with their

natural environment. Their social, cultural and livelihood spaces are constructed around these resources and any change in the natural environment directly affects their survival and livelihood.

India is a growing economic power and the fifth largest producer of crude steel in the world and most of its mining operations are situated in the tribal belts of Central India. Orissa occupies the third largest share of Memorandum of Understandings (MoU's) between the Indian government and multinational companies after Chattisgarh and Jharkhand which are devoted towards the extraction of minerals. On the other hand, increasing demands for energy have seen a proliferated rise in the development of hydro power projects with the Northeast region of the country being identified as the future power house of the nation. The states of Arunachal Pradesh (situated in the Northeast) and Orissa (in Central India) has witnessed a rampant rise in mega hydro-electric projects and extractive industries aimed at the utilisation and extraction of natural resources. This spur in the harnessing of natural resources contradicts with the indigenous and local needs and value of the particular resource leading to protests and conflicts. The primary goal of the conflicts in both these states remains similar with variance in the repertoire of protests and the scale of mass movement and confrontations.

Against this background it is necessary to analyse the complexities of natural resource conflicts and explore mechanisms for its resolution. The analysis and possible mechanisms of conflict resolution needs to critically examine the interest, needs and values of all the stakeholders to the conflict. It needs to understand the energy, power and economic requirements of the Indian state in an era of globalisation and the justifications provided for the use and abuse of natural resources. The study will be comparative in nature with the aim of understanding the natural resource conflict and indigenous methods of conflict resolution in the states of Arunachal Pradesh and Orissa. It will study the genesis and the roots of these conflicts and the efforts at resolution. It will recognize that any attempts at conflict resolution need to consider and synthesize the existing traditional and indigenous methods of conflict resolution with the largely western contemporary models of conflict resolution as well as the established laws of the land.

A comparative study of both these states is essential as Orissa has been at the forefront of anti-mining and anti-extractive industries and received large academic and media attention while the issue of dams in Arunachal Pradesh has received scant treatment both in academic literature and national media. Also the location and strategic importance of both these states (Orissa in the interior and a Maoist affected region and Arunachal Pradesh in the geographically isolated periphery bordering China) makes it an interesting mode of inquiry into the nature of the conflict, modes of protest and the conflict management techniques adopted by the state machinery.

Nonetheless, the variance in the traditional knowledge systems between the indigenous population of Arunachal Pradesh and Orissa and their continuity and relevance in an age of globalisation and democratisation will form the bedrock of arriving at a mechanism of conflict resolution. Lastly, the comparative study will be very important in acknowledging the existence of many diverse propositions to the meanings attached to natural resources and the resolution of conflicts and the effective synthesis of both global and local knowledge systems in the arena of natural resource conflicts.

1.4 Scope of the Study

The study will be a comparative analysis of natural resource conflicts in Orissa and Arunachal Pradesh and the indigenous methods of conflict resolution and its relevance in resolving natural resource conflicts. It will view the differing nature of natural resource conflicts in both these states as a whole and will critically examine the issue of Lower Siang Hydro Electric Project (LSHEP) in Arunachal Pradesh and the Vedanta mining and refinery project in Orissa.

In Arunachal Pradesh, the protests by the Adis against the LSHEP and the Adis system of conflict resolution will be examined. In Orissa, the conflict over mining in the Niyamgiri hills and the indigenous methods of conflict resolution of the Dongria Kondhs will be examined. A major portion of the work will concentrate on the issues related to conflict over natural resources in both these states and the mechanisms of indigenous/traditional methods of conflict resolution and their applicability in the present era. Conversely it will also look into the hybridization process of the centuries' old techniques of conflict resolution and systems of local governance and their adaptation to the modern world.

The study will view the conflict as a non-isolated event embedded in its social, cultural and political environment. It will analyse all the relevant factors leading to the conflict along with a critical theoretical overview of the nature of natural resources conflict, particularly in India. The study will not be limited only to the study of the conflict due to the incompatibility of goals over the utilization of natural resources but will also seek to analyse the differing theoretical viewpoints regarding the nature of indigeneity, indigenous rights, and methods of conflict resolution.

1.5 Area of the Study

The research has been carried out in the states of Arunachal Pradesh and Orissa as depicted in Map 1.1 below:

Map 1.1 Area of Study
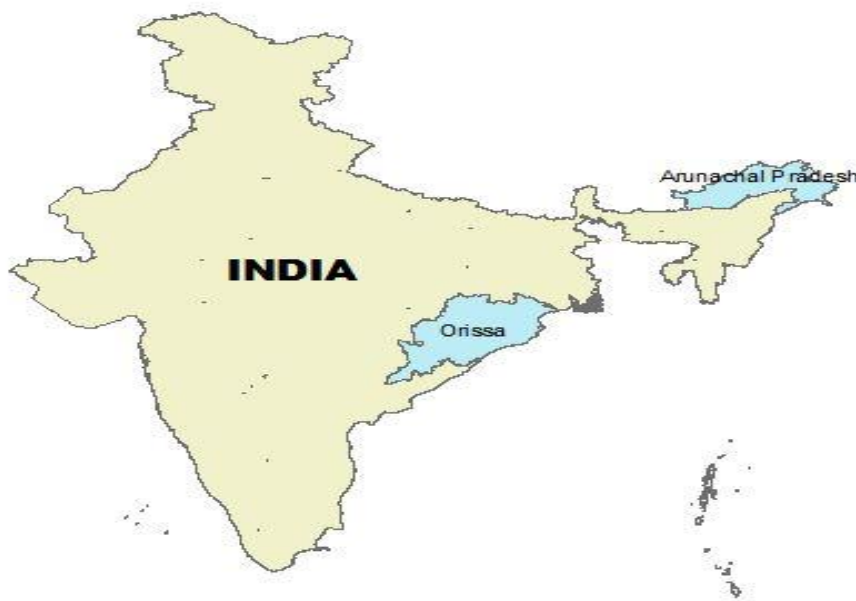
Source: Arc GIS, 2014, Map of India, assessed at www.arcgis.com.basemapindia on 15/06/2016.

In Arunachal Pradesh the research focuses on the issue of hydropower projects on the Siang river basin where 44 hydropower projects are being planned to generate 18,293 MW of energy. The research specifically deals with the 2700 MW Lower Siang Hydro Electric Project in East Siang district and the protests by the Adi indigenous group.

Map 1.2: Area of Study in Arunachal Pradesh (East Siang District)

Source: Maps of India assessed at

http://www.mapsofindia.com/maps/arunachalpradesh/districts/eastsiang.htm# on 14/05/2015.

The research in Orissa has been conducted among the Dongria Kondh indigenous group of the Niyamgiri hills and their resistance against the proposed bauxite mining by Vedanta Aluminium Limited on their sacred hill. Vedanta's mining project plans to extract an estimated $2 billion worth of bauxite that lies underneath the surface of the hills and the research examines the afterlife of the Niyamgiri struggle after the Supreme Court ordered Palli Sabhas rejected Vedanta's mining project in 2013.

Map 1.3: Area of Study in Odisha (Kalahandi and Rayagada Districts)

Source: Maps of India assessed at
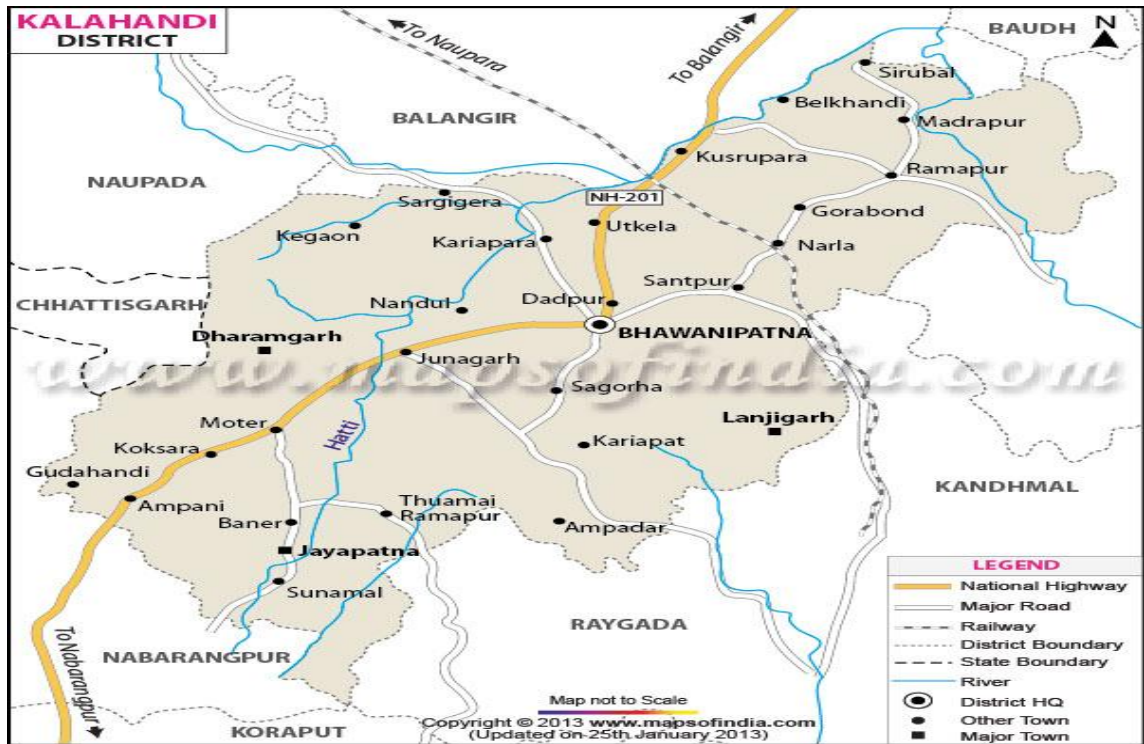
http://www.mapsofindia.com/maps/orissa/districts/kalahandi.htm# on 13/03/2015.

1.6 Research Questions

1. What are the trends and historicity of natural resource conflicts in Arunachal Pradesh and Orissa?

2. What are the causes, types, characteristics, dynamics, consequences and evolution of natural resource conflict in Arunachal Pradesh and Orissa?

3. What are the causes and issues with regard to the conflict over the Lower Siang Hydro Electric Project in Arunachal Pradesh and Vedanta's mining and refinery project in Niyamgiri hills in Orissa?

4. What are the contemporary indigenous methods of resolving conflicts amongst the Adis and the Dongria Kondhs?

5. What are the possible approaches for the creation of a framework for the resolution of natural resource conflicts in Arunachal Pradesh and Orissa?

1.7 Objectives of the Study

The present research will analyse the causes, dynamics and evolution of natural resource conflicts in the two Indian states of Arunachal Pradesh and Odisha. The study in its ideation is an attempt to analyse the nature of natural resource conflicts in these two states and explore the possibilities of addressing these conflicts through indigenous mechanisms of conflict resolution. The focus of the study is at gathering qualitative experiences of actors involved in the conflict and analyse the range of possible approaches to resolve such conflicts. Accordingly, the objectives of the present research are as follows:

1. To comparatively analyse the causes, types, characteristics, dynamics and evolution of natural resource conflict in Arunachal Pradesh and Orissa.

2. To make a comparative study of the social and political environment, modes and nature of protests, and the nature and consequences of conflict.

3. To make a comparative analysis of the indigenous methods of conflict resolution of the Adis and the Dongria Kondhs.

4. To study and analyse the range of possible approaches to prevent and manage the conflict in both conflict situations with the larger goal of suggesting measures at conflict resolution.

5. To review and analyse the approaches to preventing and resolving natural resource conflicts.

1.8 Hypothesis

1. Indigenous knowledge systems and traditional methods of conflict resolution are crucial to the resolution of natural resource conflicts.

2. Natural resource conflicts can be better resolved with an eclectic mix and synthesis of indigenous conflict resolution mechanisms and contemporary western conflict resolution techniques.

1.9 Research Methodology

The study is an exploratory and qualitative research looking at the factors behind natural resource conflicts in Orissa and Arunachal Pradesh. A qualitative approach allows the use of selected cases to explore a social phenomenon of interest based on the researcher's curiosity (Yin, 1994). A case study is intended to describe, understand and explain a research phenomenon. However, unlike quantitative research, the findings of a case study are not generalized to the rest of the population. Therefore, the question of representative sampling does not arise (Stake, 1995; Yin, 1994). Thus, the number of participants in a study does not matter for a case study to be considered acceptable, provided the study has met its objective of describing the phenomenon being studied (Tellis, 1997). Case study method supplemented by non-participant observation, focus group discussions and in-depth interviews with key informants have been used to elicit the necessary information regarding the nature of natural resource conflicts and indigenous methods of conflict resolution.

The analysis of natural resource conflicts in Arunachal Pradesh and Orissa was first informed through extensive survey of secondary literature. Relevant literature has been included within the text of the chapter to provide the background and greater understanding of the case studies. The case studies were conducted through extensive field visits in which observation techniques, interviews with the help of questionnaires and focus group discussions were employed. Pilot studies were undertaken before the commencement of field studies at both Pasighatand Niyamgiri to gain an understanding of the issues involved and aid in the construction of relevant and appropriate questionnaires.

Interviews were conducted with the help of semi-structured questionnaires and the assistance of a translator was used to bridge the language gap. The study has used both primary and secondary data. Primary data was acquired through intensive field study in which interviews, focused group discussions and observation techniques were applied. Purposeful and snowball sampling techniques were used to identify the respondents. Government reports and documents, newspaper reports, journals, and internet sources

supplemented the secondary data. Existing literature and historical documents were thoroughly reviewed to enhance the understanding of current realities.

Field Study

The field work was carried out for different lengths of time between February 2014 and January 2016. In Arunachal Pradesh the field study was carried out amongst a sample population of 180 selected through purposive and snowball sampling method in the villages of Pongging, Bodak, Rottung, Ayeng, Boleng, Babuk, Pangin and the town of Pasighat. In Orissa, the sample population consisted of 125 and was conducted in the villages of Ijrupa, Phuldumer, Palberi, Lakhpadar, Khambesi and Jarapa at Niyamgiri hills and Rengopali, Bandhaguda, Basantpada, Kendubardi, Kenduguda and Sindhbahali at Lanjigarh.

Focused Group Discussions (FGD) and interviews with the help of semi-structured questionnaires were carried out to understand the nature of the conflict and indigenous methods of conflict resolution. Due to the sensitive nature of the issue, the names were not included in the interview schedule and each respondent was instead given a code. The interviews were recorded with prior permission from the respondents and the recordings were destroyed after the transcripts were produced. In addition, non-participant observation method along with casual conversations was carried out to understand the lived experiences of the people involved in the research.

Data Analysis and Processing

The first step of the data analysis process involved the writing up of useful notes and transcriptions of interviews which were conducted. A fair amount of shifting had to be done and only useful information was jotted down. Since the aim was to attain specific research objectives; the collected data was organized and streamlined based on the purpose of the study suitable for analysis and discussion. The participants were interviewed mostly in Hindi and the transcribed interviews and FGDs were translated into English. The transcripts and field notes had to read thoroughly to grasp the broader themes and context and patterns of the data collected. Next step was the coding and categorizing of the data and conversion into meaningful information which would be useful to attain the research objectives and answer the research questions.

This was followed by the field information being statistically computed and organized accordingly. This was done in order to study the core relations of the different variables at hand. Data from interviews and FGDS was then qualitatively worded to make coherence and semblance out of it. Microsoft Excel/SPSS software was used to analyse the questionnaire responses. The last step involved the summarization of the results for in-depth analysis and meaningful interpretation of results in order to arrive at definite conclusions and implied inferences.

1.10 Limitations of the Study

A major limitation of the study was the barrier of language since the researcher was unversed in both the Adi and Kui (Kuvi) languages. The help of a translator was used to conduct interviews and FGD's and many of the responses could have been lost in translation. Secondly, the access to the field study was availed through contacts with the activists and members of the groups in conflict. Further, the sampling method used was purposive and snowball sampling which naturally has given the research a subjective hue towards the actors involved in opposing the projects. However, random sampling method could not be applied due to the volatile nature of the conflict and the uneasiness and suspicion of the respondents towards strangers.

In examining and investigating the indigenous methods of conflict resolution (IMCR), a thorough literature review was done before conducting the fieldwork. The questionnaire method was useful in understanding the current situation of ICMR but the dynamics involved in the changing roles of these institutions could not be researched satisfactorily. While casual conversations and FGD's were also beneficial in understanding the current nature of IMCR, but for a deeper insight and nuanced study into the workings of ICMR, a research solely focusing on ICMR needs to be conducted and an ethnographic research may be the best way out. Also due to the constraints of time and resources many aspects of the research including a gendered perspective and the power structures within indigenous society could not be included within the scope of the research.

1.11 Organisation of the Study

The present chapter provided a brief outline and milieu of the present study. Chapter two provides a theoretical framework for conflicts over natural resources. It develops the conceptual framework and the linkages between natural resource and conflict. The chapter is divided into two segments in which the first segment provides the linkages postulated between natural resources and violent armed conflict through the environmental security approach and the economics of conflict approach. The second segment focuses on low intensity social conflicts over natural resources in India and the consequent environmental movements. It argues that the current model of resource intensive industrial development is the primary cause of natural resource based conflicts.

The third chapter analyses natural resource conflicts in Arunachal Pradesh. It posits that the issue of hydro-power projects that has swamped the entire region is the fundamental premise for natural resource conflicts in Arunachal Pradesh and provides case studies for conflicts taking place over the state's various rivers and its basins. The primary focus of this chapter is the conflict over the Lower Siang Hydro Electric Project (LSHEP) and its opposition by the indigenous Adi population. The findings of the field study conducted to analyse the issues over the protests against the LSHEP are discussed in the third chapter.

The fourth chapter discusses the nature of natural resource conflicts in Orissa and argues that mining and extractive industries and mega dams have been instrumental in creating the conflicts over natural resources. The focus of this chapter is the conflict over bauxite mining in the Niyamgiri hills and the resistance by the indigenous Dongria Kondhs. The findings of the field study conducted to analyse the afterlife of the Niyamgiri struggle are discussed in the fourth chapter.

Chapter five critically examines the concept of being indigenous in India in the context of the transnational discourse of indigenous rights. It argues that the official stand of the Indian government refuting the existence of any indigenous communities directly contravenes with the rights and well-being of tribal/adivasi groups. The chapter presents and examines the findings of the field study with regard to Indigenous Methods of Conflict Resolution of the Adis and the Dongria Kondhs and makes a critical analysis of the contemporary (western) mechanisms of conflict resolution. The final section of the

chapter proposes a framework for the resolution of natural resource conflicts in Arunachal Pradesh and Orissa.

The concluding chapter summarizes the thesis, analyses the validity of the hypothesis and recommends further studies in the universe of natural resource conflicts and indigenous methods of conflict resolution.

CHAPTER 2

NATURAL RESOURCE CONFLICTS: A CONCEPTUAL FRAMEWORK

2.1 Introduction

The efforts to establish a link between natural resources and conflict has gained considerably in the last few decades. The vast array of literature evolving from different disciplines and scholars has provided contradictory and at times ambiguous opinions and theories. Though armed conflicts over natural resources is believed to have decreased after the Cold War, it has manifested in various other forms in which natural resource forms a crucial ingredient in the likelihood and the continuance of conflicts, particularly in the Global South. The earliest trend of acknowledging the relationship between natural resources and conflict can be traced back to Malthus [(1798)1970] who postulated that conflicts over natural resources would arise as a direct consequence of population growth coupled with increasing consumption leading to the scramble for scarce resources. The resultant violence, wars and diseases would act as equilibrium and positive checks to maintain balance. Malthus' theory though criticized for neglecting the role of technological innovations that would increase the carrying capacity of the world, nevertheless provided the groundwork for further theoretical considerations regarding natural resource conflicts.

Since then, many theories from various schools of thought have tried to provide justifications for conflicts over natural resources. The divergence of thoughts on the issue is intrinsically linked to the underlying concepts and theories surrounding conflicts as well as the founding principles of a particular discipline. Lately, the linkages postulated between natural resources and conflicts has come from three major traditions of neo-Malthusianism, neo-classical economics and political ecology (Clausen, 2011). Thus, for some, environmental degradation laid the framework for understanding conflicts either at the macro or micro levels, others focused on the scarcity of resources and subsequent distributive policies. The idea of resource abundance or 'resource curse' and the 'greed grievance' approaches explained through the 'economies of violence' has also provided justifications for the conflicts over natural resources. Still others have tried to adopt a broader livelihood approach

and brought in social and cultural contexts into the study of natural resource conflicts while debates on the issue of climate change and its possible role in fueling conflicts in the future have also emerged.

The attempts to categorise the vast array of divergent ideas on natural resource and conflicts is fraught with the inherent dangers of glib over-generalisation. Generally, these propositions are grouped under three basic categories of resource scarcity, resource abundance and those who suggest a complex relationship owing to the different types of resources coupled with institutional and political regimes (Nillesen, and Bulte, 2014). The narrow focus of the existing methods of linking natural resources to conflicts has been inadequate in addressing all the major strains of problems and complexities (Alao, 2007) that abound the lived experiences of those involved in these conflicts. These propositions *"relies on preconceived casualities intermingles eco-centric with anthropocentric philosophies, and neglects the motivations and subjective perceptions of local actors (and) represents an inappropriate research strategy in our quest to understand human-nature interactions"* (Hagmann, 2005: 2). Moreover, the conflict resolution mechanisms applied to address these conflicts is monotonic and rests on the normative assumption that conflicts are inherently bad and to be avoided, while neglecting the underlying factors of injustice, structural violence, human rights and social change.

The problem with categorizing the concepts and theories linking natural resources with conflicts stems from primarily three interrelated issues. First, the concepts emerge from different disciplines basing their arguments on the underlying principles and theories upon which they are formed. This invariably produces differing notions and concepts which rather than simplifying the process further complicates it. Second, the nature of natural resources is extremely heterogeneous (Rees, 1990). It produces different meanings, understandings and experiences of the natural world and the embedded issues within different cultures, which can hardly be generalized and applied universally (Holdgate, 1979). Further, the nature and meanings attached to conflict itself has cultural and idiosyncratic variations which is difficult to club under a generic proposition.

Third, the range and intensity of natural resource conflicts is too vast to provide meta-theories and grand propositions that can sufficiently claim to understand them. Natural resource conflicts takes place over a diverse range of resources and its

intensity varies from peaceful non-violent protests to violent armed struggles. The propositions adduced to understand the process has segregated them according to the intensity of the conflict. Hence, propositions that may be valid for violent armed conflicts may necessarily not be sufficient to understand non-violent or low intensity conflicts. In addition, low intensity or non-violent conflicts over natural resources are usually put under the rubric of environmental or ecological movements which has opened up a newer vista of analysis that has surpassed the propositions adduced to explain the linkages between natural resources and violent armed conflicts.

In the following sections, the theories and concepts linking natural resources and conflicts will be elucidated by distinguishing between those applicable to violent armed conflicts/civil wars and low intensity small scale protests or environmental movements. The category of violence/wars or what has come to be regarded as "resource wars" captures the propositions which adduce the linkages between natural resources and armed conflicts between domestic and regional groups or between nation states. It is based on a normative security perspective with analysis grounded more on macro level analysis of nations of the Global South. The specificities of low intensity conflicts in the form of environmental movements and social conflicts will be elucidated next with particular focus on Indian environmental movements and resource based conflicts. While these movements occur within the sphere of natural resources, other ancillary factors of economic development, industrialization, land acquisition and rights and livelihood of indigenous and local communities also play a prominent role.

2.2 Natural Resources and Conflict – Exploring the Linkages

Conflicts over natural resources have a history as long as the existence of mankind and will continue for ages to come. The unbridled exploitation of natural resources began in earnest with the establishment of the industrial and mercantile age which also witnessed the intensification of conflicts and wars over natural resources. The process of colonization was intrinsically linked to the acquisition of new colonies to sustain the need for natural resources. At present wars over oil and other non-renewable resources makes natural resources an important element in the onset and continuation of conflicts with the huge stakes hinging on the ability to control and access natural resources.

The efforts to establish linkages between natural resources and conflicts has had a significant growth in the last decades of the 20th century. It has materialized over the increasing intensity and extent of conflicts over natural resources and its concomitant effects not only over the human population but the environment as a whole. The efforts to link conflicts and natural resources can be ascertained to have gained prominence through two interlinked phases. The first strand grew through the expansion of the field of security to include environmental issues and establish a link between environment and security while the second strand sought to establish links between natural resources and conflicts through an economic view point or what has been termed as the 'economics of conflict' (Alao, 2007).

2.2.1 The Environmental Security Approach

The environmental security approach was born out of the need to expand the essence of security beyond its normatively held military viewpoint and to include environment as one of the security threats. The need to enlarge the focus of security beyond the realm of politico-military axis and include environment as one of the possible threats to security was initially propounded through the work of Richard Falk in *This Endangered Planet* published in 1970. The proposition soon gained ground and a plethora of studies emerged arguing the need to enlarge the narrow confines of security studies to include other possible threats including environment.

Environment as a security threat was explicitly expressed by Barry Buzan (1983: 82) in which "*threats to national security might also come in ecological forms, in the sense that environmental events, like military and economic ones, can damage the physical base of the state, perhaps to a sufficient extent to threaten its idea and institutions*" (Buzan, 1982). The need to include environment and natural resources depletion within the scope of security studies and the linkages between environment and security as an important field of inquiry was initiated by many scholars, including Arthur Westing (1986), Susan Carpenter and W.J.D. Kennedy (1988) among others.

The decade of the nineties saw much research and academic fervor in this trend with many empirical research focusing on tracing casual links between environmental scarcity, degradation and conflicts. The focus of the period lay in establishing linkages between resource scarcity and conflicts through empirical and macro level studies in the Global South. Two prominent groups in this phase, the Toronto Group

headed by Thomas Homer-Dixon and the scholars associated with the "Environment and Conflict Project" (ENCOP) of the Swiss Federal Institute of Technology in Zurich and the Swiss Peace Foundation in Bern sought to reveal empirically the circumstances of violent conflicts arising from resource scarcity (Hagmann, 2005). The findings based on post analysis of cases where scarcity and depletion of renewable resources like freshwater supplies, arable land and forests or fisheries, had led to violent conflicts, suggested that environmental issues would cause conflicts by shifting the regional and global balance of power and access to resources would be a proximate cause of conflicts (Renner, 1999; Schwartz, (et.al.) 2001). The Malthusian concern of population explosion and creation of environmental refugees leading to local, regional and internal conflicts and internal strife due to decreases in food production were predicted for the Global South (Val and Dixon, 1998; Baechler, 1998).

The issue of natural resource scarcity was brought into the larger domain of environment and security with environmental changes being a primary factor in producing impoverishment of societies leading to conflicts. The links between environmental scarcity and conflicts were stressed to be persistent, diffuse and sub-national with the major effects being more pronounced on developing countries, since they are "*much more dependent on environmental goods and services for their economic well-being; they often do not have the financial, material, and human capital resources to buffer themselves from the effects of environmental scarcities; and their economic and political institutions tend to be fragile and riven with discord*" (Homer-Dixon, 1999:4).

Both the Toronto Group and ENCOP tried to define conflict typologies and theorized on the socio-political processes related to violent armed conflicts. The significance of their endeavour lay in predicting empirically the different circumstances through which resource scarcity causes collective armed violence. The Toronto Group identified three main types of scarcity induced conflict; simple-scarcity conflicts, group-identity conflicts, and insurgencies in the context of relative deprivation of lower status groups. The ENCOP group envisioned seven environmental scarcity conflicts; ethno-political conflicts, centre-periphery conflicts, regional migration/displacement conflicts, transboundary migration conflicts, demographic conflicts, international water/river basins conflicts and international conflicts arising

from distant sources due to neo-colonialist exploitation of resources (Hagmann, 2005).

The environment-security nexus has helped in bringing a large corpus of research into the field based on the neo-Malthusian assumption that environmental security causes conflict. However, it is not without its inherent gaps and inadequacies as many scholars have criticised its empirical findings and assumptions. John Barnett (2000:274) criticizes it for its ethno centric assumption that "*people in the South will resort to violence in the times of resource scarcity "while the same logic is seldom applied to people in the developed North*". The determinist approach linking resource scarcity and violent conflict was challenged to include other independent and intervening variables such as poverty, political regimes or cultural variables as essential elements leading to violent conflicts.

Hagmann (2005:18) opines that the *"one-sided focus on the environment as a source of conflicts prevents a more holistic view on the complex interactions between natural resources and human behaviour."* He along with other scholars argues for the need to incorporate null cases into research designs in which environmental scarcity does not lead to conflict. Furthermore, the gap in the literature of the environment conflict school, which assumes that environment has the capacity to modify the behaviour of societies to cause conflicts, remains unanswered and is a faulty hypothesis (Hagmann, 2005).

2.2.2 The Economics of Conflict Approach

The second strand to explore the links between natural resources and conflicts started around the 1990s, clubbed under the generic term 'economics of conflict'. Scholars of this strand of thought explored the linkages through an economic standpoint in which resource abundance (combined with other factors) rather than resource scarcity led to conflicts. The abundance of natural resources coupled with factors such as globalisation, (mis) management of natural resources and weak or corrupt state structures were viewed as providing a direct link between natural resources and conflict. The concept provides an economic interpretation to negative economic growth and abundance of natural resources and proposes the idea that the central factor to economics of conflict and civil war are resource abundance and its subsequent dependency (Frerks (et.al), 2014).

In direct contradiction to the arguments proffered on resource scarcity as causes of conflicts, the binary opposite idea of resource abundance or "resource curse" as the factor for conflicts over natural resources captured the interest of scholars producing a robust volume of work. Scholarly attention was primarily aimed at understanding violent conflicts in the developing countries of the Global South and particularly in Africa over non-renewable valuable resources. The bulk of literature emanating from the economics of conflict approach sought to stress the adverse effects of the increasing pressure on environment due to globalization and Structural Adjustment Programmes (SAP's), the role of natural resources in fueling conflicts and sustaining the economy of war and the study on war-lords and private mercenaries involved in violent conflicts over natural resources (Alao, 2007).

The linkages between Globalisation, Structural Adjustment Programs (SAP's) and conflict was established by Robert Kaplan (2000) stressing that increasing poverty, hunger, diseases and excessive strain on the environment coupled with negative effects of globalisation and SAP's pose an eminent threat to West African countries. He further predicted that the presence of weak central governments and existing environmental, socio-political and economic stresses would lead to a collapse of the state mechanisms. He portrays a bleak scenario where "*West Africa is becoming the symbol of worldwide demographic, environmental and societal stresses, in which criminal anarchy emerges as the real strategic danger*" (Kaplan, 2000: 7).

The role of natural resources in fueling and sustaining conflicts is also viewed through the core assumption that economy of war is dependent on the management of natural resources that have huge international interests and significance like oil, diamonds and gold which furthers the continuance of conflicts. Important works in this theme has reflected upon governments' failure to provide employment to the educated youths as the causes of conflict over resources while others have stressed on economic motivations, which determine the actions of factions in a civil conflict by coining from the famous Clausewitzian concept that, "*war has become the continuation of politics by other means*". The general characteristics and geography of resources has also been linked to conflicts with the 'lootability' nature of resources like diamonds due to their high demand and value conditioning and exacerbating conflicts.

The geographical location of resources in a region mired in armed conflicts between different adversarial groups also provides the conditions for lootability and conflicts. Billon (2001) distinguishes between proximate and distant resources and argues that "*a resource close to the capital is less likely to be captured by rebels than a resource close to a border….(and) higher the availability of valuable resources at the periphery of control, the greater the likelihood of prolonged conflict*" (Billon, 2001:570). In addition, the concentration of resources has also been identified and distinguished between point and diffuse resources (Auty, 2001). Point resources are concentrated in a particular area and represents those that are exploited through extractive industries and diffuse resources are more widely spread and includes agriculture, forests and fisheries. It is contended that point resources have a greater propensity to cause violent conflicts due to their concentration and availability in an area making it "honey-pots" for rebel groups and their financing (Auty, 2001).

One of the most controversial debates to have emerged from the 'economics of conflict' school has been the greed-vs-grievance hypothesis in which analysts have sought to deemphasize the relative importance of politico-ideological factors (grievance) in favour of economic factors (greed). One of the most significant contributions to this idea has come in the works of Paul Collier and Anke Hoeffler. They argue that resource conflicts are caused more by greed than grievance and contend that the main cause of conflict is the "silent force of greed" and not the "loud discourse of grievance." Using qualitative research, they postulate that the real drivers of conflict are economic gains and for "doing well out of war" rather than proxies for grievance emanating out of inequality or absence of political rights etc.

However, the position of Paul Collier and his colleagues were subjected to heavy criticism over its downgrading of the genuine concerns and grievances of those who indulge in conflict as well as on its methodological and substantive foundations. Other studies have not found a strong relationship between natural resources as a primary commodity that result in the onset of conflicts (de Soysa, 2002; Fearon, 2005) but can only be used in explaining the incidence and the duration of conflicts in resource rich regions (Oberg and Strom, 2008). Other studies have argued that the relation between natural resources and conflict is more related to the process of extraction by governments and corporate business houses which generate local grievances rather

than the simplistic notion that natural resources provide rebel financing (Switzer, 2001; Swanson, 2002).

The literature on natural resources and conflicts has generated considerable interest and scholarly work from both the perspectives of resource scarcity and resource abundance, but has been inadequate in explaining the onset, incidence and continuation of conflicts over natural resources. A general critique of these approaches is that studies have mostly drawn from cases where conflicts over natural resources were already taking place (Hauge and Ellingsen, 2001) and similar results cannot be predicted across regions. Some of the fastest growing economies of the world are countries like Hong Kong, Singapore, Taiwan which have very little natural resource wealth, while countries with enormous resource wealth like Angola, Sierra Leone and Congo have the lowest economic indicators. Similarly, the abundance of resources like oil and diamonds has not made countries like Norway, Australia, Botswana and South Africa plunge into devastating conflicts over natural resources (O' Lear and Gray, 2006). Both the resource scarcity and abundance approach has failed to explain why the scarcity or abundance of valuable resources is not a necessary condition of conflicts since they have failed to take into account the socially constructed nature of natural resources (Billon, 2001).

Another critique leveled at these approaches is that the relationship between natural resources and conflict has been developed by the rich Global North for the analysis of the poorer South due to security concerns in the neo-realist perspective (Barnett, 2000). Consequently it presupposes environmental determinism and ethno-centrism and assumes that conflict produces a net negative sum. At present, the differing debates on linkages of natural resources and conflicts has given way to an emerging consensus. The role of natural resources in the outbreak and continuance of conflicts is combined with other socio-political factors and analyzed through a multi-actor, multi-level and multi-casual perspective in understanding natural resource conflicts (Gleditsch, 2001).

Scholars have opined, that *"environmental issues must become politicised before they can lead to violent mobilization (and)the correlation between natural resource dependency and conflict risk is not direct: variations in the state's governance are critical intervening factors"* (Ballentine, 2004:4). It is a consensus that though environment and natural resources play a role in the onset and continuation of

conflicts, they are not the only determining factors as complex and nuanced interplay between environment and other societal factors determine the life cycle of a conflict. Rather ingenious micro-level studies are required to comprehend these mechanisms (Nillesenand Bulte, 2014) and the focus should shift from constructing the relationship between environment/natural resources and conflict to conflicts over the use of natural resources (Hagmann, 2005). The aim should be to understand the rationale of actors involved in conflicts to formulate conflict transformation strategies rather than making a purely objectivist analysis.

2.3 Natural Resource Conflicts and Environmental Movements in India – An Appraisal

The previous section elaborated on the linkages postulated between natural resources and violent conflicts. As can be ascertained, the literature is vast and at the same time provides ambiguous and contradictory arguments and theories. While most of the theories differ with regard to their assumptions, hypothesis and eventual predictions, the common ground between all of them is the analysis of violent armed conflicts in which natural resources play a vital or subsidiary role in the onset or the continuation of violence and conflict. The linkages is analysed from a security perspective in which the cessation of armed violence is the primary goal while low intensity social conflicts and issues of the people and communities dependent upon natural resources remains neglected. It is imperative to consider these low intensity protest movements over natural resources in equal vein, as these conflicts, usually long drawn, affects the lives and livelihoods of many impoverished communities and people for generations. Though armed violence may be scattered and minimal, the policies of the state and the global economic considerations make these conflicts a lived reality for the people involved.

The nature of natural resource conflicts in India has the strands of both resource scarcity and abundance along with environmental and ecological concerns but the primary factor is the motif of industrial development and the growth of per capita income. Thus, while land as a resource has become a scarce commodity with conflicts over its acquisition being common, the abundance of river waters and its harnessing for hydro-electric and irrigation projects has witnessed intense protests and long drawn conflicts. At the same time, ecological and environmental concerns over the

use and abuse of natural resources and its concomitant effects on the present and future generations supplement both cases of resource scarcity and abundance.

Natural resource conflicts in India represent opposing strands of belief in which two contending perspectives are pitted against each other. The first perspective represents the state's vision of the rationality of economic growth through industrialisation. The latter represents the concerns of adivasis, dalits and other marginalised sections of the society whose lives are intertwined with the natural resource base and who stands to lose the most. The magnitude of the gulf between the two perspectives in which fundamental self-interests are at stake makes the possibility of mutual comprehension and the ability to appreciate the rationality of the other side increasingly difficult (Chakravorty, 2013). Conflict between these two opposing forces becomes inevitable with each party galvanizing support for its cause and belief systems. These conflicts with local and regional roots over localized issues of land, forests and water often take on national and even global dimensions and represent the conflict between 'two India'- one with an economic and super-power ambitions and the other with sustenance and livelihood concerns.

It would however be fallacious to assume that conflicts between the two opposing forces is a recent phenomenon germinating since Independence and exacerbated post liberalisation of the economy since the nineties. The colonial era also witnessed conflicts over the use of natural resources between the colonial masters and natives. The process of colonization with its underlying principle of establishing newer colonies to augment the supply of natural resources for industrialisation in Britain had produced different forms of protests and environmental conflicts. The Indigo movement, the Deccan movement and movements for reclaiming forests and water bodies were conflicts created due to the colonial modes of natural resource exploitation. These movements though having an ecological base at the local level did not grow with that identity due to the ongoing anti-colonial movement and merged into the national struggle for independence (Shiva, 1991).

Post- independence though the masters changed, the colonial institutional framework and resource-intensive development remained the same (Shiva, 1991). The absence of any alternative paradigm of growth and development ushered in the classical/western model of economic development and consequently various conflicts over natural resources. These conflicts, not limited to a particular resource or region, has witnessed

protests over the construction of dams, acquisition of forests and lands, opposition to mining and extractive industries, the privatization of commons, etc.

The central theme in these conflicts invariably involves the nature of development (Shah, 2004) and its effects on the people and communities dependent upon the natural resource base. Conflicts arise when developmental projects seek to alter or change the traditional economic and livelihood base of communities dependent upon a particular natural resource. The buzz word of development has caught up with everyone but its connotations and relevance to a vast array of diverse group of people and cultures still remains contested. Essentially, natural resource conflicts in India represent the resistance to development in the form of industrialisation, modernization, urbanization, etc. The conflict involves the issue of livelihood and survival of people and communities whose lives are intertwined with the natural resource base. Developmental projects seek to threaten their self-sustaining culture and way of life.

The conflict is reflective of the differing ideologies of growth and development between the state and its elites and the impoverished masses of tribals, dalits and other communities. The capitalistic mode of production believed to bring in development has in turn ravaged natural resources and with it the people dependent upon them for subsistence. The domination of the developmental paradigm has meant that the state and its elites with their power to usurp nature have created material wealth for themselves while dispossessing and marginalizing an already impoverished people. Thus, conflicts over natural resources are intrinsically the assertion of the weak and the powerless to have control over their lives and resources. It is *"not a rearguard action-the dying wail of a class about to drop down the trapdoor of history- but a potent challenge which strikes at the very heart of the process of development."* (Baviskar, 1995:47).

2.3.1 The Developmental Promise and Manufactured Poverty

The word development denotes several things to several people but fundamentally it relates to positive growth of humans and their immediate living environment. It is *"some sort of advancement in positive direction"* (Martinussen, 1997:34) and linked to an idea of progress involving a change from one state to another (Harrison, 1989). Development is desirable since it implies a change that is favourable and superior and

facilitates human well-being. This well-being could be achieved through various means and the end corresponds to the full realisation of the potential of an individual. The concept of development[1] has gone through many transformations from its early biological/evolutionary connotations to denote processes of social change and social evolution. Correspondingly, it has also been used as a metaphor for growth to represent the increase in scale and efficiency of social organization (Sharma, 1986).

A materialistic and industry centric approach to development occurred with the rise of industrialisation and emergence of capitalism in the western world. Development became synonymous with modernity and growth of per capita income and Gross National Product (GNP). The economic and euro-centric view of development became more pronounced after the Second World War when erstwhile colonies gained independence and were confronted with the task of rebuilding and reconstructing their nation. At this juncture, the discourse of development expanded to include under-development and a chasm was created between the developed and the under-developed world. The developed nations constituted the western world and the underdeveloped represented the emerging countries of Asia, Africa and Latin America. This also led to the problematization of 'poverty' which was established as a 'global'[2] problem to be tackled through the 'developmental apparatus'.

The rise of the 'developmental apparatus' to eliminate poverty and usher in an era of modernity, material prosperity and economic progress was successfully guided through the mechanisms of the Truman Doctrine. On January 20, 1949, the then President of the United States, Harry Truman in his inaugural address announced his

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[1]The theories of development can be classified into four distinct segments consisting of Modernisation Theory, Dependency Theory, World Systems Theory and Globalisation Theory according to their indicators of economic development. Refer Appendix I for a comparative schema between these four theories.

[2] The term 'global' usually invokes positive and egalitarian connotation where nations and their leaders unite for a common humanitarian cause. However, following Shiva (1994), the concept of the "global" is not an expression of universal humanism, nor about a planetary consciousness. The life of all people, including the poor of the Third World, or the life of the planet are not at the center of concern in international negotiations about global environmental issues. In the dominant discourses, the "global" is the political space in which the dominant local seeks global control and frees itself from local, national, and global control. The "global" does not represent any universal human interest; it represents a particular local and parochial interest that has been globalized through its reach and control. The Group of Seven most powerful countries may dictate global affairs, but they remain narrow, local, and parochial in the interests that guide them. The World Bank is not a bank that serves the interests of all the world's communities but one in which decisions are based on voting weighted by the economic and political power of its donors.

concept of a 'fair deal' for the entire world and to solve the problems of the 'underdeveloped areas' of the globe (Escobar, 1995).

"We must embark [President Truman said] on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. The old imperialism – exploitation for foreign profit – has no place in our plans. What we envisage is a program of development based on the concepts of democratic fair dealing" (Truman, 1967 cited in Esteva, 2010:1).

The Truman Doctrine ushered in a new era of reconceptualising development through the ambitious plans to replicate the features of the advanced societies throughout the globe. This was to be achieved through high levels of industrialisation and urbanization, technicalization of agriculture, rapid growth of material production and living standards, and the widespread adoption of modern education and cultural values (Escobar, 1995). The discourse was immediately and widely accepted with the United Nations too involved in designing policies and measures for the total restructuring of underdeveloped societies. One of its vision documents stated:

"There is a sense in which rapid economic progress is impossible without painful adjustments. Ancient philosophies have to be scrapped; old social institutions have to disintegrate; bonds of cast, creed and race have to burst; and large numbers of persons who cannot keep up with progress have to have their expectations of a comfortable life frustrated. Very few communities are willing to pay the full price of economic progress." (United Nations, Department of Social and Economic Affairs (1951) cited in Escobar, 1995: 4).

While the Truman Doctrine succeeded in categorizing more than half of the globe as under-developed and in urgent need of assistance, the developmental apparatus nevertheless came in the backdrop of three historical factors. First was the end of colonialism which signified an end of direct rule over 'under-developed' populations. Second was the rise of communism in the form of the Soviet Bloc and lastly the shift of the epicenter of world capitalism from England to the United States of America. These factors considered together, posed a series of challenges to the 'developed bloc' in securing new sites for investment of surplus capital, securing new markets for goods and commodities, and geo-politically securing the capitalist universe from the

communist threat. Under the stewardship of the USA, a dual strategy was conceived which provided free capital under its Marshall plan to its European allies to rebuild their war-wrecked economies while for the erstwhile colonies it established the Bretton Woods Institutions (World Bank and International Monetary Fund) to expand and consolidate its hegemony in the form of capitalism to the farthest corners of the underdeveloped world (Sampath, 2015). Thus, an ideology based on domination and exploitation came to represent much of the developmental apparatus with the agenda of westernization and homogenization of the globe.

This ideology was secured through the programs of financial assistance sponsored through the World Bank and IMF alongside the creation of knowledge about the 'under-developed world'. The regime functioned through a series of representations, objectifying human lives in quantifiable data in terms of income, calories consumed, land holdings etc as well as reconfiguring two-thirds of the world's population as stricken by the disease of poverty. The cure for poverty was development which lay in the able hands of the Bretton Woods institutions and the developmental discourse served the same purpose as the colonial apparatus but without the bad press (Sampath, 2015). The problematization of poverty also served the twin purpose of equating poverty with environmental degradation. Poverty became a problem of great ecological significance and the poor were blamed for their irrationality and lack of environmental consciousness (Escobar, 1995). Developmental experts were required to manage the environment by adopting the concept of sustainable development- to reconcile two opposing forces of growth and environment (Redclift, 1987). Furthermore, since poverty is a cause as well as the effect of environmental degradation, economic growth took centre stage to eliminate poverty and in turn protect the environment (Sachs, 2010).

The hegemony established by the US through the Euro-Atlantic model of development has produced ramifications far greater than originally conceived by its proponents. The effects do not restrict itself to the immanent inequalities between the people of the North and South, but has fundamentally altered the way we perceive development and growth along with the concomitant effects it has on nature. As nation-states, business houses and urban and rural elites forge ahead with the credo of development, it tramples upon the living spaces and cultural traditions of the indigenous peoples and poor peasants. Even the concept of nature has been altered

and represents something that needs to be managed by experts in order to produce value to capital. It is treated as a *"resource which acquires value only in exploitation for economic growth"* (Shiva, 2010:234). Nature has ceased to be an entity with its own agency, a source of life and an independent discourse. Its transformation into environment entails something vague to include anything relevant to the functioning of the urban-industrial system (Escobar, 1995). The transformation into environment makes nature passive, lifeless and merely waiting to be acted upon by the human agent with his/her expertise. It is *"reduced to a stasis, a mere appendage to the environment"* (Escobar, 1995: 196) and the limits imposed by nature are merely constraints on human survival (Sachs, 2010) to be overcome through planning and management of environment.

Over the decades, the developmental regime has adjusted itself to the era of globalisation. The earlier notion of state-led development has paved the way to market-led strategies of development where transnational companies flourish alongside a global consumer class- both from the North and South of the globe. The notion of thriving national societies has been replaced by transnational elites who espouse the ideology of 'development as economic growth'. The process initiated to homogenize the globe through modernization and westernization has reached its purpose to symbolize Herbert Marcuse's [1964(2007: viii)] 'one-dimensional man' where "*culture politics, and the economy merge into anomnipresent system which swallows up or repulses all alternatives"*.

The *"cannibalistic nature of economic growth feeds on both nature and communities"* (Sachs, 2010: ix) and produces economic development alongside destitution, the costs of this growth is borne by nature and the communities closest to it. It has enriched the elites but also brought impoverishment to the already poor. The universal applicability of this developmental apparatus is clearly unfeasible and has failed in its endeavour, and searching for alternatives within the existing power structures (of nation-states involved in development, globalized economic market and control elicited by technical elitism) is also futile (Rahnema, 1991).

The grassroots movement throughout the globe by the dispossessed and marginalised against the *"predatory exploitation of nature"* (Shiva, 1991:7) and their culture, lifestyle and knowledge systems stands as a vanguard in realizing the need and sincere attempt to find alternatives to development rather than developmental

alternatives. These movements have tried to change the character of political culture and political practice and in the process attempted to construct new identities of the Third World through resistance to development (Laclau and Mouffe, 1985). Development in this sense has acquired a new meaning to include rebellion, an obstinate refusal to accept necessity (framed through the Western lens), deconstruct necessities and needs (Illich, 1990) and pose a counter to the prevailing notion of modernization and development by creating self-reliant communities based on local ways of knowing (Rahnema, 1991).

2.3.2 The Shadows of Development: The Indian Experience

On the threshold of gaining Independence from British rule, India faced the crucial question of reconstructing the nation and developing it into a viable and prosperous unit – of restoring it to its former glory. Two great leaders, Gandhi and Nehru had differing visions on the path that India was to take. The Gandhian path sought to revive the economy of the village while Nehru was of the firm opinion that only through modernization and rapid industrialization would development and prosperity be achieved (Baviskar, 1995). Gandhi's letter to Nehru on 5th October, 1945 outlined his dream for India:

"I believe that, if India is to attain true freedom, and through India the world as well, then sooner or later we will have to live in villages-in huts, not in palaces. A few billion people can never live happily and peaceably in cities and palaces...My villages exist today in muy imagination...the villager in this imagined village will not be apathetic...he will not lead his life like an animal in a squalid dark room. Men and women will live freely and be prepared to face the whole world ...No one will live indolently, nor luxuriously. After all this, I can think of many things which will have to be produced on a large scale...If I can maintain the essence, the rest will mean free facility to come and settle. And if I leave the essence, I leave everything" (Chandra, 1987 cited in Baviskar, 1995:20).

Gandhi was of the firm opinion that India should never follow the Western path of development in which *"the economic imperialism of a single tiny island kingdom is today keeping the world in chains. If an entire nation of 300 million took to similar economic exploitation, it would strip the world bare like locusts"* (Gandhi, 1951:31). Gandhi's programme lay in revitalizing village communities and craft production

through the use of simple and indigenous technologies that would provide jobs and a decent living to a predominantly rural population (Baviskar, 1995: Singh, 1997).

Gandhi's vision held no credence in Nehru's mind as he believed a village, *"...normally speaking, is backward intellectually and culturally and no progress can be made from a backward environment."* (Chandra, 1987 cited in Baviskar, 1995:21). Nehru's belief was echoed by most of the Indian nationalists and the groundwork was laid to emulate the West, *"intellectually through the infusion of modern science, and materially through the infusion of large-scale industrialisation."* (Gadgil and Guha, 1992:183). This paved the way for the Nehru-Mahalanobis model of development through a capital-intensive, heavy industrialisation strategy of planned development run by the public sector. The public sector was to build the key industries and infrastructure to increase GDP and GNP while the private sector was to play a complementary role in this mixed economy (Ahluwalia, 1985).

The subsequent five-year plans emulated this strategy with the adoption of the *'industrialize or perish'* model of economic development] (Gadgil and Guha, 1992). The euro-centric model of development (Toye, 1981) sought to reconstruct India through an emulation of modern science and adaptation of large-scale industrialisation to increase GNP and real national income (Bhambri, 1994).This model was also believed to solve the problems of poverty, unemployment and income distribution, as cumulative gains from the growth of GNP would automatically trickle down to the poor in the form of increased employment and income opportunities (Wingaraja, 1993).

While the Nehru-Mahalanobis model failed to generate the expected results and led to accumulation of wealth amongst the elites, it in turn produced further deprivation and marginalization of the poor and disadvantaged sections of the society. The economic decision- making system became more centralized and deeply bureaucratic with successive five-year plans leading to increased centralization, widespread corruption and inefficiency. The period was termed the 'License Raaj' and economic growth had stagnated by the eighties. Consequently, India faced an economic crisis in 1991 and *"the deplorable state of Indian political economy was attributed to the inward looking policy architectured by Nehru and followed mutatis mutandi by successive governments of India and a drastic departure from the Nehruvian policy was propounded as a sine qua non for salvaging the economy"* (Mathew, 2003: 12).

Precipitated by the foreign exchange crisis of 1991, the Indian Government introduced major and fundamental economic reforms from state-led to market-driven capitalist growth, which included the devaluation of exchange rate, abolishing the license system for industries, reducing trade protectionism and the liberalisation of foreign investments as dictated by GATT and WTO (Hasan, 2000). The market led reforms focused on achieving a high level of GDP growth through bold strategies of economic reforms to eradicate poverty and achieve development. Amidst the optimism of economic growth and development, the then Finance Minister asserted in the Parliament that within 2-3 years, the Indian economy will make tremendous progress and be able to solve most of its basic problems.

After two decades of the introduction of the New Economic Policy-Liberalisation, Privatization and Globalisation (LPG) - India has yet to tide over its basic problems of poverty, unemployment and underdevelopment. Though there has been an increase in literacy rates and morbidity and mortality diminished, the nation has failed to offer adequate food, shelter, security and respect to its poorest citizens (Ray and Katzenstein, 2005). The 2014 Human Development Report ranked it at 135 out of 187 countries, the lowest among the BRICS nations, and only slightly ahead of its neighbouring countries of Bangladesh (142) and Pakistan (146). A bleaker state of affairs has recently been exposed by the findings of the Socio-Economic and Caste Census (SECC)[3] 2011, released in 2015 on the standard of living of rural households in India which suggests that poverty in India is worse than previously estimated.

Though India has produced an admirable number of billionaires, the SECC report points to the fact that a majority of its tribal/dalits and rural populations live a life of poverty and destitution. Over 95 percent of rural households do not make enough to pay income tax; over 90 percent of households do not have members that earn more than Rs. 10,000 and in nearly 75 percent the main earning member earn less than Rs. 5000; nearly 30 percent are landless who rely on casual labour and over 90 percent do

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[3]The SECC was formed to provide a broader and definitive definition of poverty since the earlier definition of poverty set at Rs. 816 per person per month for rural households and Rs. 1000 for urban areas by updating the Tendulkar methodology had caused much public indignation as the daily expenditure amounted to Rs. 30 per day. Another committee (Rangarajan) was formed that came up with a poverty line that did not vary much from the Tendulkar line. The methodology adopted by the SECC measured deprivation along seven criteria- households with only one room with no solid walls and roof; those with no adult member aged 15-59; female-headed households with no adult male aged15-59; those with differently-abled members and no able-bodied member; SC/ST households; those with no literate member above the age of25; and landless households deriving a major portion of their income from manual casual labour.

not have salaried jobs. The SECC report merits serious consideration and hopefully guide evidence-based-decision-making, but more importantly it questions the model of development and growth that has been unable to tackle poverty and diminish destitution even after six decades.

If India is to realise its ambitions of being a global leader in the 21st century then it needs to lead the change in adopting a different developmental model that is inclusive, democratic and environmentally sustainable. The acceptance that GDP is not the best measure of growth and a high growth of GDP is not a sufficient measure of a good economy is trickling in but is insufficient to augur a paradigm shift. As Thomas Kuhn (1962) stated in his classical treatise *"The Structure of Scientific Revolutions",* scientific paradigms are hard to change since the ideas extrapolated by "normal science" is adopted by the whole community and ideas and theories are structured to support the existing paradigm of 'normal science". Ideas contrary to the core belief are ostracized but revolutions occur when an accumulation of contrarian evidence is potent enough to bring about a paradigm shift- unlearning of the old and learning of the new.

Similarly, it is necessary to question the established idea of economic growth and the wisdom of tackling poverty by increasing GDP. The core economic assumptions that humans are rational and self-interested beings and markets must be made free to enable self-interested individuals and corporations to produce more economic growth must be encountered. It needs to be accepted that humans are emotional; they cherish their customs and traditions; value their identity and have many other non-material aspirations which cannot be accounted in monetary terms through the lens of the dominant economic paradigm (Maira, 2004). This is fundamentally evident in India with one of the most diverse populations in the world. The paradigm shift of the dominant development discourse may not materialise as yet but it is time to consider what Rabindranath Tagore once remarked; *"God has addressed a distinct set of questions to each nation. No nation can answer its questions by copying the answer papers of others".*

2.3.3 Environmental Movements of the West

The project of development which relegated nature as a resource that acquired value only through exploitation for economic growth naturally had its limits (Shiva,

2010).The period of optimism of the 50's and 60's had given rise to the belief that, in the modern world and modern centres of non-modern world, every society had to go through fixed stages of growth to attain the beatitude of development (Nandy, 2010). In order to go through these inevitable stages, *"each society had to restructure its culture, shed those parts that were retrogressive, and cultivate traits more compatible with the needs of a modern nation-state"* (Nandy, 2010: 295). This optimism was however short lived owing to environmental issues faced by Western nations in the form of acid rains, smog and pollution, oil spills, abnormal weather phenomenon, and drying up of rivers and lakes. By the late sixties and early seventies, the concerns regarding the exploitative nature of capitalist production on nature and environment led to studies that sought to minimize the effects of industrial growth on nature.

A scarcity debate was generated through scholarly works such as Paul Ehrlich's (1968) "The Population Bomb", Goldsmith (et.al) (1972) "Blueprint for Survival" and Meadows (et.al.) (1972) "The Limits to Growth". The premise of these works lay in providing a technological fix for scarcity and environmental problems and to continue unhindered with the capitalist mode of development. This period also witnessed the expansion of the normative view of security to include environment as one of the security threats. This was initiated through the works of Robert McNamara (1968) and Richard Falk (1970) and was later expanded through the Toronto School headed by Thomas Homer-Dixon and Switzerland's ENCOP group as has been discussed in the previous segment.

The United Nations Stockholm Conference of 1972 laid the foundations for further series of research on the condition of environment and its effect on current and future generations (Shah, 2004). It also marked a fundamental shift from the earlier maxim of individually maximizing a nations' economic growth to an "interrelated world system" where nations were operating under common global constraints (Sachs, 2010:25). Under such a global system, the common enemy of growth became nature and environment and nation-states had to come together (under the leadership of the West) to prevent nature from exacting its revenge. The Stockholm Conference also served as the precursor to the 1987 Bruntland Commission's report titled "Our Common Future". The Bruntland report provided the necessary impetus required to merge developmental and environmental issues with the former taking precedence. It in essence brought together two irreconcilable entities of growth (read capitalist

market expansion) and environment to be represented through the notion of 'sustainable development' (Redclift, 1987).

Other variants of environmental movements with bio-centric and humanist approaches too made its mark during this period but the rise of global 'ecocracy' (Escobar, 1995:193) - a view that the environment needs to be managed by Western technical expertise- overshadowed other eco-philosophies. Sustainable development through the efficient management of natural resources to continue with the imperatives of growth became the *raison d'état* for the survival of mankind. This technocratic view is aimed to establish the domination of humans over nature, a belief that nature can be controlled, and with technical expertise the problems of the environment, nature, natural resources and inter-alia humans can be solved. However, it is imperative to understand that the current 'ecocratic' ideology which has occupied a dominant role in shaping the future of the globe had its predecessors in various other forms of environmental movements.

The ideological foundations of these movements have its roots in different streams of thought with variations used to distinguish between each of these strands. At the same time, a deluge of opinions regarding the typologies used for environmental movements have also emerged at the same time. Debates regarding the normative definition of environmentalism, green movements, ecology movements have also come about. Murray Bookchin (1980:77) considers environmentalism as a narrow concept as being *"more based on tinkering with existing institutions, social relations, technologies and values than on changing them"*. Anthony Giddens (1994) too regards environmentalism as reformist in nature and ecologism as revolutionary. Similarly, Andrew Dobson (1990:13) considers environmentalism as seeking 'managerial' approach to environmental problems, *"secure in the belief that they can be solved without fundamental changes in present values or patterns of production and consumption."*

Peter Hay (2002) evidently questions whether 'environmentalism', 'environmental movements', 'green movements', 'ecologism' are synonymous, and if they denote a particular political philosophy, ethical systems or mode-of-living designations. He stresses that the actors of these movements seldom distinguish between them and uses them interchangeably as the terms connote common meanings to them, it is hardly necessary to *"drive wedges of pedantry betwixt terms"* as the boundaries of each term

is not precise (Hay, 2002:1-2). Thus without delving into the debates over the contours and connotations of these terms we can safely concur that the concern and consciousness for nature and environment is the basis for environmental movements, environmentalism, ecologism or green movements. Also nature and environment denotes a larger area of concern as squirrels on the trees or the tigers of Sundarbans are also evidently a part of the environment and nature as do the rivers, mountains, oceans or deserts.

Environment movements have come a long way since its vanguard beginnings during the late 60's and 70's. It grew out as a reactionary process to the concept of economic growth (Martinez-Alier, 2002) and development through industrialisation and modernization. This is not to imply that all environmentalists are anti-growth as some are also aligned to the promise of technological advancement and progress which in turn could reduce 'human foot print' on nature and environment. In a sense, the currents of environmentalism have come a long way through intertwined processes of thought and change.

Rodman (1983) organises these strands of eco-philosophical thought into four categories according to the level of maturity and satisfaction they provide. The highest maturity is accorded to the still nascent stage of 'Ecological Sensibility' surmised as a *"complex pattern of perceptions, attitudes and judgements which…would constitute a disposition to appropriate conduct that would make talk of rights and duties unnecessary"* (Rodman, 1983:88). The 'Ecological Sensibility' stage would include among other things the infallible principle of; human non-interference with natural processes, resistance to any acts and polices contrary to this human non-interference principle, co-inhabitation principle which involves the knowledgeable, respectful and restrained use of nature and *"not to treat with disrespect or use as a mere means anything that has a telos- or end of its own"* (Rodman, 1983: 88).

The least maturity and satisfaction is accorded to Gifford Pinchot's "Resource Conservation" in which the unbridled exploitation of natural resources was replaced by *"ethical and legal requirements that natural resources be used wisely, in the interests of humanity at large rather than in the interests of a mere few, and considered over the long term rather than the short term"* (Rodman, 1983: 82).The second category is occupied by John Muir's "Wilderness Preservation" and the view

that *"certain natural areas were sacred places where human beings could encounter the holy"* (Rodman, 1983: 84). The third category is occupied by "Moral Extensionism", a notion that humans have duties *"directly to non-human natural entities, and that these rights are grounded in the possession by the natural entities of an intrinsically valuable quality such as intelligence, sentience or consciousness"* (Rodman, 1983:86).

Peter Hay (2002) provides another classification of western environmental movements through a simple, non-hierarchical classification. His classification is based exclusively on the strands of western environmental thought with the cognizance that *"there are forms of environmentalism emerging within indigenous and other non-western contexts that draw little upon developments in the industrial west"* (Hay, 2002 :viii). Hay's classification can be adapted to represent a table as summarized below:

Table 2.1: Classification of Western Environmental Movements

Ethics	Theory	Key Thinkers
Animal Rights	Animal Liberation	Tom Regan, Peter Singer
Anthropocentric Ethics	Inter-relatedness of Natural Things (Species)	John Passmore, John O'Neill
Axiological (intrinsic value) Theory I	Deep Green Theory	David Bennett, Richard Sylvan
Axiological (intrinsic value) Theory II	Gaia Hypothesis	Edward Goldsmith, James Lovelock
Axiological (intrinsic value) Theory III	Holistic Integrity/Land Ethic	Baird Callicott, Aldo Leopold
Axiological (intrinsic value) Theory IV	Life-based Ethics	Kenneth Goodpaster, Paul Taylor
Christian Ecology	Human Despotism over Nature	Robin Attfield, John Cobb, Thomas Berry, Matthew Fox
Deep Ecology		Bill Devall, Warwick Fox, Arne Naess, George Sessions
Power Theory I	Bioregionalism	Kirkpatrick Sale
Power Theory II	Doomsday Ethics	Garrett Hardin

Power Theory III	Eco-feminism	Val Plumwood, Ariel Salleh, Vandana Shiva, Karen Warren
Power Theory IV	Eco-marxism	Ted Benton, Hans Enzensberger, James O'Connor, David Pepper
Power Theory V	Social Ecology	Murray Bookchin
New Science		Fritjof Capra, Paul Shepard
Place-based		Barry Lopez, Bryan Norton, Edward Relph, Gary Snyder
Post-modern		Jim Cheney, Donna Haraway
Spiritualist		Dolores La Chapelle, Charlene Spretnak, Starhawk
Sustainability		Bruntland Report, Rio Declaration

Source: Adapted from Peter Hay. (2002). *Main Currents in Western Environmental Thought.* Sydney: University of New South Wales Press.

Another categorization of environmental movements (more useful for our engagement in the articulation of subaltern forms of resistance) has been provided by Juan Martinez-Alier (2002). He classifies the currents of environmental movements into three broad yet interrelated processes. The first current as propounded by him constitutes the "Cult of Wilderness" which is concerned with maintaining natural spaces outside the realm of materialistic forces for their aesthetic and deeply held values. Its early roots are traced back to John Muir and the Sierra Club around a hundred years back in the United States and recently to Aldo Leopold.

The Cult of Wilderness does not provide a direct attack on the notions of economic growth and industrialisation but builds its concerns on the preservation and maintenance of pristine natural environment over its market use. This strand of environmentalism has been successful in ushering the ideas of conservation biology as well as the Biodiversity Convention in Rio de Janerio in 1992 and the passing of the Endangered Species Act in the United States. Lately, the Cult of Wilderness has been represented at the activist level by 'Deep Ecology' movement which propounds non-interference of human beings in these preserved spaces.

The second strand constitutes the "Gospel of Eco-efficiency" which concerns itself with the whole economic processes and the sustainable use of natural resources. It defends economic growth but at the same time also proposes the wise and prudent use of resources. Its primary agenda is the management of natural resources through scientific and economic planning to reduce the effects of economic growth on the production value of natural resources. The characteristic support to the current developmental apparatus in the form of increased GDP and GNP has made this strand of thought politically and socially dominant in the environmental debate. The key contributions of this ideology have been the Kuznets environmental curve[4], notion of sustainable development and the search for win-win solutions and ecological modernization[5].

Martinez distinguishes the last strand as "Environmentalism of the Poor"[6] in response to the notion that environmental movements are a post-materialistic phenomena largely found in the western world. He defines it as an "*activism of the poor women and men threatened by the loss of environmental resources and services they need for livelihood*" (Martinez-Alier, 2002: 119) and may not be intrinsically concerned with (present and future) environmental impacts on non-human species. Though it is narrower in ethical and aesthetic approach than the Cult of Wilderness, it seeks to challenge the capitalist notion of economic growth which produces benefits for a few at the expense of the many. Its primary concern is the global ecological conflicts caused due to economic growth and social inequalities and is of a relatively recent origin being identified since the late eighties and early nineties.

It argues that economic growth has created new frontiers for the supply of natural resources as raw materials from the South to the North and in the process expanded environmental impacts on a global scale. The resource depletion and environmental degradation directly affects the poor since they are directly dependent upon these resources for their livelihood and survival. Thus conflicts over the use of water,

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[4] The idea that increasing incomes will at first increase environmental impacts but after a certain period will lead to decreasing impacts.

[5] It has both economic and scientific focus. The former is concerned with a regime of eco-taxes and markets in emission control. The latter rests on technological support for innovation in energy and resource saving mechanisms.

[6] It has also been called environmental justice movement (Martinez), Livelihood Ecology (Gari,2000) and Liberation Ecology (Peet and Watts, 1996).

access to forests, mining and displacement, pollution and other ecological concerns is being produced which may not have a direct ecological and environmental bearing, but rather the livelihood and survival of the poor. The actors in these conflicts have tried to appeal for their indigenous territorial rights or to the sacredness of Nature in order to protect their livelihood but the main thrust is not a sacred reverence for Nature but rather a material interest in the environment as a *"source and a requirement for livelihood"* (Martinez-Alier, 2002:11). This variant of environmentalism has been popularized in the United States of America as Environmental Justice Movement and seeks to protect the rights of minorities and fight against environmental racism, while globally it is acknowledged as Environmentalism of the Poor.

2.3.4 Natural Resource Conflicts and Environmental Movements in India

The preserve of environmentalism was not compounded within the intellectual and ideological fervor emanating in the West, but its remnants was felt throughout the Globe. In India, the concern for environment has a long and varied history but its emulation along prevailing Western ideologies occurred during the 1970's. Though, the writings of Mahatma Gandhi reflected an eco-centric approach, it was only during the 70's and after the Stockholm Conference of 1972 that environmentalism along western notions emerged. Post 1970's, the urban landscape witnessed a spurt of environmental activities through the formation of action groups, research institutes, documentation centres and the proliferation of numerous scientific and social reports on environment and natural resources (Shah, 2004).The urban milieu also emulated much of the 'ecocratic' technological approach that dominated western environmentalism. While environmentalism in urban India has transcended fervently since then, the rural landscape has had a much longer history of ecological consciousness.

The tradition of rural environmental sensitivity can be ascertained through practices such as the protection and preservation of 'sacred groves' (Gadgil, 1998) or people's resistance to ecologically destructive resource use such as the resistance led by Vishnois of Rajasthan nearly three centuries ago (Shiva, 2010). Thus, we can concur that environmental movements in India also has its own ideological underpinnings which has shaped the way we think and feel about the environment, nature and conflicts over natural resources. The social landscape has also similarly witnessed

environmental movements and conflicts over natural resources exemplified through protests and struggles such as the Chipko Movement, Narmada Bachao Andolan, and Silent Valley Movement among others. These ecological/environmental movements, intrinsically being conflicts over natural resources, has provided differing strands of thought and ideologies at play along with a diversification of actors and the resources involved.

Harsh Sethi (1993) classifies these ideologies into three strands in which the first strand operate within the sphere of political economy and is concerned with the issue of rights of individuals and communities to the resource in question and maintaining an equitable distribution of resources. The second strand represents an 'eco-cratic' approach by seeking solutions to resource conflicts by utilizing technological innovations within the socio-economic framework. The last strand comprises those that question the current dominant paradigm of development and the relationship that proposes man's domination over nature. It has an ecological dimension and seeks to alter both the dominant paradigm of development and parasitic relationship between man and Nature. Sethi also classifies these movements according to the resource and the issue at play into five categories of forests based conflicts, land use conflicts, conflicts over dams, against polluting industries and conflicts over marine resources.

Shiva and Bandyopadhyay (1986) recognize that conflicts over natural resources may vary according to the resource or its geographical location, yet they share similarities and exist in common ways at three levels. The first level is at the 'economic level' where conflicts arise between two types of economic activity; one aimed at maximizing economic growth for a few at the expense of nature and those directly dependent upon it, the other aimed at ensuring survival of all in a sustainable manner. The second is at the 'technological level' where one form of technology is concerned with maximizing short-term growth with heavy negative fallout to natural resources, the other concerned with survival by minimizing ecological costs. The third is at the 'scientific level' where arguments are proffered against the creation of knowledge by the dominant scientific paradigm which is geared towards the objective of maximizing growth. Alternate visions are effectively eclipsed which could provide the ecological foundations for alternate science of survival.

Andharia and Sengupta (1998) provide a broad measure of the different categories and examples of conflicts over natural resources and concur that these conflicts are

closely related with the nature of development. They categorise (Annexure II) these conflicts into many categories including conflicts over forests and land, marine resources and fisheries, dams and irrigation projects, power projects and mining projects amongst others. Apart from the different domains, levels and issues in which environmental movements occur, Gadgil and Guha (2000) incorporates both ecological and sociological categories to differentiate the ideologies within which the sphere of resource based conflicts and environmental movements operate.

According to them, natural resource conflicts are based upon the differing ideologies and worldviews that separate primarily two classes of the Indian population, namely the *ecosystem people* and the *omnivores*. The *ecosystem people*, constituting roughly four-fifths or more than half of India's population are those who *"depend on the natural environments of their own locality to meet most of their material needs"* (Gadgil and Guha, 2000: 3). Their well-being is closely tied to the local eco-system and have a stake in maintaining them since it provides for their relatively sustainable lifestyle. Any transgressions upon their natural eco-system by the market and the state destroys their base of sustenance leaving them incapacitated thereby transforming them into *ecological refugees*[7].

The transgressions upon their natural eco-system are engineered by the second category of people termed as *omnivores*. The *omnivores*, constitute a small proportion of the population but are well entrenched into the global market system and form the elite of the society. They reap the real benefits of economic development and not only have the purchasing power to enjoy the produce of the entire biosphere but also have the power and the means to influence the polices of the state at the cost of *ecosystem people*. This has consequently produced a *"cauldron of conflicts directly or indirectly triggered by the abuse of natural resources to benefit the narrow elite of omnivores"* (Gadgil and Guha, 2000: 60). Hence, the realm of environmental movements and resource based conflicts oscillates within the incompatibility of goals and incommensurability of values between the ideologies and world views of *ecosystem people* and *omnivores*. It is not ignited by *"problems of distribution but concern the grammar of forms of life"* (Habermas, 1981:33) intricately related to the dominant processes and model of development.

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[7]Ecological refugees constitute roughly one-third of the total population living as poor migrants and working as wage labourers or subsistence farmers.

Indian environmental movements, thus, seek to challenge this paradigm of development through three distinct ideological perspectives of 'crusading Gandhians', 'ecological Marxists' and 'appropriate technologists' (Gadgil and Guha, 2000). The first strand of 'crusading Gandhians' reject the modern way of life through a moral/ religious viewpoint since it draws humans away from nature and encourages wasteful lifestyles. It argues that the essence of Indian culture lies in its indifference and hostility to economic gain and the abandonment of the Western model of development would only entail returning back to traditional Indian roots. Thus, 'crusading Gandhians' propagate the return to pre-colonial and pre-capitalist village community since it represented the ideal form of social and ecological harmony.

The second stream of 'ecological Marxism' stresses that political and economic change is the necessary precursor to bringing in ecological harmony since ecological degradation is a result of unequal access to resources rather than a question of values. They contend that in the sharply stratified Indian society, the rich destroy nature in pursuit of profit while the poor do it for their mere survival and change must be brought forth through collective action aimed at systemic transformation. The ecological Marxists' are ideologically poles apart from the crusading Gandhians because of their faith in the emancipatory potential of modern science and technology.

The two streams represent the ideological and political extremity of Indian environmentalism and in between them lies the third stream of 'appropriate technology'. Appropriate technologists seek to produce a working synthesis of two world views incorporating ideas from both the Western and Eastern, modern and traditional and religion and science. Though influenced by socialist principles, they also believe in the liberating potential of industrial society in the form of resource-conserving, labour intensive and socially liberating technologies.

In addition to the strands postulated by Gadgil and Guha (2000), Baviskar (1995) proposes the addition of two more streams of thought to the ideologies of Indian environmentalism. The first is that of 'preservation' which is not a direct critique of development per se, but is inclined towards preservation and maintenance of pristine Natural spaces similar in ideology to its Western counterpart of 'cult of wilderness'. The second constitutes 'indigenous ways of knowing', which has values similar to Gandhism but rooted in different ecological traditions of indigenous peoples. The culture and beliefs of indigenous communities are usually viewed as being

ecologically prudent and therefore pose a critique to ecologically destructive development processes. Their portrayal as being ecological noble savages provides an alternate vision of sustainable human-Nature relationship.

The universe of Indian environmental movements operates within the domain illustrated above and many strands are visible within a single movement making it vibrant in its form and content. It may be defined as an *"organised social activity consciously directed towards promoting sustainable use of natural resources, halting environmental degradation or bringing about environmental restoration"* (Gadgil and Guha, 2000:98).This definition tries to place these movements within the ambit of environmental consciousness prevalent in the West. But locally on the ground, where these movements take place and where individuals and groups combine to form a movement, ecological and environmental concerns may be secondary to the immediate material needs of the communities in question.

These movements are primarily concerned with stopping economic activities that impoverish local communities giving it a material base rather. The concerns are not *apriori* ecological in nature (as manifest in the West) but rather materialistic. It is an ideological and philosophical opposition to the Indian path of development since it directly contravenes with the nature of resource utilisation that provides the basic needs required for survival to a large population. Since it is not a *"lack of development that caused poverty, inflicted violence, and engaged in destruction of nature and livelihoods; rather it is the very process of bringing development"* (Rajagopal, 2003:3).

Environmental movements in India pose a critique to the current developmental notion and concur that a resource and energy intensive model of economic growth has brought development to a small minority of omnivores while the majority (ecosystem people and eco-refugees) has lost the material basis for their survival (Shiva and Bandyopadhyay, 1986). However, the rich and vibrant ideology present in environmental movements has still not yet been able to provide an alternative paradigm of development enabling the omnivores to carry on with their business as usual attitude. It has relegated itself to preserving the status quo that purports to place indigenous and local communities as being ecologically more sensitive and sustainable than the state and mechanisms of a capitalist mode of production.

Consequently, it can be argued that Indian environmental movements are environmentalism by default, more concerned about the access to natural resources by the local communities for their subsistence. It is in effect, conflict between the ecosystem people and omnivores over the access and use of natural resources where environmental concerns are layered together to provide a moral and potent justification for their movement. Also, since ecosystem people (with their low-intensive resource use) are ecologically more sensitive in preserving their natural environment than the omnivores, it provides them the space and legitimacy to be the face of environmentalism and ecological protection. This is a direct corollary of the way resources are used by these two classes of people- ecosystem people in a sustainable manner and omnivores in a predatory fashion.

Thus, the omnivores with their rhetoric of development conveniently position themselves as '*developmentalists*' to bring development to the hitherto 'un-developed' people. The *'developees'*, though large in number but at odds with the state and the nebulous forms of power, must contend to defend their resource base giving these movements a defensive characteristics. This defensive nature has been omnipresent in all environmental movements where the state and the market have tried to ingress into the traditional systems of ownership, access and utilisation of natural resources.

CHAPTER 3

NATURAL RESOURCE CONFLICTS IN ARUNACHAL PRADESH

3.1 Introduction

If change is the one thing that's constant, then Arunachal Pradesh can also be no exception to it. One of the last bastions of the tribal world it was careful to maintain its variegated and unique environment and culture through the ages. A strategically important part of India which served as the theatre of the Indo-China War of 1962 and remains to be a *territorri controversias*[1]. The land and its people was (and still remains) an unknown frontier where change promises to bring development to this large swathe of rivers, valleys and jungles, a change that has been planned far away in the ministries and secretariats of mainland India, a change that will undoubtedly be the biggest incursion into their lives ever since the British punitive expeditions. A change that will be felt by the groups of indigenous people that call it home, the many endemic species of plants and animals that inhabit these lands as well as the ghouls and angels that wander around in wanton willfulness. A change that promises to connect and control the vast land, the meandering rivers and the green opaque forests and a change that has acquired a swift purposeful virtue through the notion of economic development, prosperity and national growth.

India's northeast has been poised to be the future powerhouse of the nation with many of its glacier fed perennial rivers having immense hydro power generation capacity. Among these states, the hydro power potential of Arunachal Pradesh is pegged to be the maximum owing to the still untapped free flowing rivers of the state. The beginning of the new millennia witnessed an increased impetus to tap the hydro power potential of these rivers. The zeal in developing the untapped hydro-power potential of the state witnessed an unprecedented boom in the signing of Memorandum of Agreements/ Understandings (MoA's/ MoU's) between the

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[1] Chinese claims on Arunachal Pradesh rest upon China's insistence that the 1914 Shimla Convention which demarcated the territory of present day Arunachal Pradesh is illegitimate as the Mc Mohan Line was drawn without its concurrence.

Government of Arunachal Pradesh (GoAP) and power developers. The 'MoU virus[2]' that engulfed the state resulted in the transfer of most of its rivers to power developing companies for harnessing electricity. This blitz of projects is claimed to be the proverbial goose that lays golden eggs and the sure path to developing the state.

However, the well laid plans for bringing change fell into rough weather with the local indigenous populations, downstream riparian communities in Assam along with environmentalists and their organisations opposing the projects on almost every river basin of the state. The promise of change and development could not create the silver lining that captivates the masses (as imagined by the planners) but has instead produced a domino of conflicts and protests against the proposed dams. The GoAP and dam proponents on the other hand have reacted with a 'business as usual' mode and employed the age old trick of carrots and sticks. Though none of the proposed dams are anywhere near completion or construction work started on many of them, it has nevertheless succeeded in sowing the seeds of conflict. A conflict over the utilisation of its pristine rivers; a conflict over the parasitic nature of development; a conflict over the preservation of the traditional and a conflict over the rights of common individuals pitted against the might of the state and powerful corporations.

3.2 Arunachal Pradesh- A Profile and its Natural Resource Base

The state of Arunachal Pradesh, also known as the 'hidden land', 'last frontier' or 'land of the rising Sun', is a vast expanse of rivers, forests, mountains, hills and valleys at the eastern tip of India. It shares its borders with Bhutan on the west, Tibet and Sikang region of China on the northeast, Myanmar on the east and southeast and the states of Assam and Nagaland on the south. It is situated in the Eastern Himalayan region between the latitudes 26°30'N and 29°30'N and longitudes 91°30'E and 97°30'E and covers a geographical area of 83,743 km². It is the largest state among the eight northeast states of India and is divided into 16 administrative districts of Tawang, West Kameng, East Kameng, Papum Pare, Kurung Kumey, Lower Subansiri, Upper Subansiri, West Siang, East Siang, Upper Siang, Lower Dibang Valley, Dibang Valley, Lohit, Anjaw, Changlang and Tirap (Singh, 1989).

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[2] The term MoU Virus was given by Jairam Ramesh in 2008 during his tenure as the Minister for Environment and Forests to depict the more than 100 MoU's that were signed to build dams across the rivers of the state.

It is home to 26 major tribes and a number of sub-tribes belonging to the same racial stock which can be broadly divided into three distinct cultural zones on the basis of their socio-religious affinities. The western and northern boundary is home to the Monpas and Sherdukpens in the districts of Tawang and West Kameng. They are predominantly Buddhists of the Mahayana sect and are agriculturists practicing terrace farming or pastoralists herding yaks and sheep (Dai, 2003; Joshi, 2006). The second group lies in eastern Arunachal Pradesh in the districts of Tirap, Changlang, Lohit, Lower Dibang Valley, Dibang Valley and Anjaw. It is home to the Nocte, Wancho, Tangsa, Tutsa, Lisu, Idu Mishmi, Taraon Mishmi, Miju Mishmi, Khampti, Singpo and the Meyor tribes. The socio-religious affinities found among these tribes are Hinayana Buddhism (Khampti and Singpo), animism and Christianity (Dai, 2003; Joshi, 2006).

The third group belongs to the central belt spread over an extensive area covering the districts of East Kameng, Lower and Upper Subansiri, Papum Pare, Kurung Kumey and East, West and Upper Siang. The major tribes of this region are Nyishi, Tagin, Puroik, Hill Miri, Apa-Tani, Nah and the Adi group of tribes and follow the animistic nature of worship in the form of *Donyi-Polo.* These tribes are collectively known as the *Tani* group of tribes since they claim their ancestry from a common ancestor known as *Abo Tani* or the first human on earth (Dai, 2003). These culture zones are also distinguished by the major river systems that run through the state; river Kameng in the west, rivers Subansiri, Siang and Dibang in the center and rivers Lohit and Tirap in the Southeast (Tarr and Blackburn, 2008).

The population of the state according to the 2011 census is 13, 82,611 out of which the male and female population is 7, 20,232 and 6, 62,379 respectively with the sex ratio at 920 per thousand male. It has the lowest population density amongst the states of India at 17 persons per square kilometre. The tribal population of Arunachal Pradesh forms 68.8 percent of the state's total population and 0.9 percent of the country's total tribal population.

Arunachal Pradesh has a rich natural resource base though it has been relatively a lesser known region due to largely inaccessible rugged terrain with dense impenetrable forests, unpredictable climatic conditions and poor road communications (Choudhury, 1997). The state is bountiful with rich bio-diversity, natural and mineral resources, abundant forest resources with many endemic species

of plants and animals and many free flowing perennial glacier fed rivers. Approximately, 82 percent of the total area is forests out of which around 40 percent of the forest resource and its fauna are yet to be surveyed and classified and is the largest dense forest cover in the country.

It is estimated that there are around 20 forest types ranging from tropical to alpine and its forest and faunal diversity makes it one of the 25 "Biodiversity Hotspots" in the world (Hegde, 2000). The forests are legally classified as reserved forests, protected forests, *anchal* forests reserves, village forests reserves, national parks and wildlife sanctuaries. Amongst these forests, the state has one biosphere reserve, two national parks and eleven wildlife sanctuaries. The state's forests are a rich source of timber and non-timber products including bamboo, cane, medicinal plants, orchids, thatch, broom grass, resin, etc. (Government of India, 2009).

Table 3.1: Forest Resource in Arunachal Pradesh

Sl. No.	Legal Classification	Area (Sq. Km)	Percentage of Recorded Forests	Percentage of Geographical Area
1	Reserved Forests	9815.37	19.04	11.72
2	Protected Forests	7.79	0.01	0.01
3	*Anchal* Reserved Forests	256.08	0.50	0.30
4	Village Reserve Forests	175.20	0.34	0.21
5	National Parks	2468.23	4.79	2.94
6	Wildlife Sanctuary	6777.75	13.15	8.09
7	Unclassified State Forests	32039.00	62.16	38.25
	Total	**51540.00**	**100.00**	**61.54**

Source: Government of India. (2009). *Arunachal Pradesh Development Report*. Planning Commission, New Delhi.

The State also has large metallic and non-metallic mineral resources most of which are yet to be exploited. It has rich deposits of coal, oil and natural gas, limestone and dolomite, graphite, lead and zinc, ferro-silicon minerals and clay. In addition, a

number of economic minerals such as cobalt, nickel, copper, iron-ore, and gold are also available. Apart from economic minerals, it also has reserves of marble, granite, volcanic quartzite, slate, sand, concrete, boulders and brick making materials (Singh, 2013).

Table 3.2: Mineral Resource in Arunachal Pradesh

Sl. No.	Mineral Resource	Location (District)
1	Coal	West Kameng, East Kameng, Lower Subansiri, West Siang, Changlang
2	Crude Oil and Natural Gas	Changlang
3	Dolomite	West Kameng
4	Limestone	Upper Subansiri, West Siang, East Siang, Lohit, Dibang Valley
5	Graphite	Lower Subansiri, Upper Subansiri, West Siang, Dibang Valley, Lohit
6	Lead and Zinc	West Kameng
7	Ferro-Silicon	West Kameng
8	Gold	Lower Subansiri
9	Base metal sulphides	Lower Subansiri, Upper Subansiri
10	Platinoid group of metals	Lohit
11	Mineral water/ Hot Springs	West Kameng, Upper Subansiri, Lohit

Source: Singh, T. (2013). Mineral Resource Potential of Arunachal Pradesh and its Socio-Economic Importance. *Journal of Indian Geological Congress.* 5(1), 103-113.

Apart from forests and mineral resources, Arunachal Pradesh is blessed with enormous water resource available in the form of surface and groundwater. The major rivers of the state form the Upper Brahmaputra River System with six river basins of high order and four of low order. The large river system and topography is ideal for generation of hydro-power which is estimated to be one-third of the country's total hydro-power potential. However, most of these river basins are yet to be tapped for production of hydro power.

Table 3.3: River Basins of Arunachal Pradesh

Sl. No.	River Basin	River Order	Area (km²)	Drainage Density (m/km²)
1	Tawang	Low	2116.7	203.57
2	Kameng	High	12822.7	410.07
3	Dikrang	Low	1614.6	198.38
4	Subansiri	High	19199.2	680.00
5	Siang	High	14357.2	1253.36
6	Sessri	Low	1051.5	235.71
7	Dibang	High	11576.3	1040.16
8	Lohit	High	15958.7	1529.28
9	Tirap-Dihing	High	6348.4	284.66
10	Tiso	Low	3810.5	199.77
Total			**88855.80**	**6034.96**

Source: Government of India. (2009). *Arunachal Pradesh Development Report*. Planning Commission, New Delhi.

Early historical sources show that the region that is now Arunachal Pradesh lay on the borders of two great civilizations; Tibetan civilization towards the North and the Ahom civilization of Assam valley towards the south. Most of its early history is shrouded in myths and legends and the earliest lithic evidence of the presence of hill tribes in this region dates back to the early sixteenth century in the form of an inscription on a stone pillar erected by an Ahom ruler. The pillar pledges protection to the Idu Mishmi tribes by the ruler Dihinga Bar Gohain in exchange for valuable medicinal plants (Tarr, and Blackburn, 2008). However, these pledges were easily broken as there were sporadic raids and plundering by the hill tribes on the plains. The Ahom rulers understood the futility of trying to subjugate the hill tribes and instead they introduced the system of paying a payment in lieu of peace which was called the *posa* system. It was in essence a measure to keep the hill tribes contained within their hills and the Ahom rulers never made any attempts at annexing the hills or interfered in the internal affairs of the tribes.

The advent of British rule in the Assam valley in early nineteenth century unwittingly also brought present day Arunachal Pradesh and its tribal people within the control of the British Empire. The British replaced the Ahoms in Assam in 1826 and in 1838 they annexed the whole of Assam (now Northeast) and made it a Non-Regulation Province of British India. The task of protecting the plains from the raids of the hill tribes fell under the British. The colonial rulers also followed the policy of conciliation backed by a show of strength followed by the Ahoms towards the hill tribes. This policy of the British is expressed in the following lines quoted by Mackenzie (1884) cited in Singh (1995:11): *"...conciliate them if you can be persistent in demanding surrender of murderers, but endeavour so to approach the tribes that a basis may be opened for friendly intercourse"*. This policy was supplemented by punitive expeditions into the hills for over a century in addition to negotiating *posa* payments and treaties with several hill tribes.

In 1873, an 'Inner Line' was drawn to divide the British administered territory from the area controlled by the hill tribes. This line would pass through the Kamrup and Goalpara districts towards Bhutan; the Darrang district towards the Bhutias, Akas and Daflas (Nyishis); the Lakhimpur district towards the Daflas, Miris, Abors (Adis), Mishmis, Khamptis, Singpos and Nagas and Sibsagar towards the Nagas. The 'Inner Line Regulation' of 1873 served two vital purpose; first was to control the commercial exploitation and expansion of tea and other industry into the hills (Chowdhury, 1983) and second was to protect the British administered areas from the raids and plunder of hill tribes (Mohanta, 1984). This regulation also stipulated rules regarding trade and possession of land beyond the Inner Line (Sinha, 2005).In order to extend friendly relations with the hill tribes, the British had also started organizing fairs at Sadiya and Udalgiri from 1860 onwards (Burman, 1963).

To consolidate British authority over the hills, the post of Political Officer was created in 1882 at Sadiya with Francis Needham as its first Assistant Political Officer. In his two decades as Assistant Political Officer, Needham undertook many expeditions into the tribal areas to befriend them and in the process established the foundations of present day Arunachal Pradesh (Sinha, 2005). Needham was succeeded by Noel Williamson whose murder by the Abors (Adis) at Komsing in 1911 led to the Abor Expedition of 1911-1912 (Chowdhury, 1983) and a major foray into the tribal dominated hills. In 1914, the hill areas of the northern districts of Assam were

separated from the plains to form the North East Frontier Tract which was divided into three political and administrative units; the central and eastern sections (later Sadiya Frontier Tract[3]) to control the Ponpong Nagas, Singpos, Mijus, Chulikata, Babejia Mishmis and the various sub-groups of the Abors (Adis), the western section (later Balipara Frontier Tract) to control the Bhutiyas, Akas, Nishis, Miris and Adis and the Lakhimpur Frontier Tract for the administration of Singpos, Khamptis and Nagas. The same year, the Scheduled District Act was also passed to bring about some uniformity in the administration of tribal areas (Singh, 1995).

The Government of India Act, 1919 declared these three tracts as "Backward Tracts" and later the Government of India Act, 1935 put it under "Excluded Areas". From 1941 to 1948 these Frontier Tracts were further re-organised; Tirap Frontier Tract was created by incorporating certain areas of Lakhimpur Frontier Tract and Sadiya Frontier Tract, Balipara Frontier Tract was divided into Sela Sub-Agency and Subansiri Area, and the Sadiya Frontier Tract was sub-divided into Abor Hills and Mishmi Hills. Though the British managed to wrest administrative and political control of the hills, it maintained its exclusionary and protective measures for the hills thereby effectively isolating the tribes from the influence of the plains and the larger mainland (Chaube, 1973).

Post-Independence, the North East Frontier Agency (NEFA) Administration Regulation was passed in 1954 and a new nomenclature was given to the region, NEFA. The former agencies were also named after the rivers in the region to constitute the Kameng, Subansiri, Siang, Lohit and Tirap Frontier Divisions. The Chinese aggression of 1962 brought another round of changes. First, the capital of NEFA was shifted to Itanagar. Second, the administration of NEFA was transferred from the Ministry of Foreign Affairs to the Ministry of Home Affairs and thirdly the divisions were changed into districts like the rest of the country (Sinha, 2005). In 1971, the North-Eastern Areas (Reorganisation) Act was passed by the Indian Parliament and under this Act NEFA was renamed as Arunachal Pradesh and became a Union Territory in 1972. It became a full-fledged state in 1987 through the 55th Constitution Amendment Act.

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[3] The changes in their nomenclature were initiated in 1919 at the instance of the then Chief Commissioner of Assam, Sir Beatson Bell.

3.3 Nature of Natural Resource Conflicts in Arunachal Pradesh

The Northeast region is frequently referred to as a "Governors' nightmare" (Das, 2013).The colonial rule established an indirect mechanism of rule for most of the hills around Assam in which the tribes lived. In their scheme of governance, the subjects who readily submitted to their rule (the plains people of Assam) were under their direct rule (and care) and a different set of rules were applicable to the tribal people living in the frontiers. In 1947, while India gained her freedom from colonial rule, it put into motion a different series of events that would define the tumultuous and conflict ridden nature of the Northeast region. Nagaland and Mizoram sought to be a different nation with only communications, external affairs and currency being Indian matters. The merger of Manipur into India was denounced by every citizen of Manipur. Nagaland's plebiscite was unanimous in their decision to remain outside India. Assam remained at tenterhooks with demands for greater rights and privileges for the Ahoms. Consequently, the roots of insurgency, violence and conflict made its way deep into the psyche and social fabric of the region. The Indian government dealt with these conflicts in a similar fashion that the colonial rulers had followed. Enforcing military might along with doling out some developmental and financial benefits for those willing to toe the line.

The Northeast became one of the most conflict ridden regions of India and epitomized what Baruah (2007) termed, 'durable disorder'. It became the playground for secessionist and autonomy movements, ethnic conflicts and conflicts based on parochial regionalism. Amongst the sundry wreckage of 'bad states' Arunachal Pradesh remained elusively peaceful. Its transformation from a centrally administered unit in NEFA during the early days of Independence to becoming the 22nd state of the Indian Union in 1986 was achieved without bloodshed and violence. It remained calm in the face of the Chinese aggression of 1962 and Nehru's ill-timed farewell speech to its people. It refused to cow down to doubts[4] regarding their nationalism[5] or suggestions of settling 10,000 Sikhs in the state. The people remained steadfast in their traditional mechanisms of peace and governance and grew with the changes that

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[4] A 2008 public opinion poll showed an overwhelming acceptance of being an Indian and a strong resistance to Chinese claims over the territory (Dutta, 2008).

[5] The definition of nationalism follows Anthony Smith (2010), which includes the formation of nations, the sentiment and consciousness of belonging to one, languages or symbolism depicting the nation and political movement on behalf of the nation.

were fostered through Parliamentary democracy and developmental programmes initiated through the five-year plans.

While remaining peaceful most of the times, the instance of conflicts that it faced was during the Chakma-Hajong refugee crisis precipitated by religious persecution and the large-scale displacement by the Kaptai Dam in Bangladesh (Panigrahi, 2008). The fairly peaceful nature of the state has recently been broken down due to the spate of hydro-power projects proposed to be developed on its river basins. The Central Water Commission (CWC) in its 2001 preliminary ranking identified about 400 hydro power projects with a total potential of about 1,07,000 MW out of which Arunachal's potential was estimated at nearly 50,000MW. The announcement of the 50,000MW initiative in 2003 by the then Prime Minister Atal Bihari Vajpayee, led to the pre-feasibility studies on 162 projects with aggregate capacity of 47,930MW.

These projects were to be completed by 2017, and were to be followed by another drive to add at least 67,000MW additional hydropower capacity in the subsequent 10 year period (Baruah, 2012). Arunachal Pradesh was poised to be the "power-house" of the nation and the GoAP went on a spree of signing MoU's with power development companies. In 2005, a vision document released by the Power Department of Arunachal Pradesh claimed that the state would be floating in "hydro-dollars" if the state's hydropower potential could be harnessed. Consequently, the GoAP entered into as many as 162 MoU's with private and public sector companies between the periods of 2005-2014.

The emergence of the state as a major centre of dam building in India was however not without contestations. Like other dam projects, dams in Arunachal Pradesh are also not devoid of conflicts and protests. Protests and opposition have engulfed every dam proposed to be built on its rivers. Issues regarding adverse ecological impact, displacement and migration challenges, rights of the indigenous people, downstream riparian effects and risks associated with dam building in a very high seismic zone has given much credence to the conflict. On the other hand, the dam proponents have willfully employed the mechanisms that many large projects do: by being politically connected, by quietly becoming too big to fail, and in the end by brazening out the public relations. In the following pages, the nature of conflict through hydro-power projects will be elaborated along the primary concerns that fuel the conflict and the ensuing protests.

3.3.1 Tawang River Basin

The Tawang region is a strategically highly sensitive part of Arunachal Pradesh located between Bhutan and China at an altitude of more than 10,000 feet above sea level. It served as one of the theatres of the Indo-Chinese war of 1962 and continues to be a part of Chinese assertions over its ownership. The region is one of the smallest districts of Arunachal Pradesh (about 2000 Sq. Km) and is home to the Monpa Buddhists with a population of less than 50,000 in Tawang and nearly one lakh globally (Dandekar, 2015). A spate of 13 hydro-power projects (Table 3.4)is slated to be constructed in the Tawang river basin and has witnessed strong opposition from Buddhist monks and the local people since 2012.The protests being led by the Save Mon Region Federation (SMRF) oppose these projects on religious, socio-cultural and ecological grounds.

Table 3.4: Planned Hydro-Power Projects in Tawang River Basin

Name of Project	Implementing Agency	Revised and Proposed Capacity (MW)	Elevation (metres above sea level)
Tsa Chu –I	Energy Development Co. Ltd. Faridabad	24.00	3350
Tsa Chu-I Lower	_____ do _____	77.20	3245
Tsa Chu-II	_____ do _____	67.00	3170
Thingbu Chu	Arunachal Pradesh Mega Power Projects Pvt Ltd, New Delhi	60.00	2800
New Melling	Sew Energy Ltd, Hyderabad	90.00	2786
Mago Chu	Sew Energy Ltd, Hyderabad	96.00	2456
Nykcharong Chu	Sew Energy Ltd, Hyderabad	96.00	2460
Rho	Sew Energy Ltd, Hyderabad	93.00	2240
Tawang– I	NHPC , Faridabad	750.00	2092
Tawang– II	NHPC , Faridabad	750.00	1536
Nyamjang Chu	Bhilwara Energy Ltd, Noida	780.00	2115

Paikangrong Chu	SMJ Consultants Pvt. Ltd, New Delhi	2.40	2150
Jaswantgarh Stage-I	_____ do _____	4.50	3357
Total	**6**	**2890.10**	

Source: Dandekar, P. (2015). Cumulative Impact Assessment of Tawang Basin: Highlights from the NEHU Study .*SANDRP*. Retrieved from https://sandrp.wordpress. com/2015/04/10/cumulative-impact-assessment-of-tawang-basin-highlights-from-the-nehu-study/ on 12/04/2015. .

The entire Tawang Basin falls under seismic Zone V with proximity to glacier lakes making it a high-risk endeavour for building huge dams. The protestors argue that such huge projects will threaten their peaceful existence in the region. The series of dams will bring about huge demographic changes due to the influx of outside labourers and pose a threat to their cultural dynamics (Northeast Today, 2016). The region is also one of the wintering habitats of the black-necked cranes which will be affected by the 780 MW Nyamjang Chu Hydro Power Project. Incidentally the black necked cranes are revered by the local people as one of the reincarnations of the VIth Dalai Lama who was born in Tawang (Yeo, 2008: Dandekar, 2015).

Apart from religious and cultural impacts, the people resent the process through which these projects were handed out to the developers without the consent of the people. The government received upfront premiums against these projects even before the preparation of Detailed Project Reports (DPR's), Environmental Impact Assessments (EIA's) or public consultations. The lack of transparency in according these projects has become a major ground for opposing these projects since the local people are not sure how these projects will benefit them. They also contend that if the existing small hydro-projects of the district are optimally used, it would produce sufficient electricity for the power-strapped district. Another issue of concern is the loss of land since the local people have already lost half of their lands to the Army and the District administrations. The construction of these dams would entail further loss of their scarce land resource which would deeply affect their socio-economic status (Bhattacharjee, 2013).

The SMRF have been protesting by organizing peaceful rallies and petitioning the courts and appellate bodies against the dams. Though their protests are of a peaceful nature the state has responded by using force, intimidation and arrests against the protestors. The agitations against the dams are increasing day-by-day and may turn out to be a major issue of conflict in a strategically sensitive region.

3.3.2 Lohit River Basin and Demwe Lower Hydro Electric Project

The Lohit River is one of the three major rivers of Arunachal Pradesh that combines to form the Brahmaputra. It originates in Tibet and meets the Dibang River near Sadiya after which it is joined by the river Siang to form the Brahmaputra in the plains of Assam. A series of eleven dams are proposed to be built by private and public enterprises and MoUs/MoAs have been signed between the GoA and the power developing companies. Six major dams are proposed to be built on the main stem of the river; Demwe Lower Project (1750 MW), Demwe Upper Project (1050 MW), Hutong (588 MW), Hutong II (1250 MW), Kalai I (1450 MW) and Kalai II (1200 MW) (WAPCOS, 2011). The entire Lohit basin has a rich and unique biodiversity and also supports the ecosystem of the Dibru Saikhowa National Park and the Biosphere Reserve in Assam. It is recognized as one of the top 25 bio-diversity hotspots of the world and is home to many endangered species. The entire basin falls under seismic zone-V and around 260 glacial lakes have been identified in the higher reaches of the basin (Chetia, 2013).

The protests against dams in the Lohit basin has largely focused on the 1750 MW Demwe Lower Hydro Electric Project that is being built by Athena Demwe Power Ltd, promoted by Athena Energy Ventures Pvt. Ltd. The proposed dam is a concrete gravity dam of 163.12m height above the deepest foundation level with five turbines generating 342 MW each and a single turbine to generate 40 MW of electricity. The total land required for the project is estimated at 1589.97 ha (including submergence area of 1131ha) out of which 174.05 ha is community owned *Jhum* land, 720ha is community forest land, 192 ha falls under reserved forest and 502.92 ha is forest land. The project estimates that approximately 204 families from 23 villages will lose their land in the process (Vagholikar, 2013).

The project ran into trouble ever since notifications were published regarding the mandatory public hearings in 2009. Local environmental and civil society groups

from Arunachal Pradesh and Assam opposed the project due to concerns of submergence and displacement in the upstream areas and possible downstream impacts on lower riparian communities and the fragile ecosystem. The location of the project at Parshuram Kund, a culturally significant pilgrimage site, has also played a major role in the creation of an opposition to the project. The initial protests were aimed at disrupting and boycotting the public hearings and soon gave way to litigations at court. The protests not only unearthed the fait- accompli attitude of the government and the nexus[6] between government officials and power companies towards these projects but also brought into focus the need to consider downstream impacts on riparian communities and the eco-system (Vagholikar and Thakkar, 2009).

Apprehensions about the effect of the project on wildlife and their habitat were also raised by the standing committee of the National Board for Wildlife (NBWL) in 2011. A two member[7] committee of the NBWL expressed concerns over its impact on downstream fish and wildlife population. Dr. Rahmani, a member of the committee, stated that the project would have grave impact on important bird habitats and the Gangetic River Dolphins along with harmful downstream effects in Kamlang Wildlife Sanctuary and the Dibru Saikhowa National Park (Rahmani, 2011). Ignoring the recommendations of the NBWL committee, the project was granted clearance by the Minister of Environment and Forests (MoEF), Jayanthi Natarajan, in 2012 on the premise that the benefits far outweighed the possible impacts on ecology and wildlife (Shrivastava, 2012).

The environmental clearance accorded to the project was appealed at the National Green Tribunal (NGT) but the NGT stayed the decision of the MoEF in its January 2015 judgement. However, the project is still mired in controversy due to its proximity to the Parshuram Kund which is revered by both the Idu Mishmis and Hindus as a holy pilgrimage site (Akhtar, 2015; Sharma, 2015). While the fate of the

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[6] Mr. P. Abraham was the Chairman of Expert Appraisal Committee (EAC) on River Valley and Hydropower Projects appointed by the Ministry of Environment and Forests. The EAC plays the primary role in assessing the viability of hydro-electric projects and granting clearances. However, Mr. Abraham was also one of the Board of Directors of a company (PTC India Ltd.) which had significant investments in Athena Energy Ventures Pvt. Ltd during the same period. Hence, there was a huge conflict of interest since he was guiding the judgments on projects promoted by his own companies.

[7] The committee was constituted by a team of Dr. Asad Rahmani, Director, Bombay Natural History Society and Mr. Pratap Singh, Chief Conservator of Forest (Wildlife), Arunachal Pradesh. Mr. Singh submitted a separate report to the Standing Committee refuting Dr. Rahmani's claims.

dam was sealed ignoring ecological and environmental concerns, it is to be seen if religious sentiments will be potent enough to stop the construction of the dam.

3.3.3 Dibang Multi-Purpose Project

The Dibang River originates from the southern flank of the Himalayas at Athu-popu, near Keya pass on the Indo-China border in Dibang Valley district (Mimi, 2013). The entire catchment area of the river is within Indian territory and joins the Lohit and Siang to form the Brahmaputra. A number of large dams are proposed to be built on the Dibang basin to augment the 50,000MW hydropower initiative of the Indian government. One of the largest dams in the basin is the Dibang Multi- Purpose Project (DMPP) conceived as a hydro-power cum flood moderation scheme. The dam is proposed to be built on the Dibang River in the Lower Dibang Valley and is conceived to be one of India's biggest hydro-power projects in terms of generation of electricity (Dandekar, and Thakkar, 2014).

The Pre-Feasibility Report of the project was prepared by the Brahmaputra Board in 2002 and was expected to generate hydropower along with flood moderation capabilities. The project was transferred to the National Hydro Power Corporation (NHPC) on December 2002 and was given the responsibility of preparing the Detailed Project Report including the design of the project. NHPC proposes to build a concrete gravity dam with a height of 288m (above its deepest foundation level) and a length of 816.3m at the top and it is expected to generate 3000MW of hydropower. The reservoir will extend 43 km upstream of the dam site and will submerge 40.09 km² of land (National Productivity Council, 2010).An area of 5827.8 ha of land will be acquired by the project out of which 5056.50ha of land is owned by the community and classified as Unclassified State Forest (Mimi, 2013).The whole Dibang basin is sparsely populated and the primary inhabitants are the Idu Mishmi's whose population according to the 2011 census is around 15,000. The low population density of the region has been an added incentive in drawing up plans for such a large project since displacement, resettlement and rehabilitation issues will be negligible.

The protests against the DMPP started soon after notifications were published regarding the mandatory public hearings in 2006-2007. The protests, led by the Idu Mishmi Cultural and Literary Society (IMCLS) and All Idu Mishmi Students Union (AIMSU), included boycotting of public hearings, staging rallies and dharnas, and

organizing general strikes (CDRO, 2013). The resistance to the project was unwavering since it threatened the socio-cultural and tribal values that were fundamental to life in Dibang valley. The agitating groups contend that their small Idu Mishmi population would be swamped over by outside labourers required for the project which would have devastating demographic consequences in the long run. Around 8 percent of the total Idu Mishmi population would be displaced and resettling them into other tribal areas would lead to inter-tribal conflicts (Choudhury, 2014). While other issues pertaining to land acquisition and displacement along with environmental/ecological impacts and dam safety were discussed, the primary source of the conflict lay in the fear of being a minority at their own ancestral lands.

Amidst continued opposition to the project, the then Prime Minister, Dr. Manmohan Singh laid the foundation stone of the project at Itanagar on 31st January, 2008. This was done even before the necessary mandatory processes of clearances and public hearings were conducted (Dandekar and Thakkar, 2014). Both the Central and the State government were desperate to get the project started and police threats and intimidation became the norm. The protesting groups in the meanwhile, boycotted and disrupted 11 public hearings and litigations were filed in the Courts against the dam (Overdorf, 2012). The protesting groups also acquired more agendas and resolved to fight against any dam in the Dibang Valley.

The hardened positions between the government and the anti-dam agitators took an ugly turn when paramilitary forces fired upon a Durga Puja celebration in October, 2011 where eight school and college children were injured (Overdorf, 2012). The use of force and intimidation was tried to justify by stating that Maoist activities had sprung up at Dibang valley. The Maoist angle also led to the deployment of more paramilitary and security forces in the district. The continued presence and excesses of the police and para-military forces transformed the valley into a state of fear and paralysis. The threat of being branded a Maoist and the consequences that would follow started breaking the resolve of the anti-dam protestors and negotiations started between the protestors and the government to resolve the crisis (Mimi, 2013).

While the disruptions and boycott of several public hearings continued, the mandatory forest clearance was also rejected twice by the Forest Advisory Committee. It first rejected the clearance in June 2013 stating that the ecological, environmental and social costs were far greater than the benefits to be accrued from the project. The

proposal was resubmitted in February 2014 by reducing the height of the dam from 288 metres to 278 metres but was rejected again. The Ministry of Environment and Forest rejected the revised proposal since the *"proposed area is very rich in biodiversity, sensitive ecosystem being at the edge of hills and flood plains and having large number of endemic and endangered flora and fauna etc. Moreover, such project is most likely to have considerable downstream impact including impact on the Dibru-Saikhowa National Park in Assam which is yet to be studied"* (cited in Lenin, 2014).

Environmentalists and activists also cried hoarse over the project since it would have huge ecological and environmental impacts and also affect the social and ecological base further downstream. However all these concerns were overlooked and the controversial DMPP finally received environmental clearance from the Ministry of Environment and Forest vide its order dated 19th May 2015. According to the clearance accorded, the project proponent is required to study the downstream and other impacts of the project five years after the completion of the dam (First Post, 2015). The dam would submerge 45.77sq km of community forest land and generate 2880MW of electricity. It is expected to take nine years for completion at an approximate cost of Rs. 25346.92 crores (NHPC, 2015). The protests by the Idu Mishmis also subdued and efforts are in progress to establish a mechanism through which the Idu Mishmi community can avail a share of the revenues generated by the project. While the opposition in the Dibang valley has been silenced, the issues regarding downstream effects in Assam has not been resolved and protests against the dam may intensify at downstream areas.

3.3.4 Lower Subansiri Hydro Power Project

The protests against the Lower Subansiri Hydro Power Project (LSHP) have become one of the longest running anti-dam struggles in India stretching well over a decade. The downstream impacts of the dam in the plains of Assam have witnessed intense protests which have brought work at the dam to a standstill. The initial plans to build a dam over the river Subansiri was conceived in 1983 by the Brahmaputra Board. After detailed surveys and investigations, proposals were floated to build a dam over the Subansiri to generate 4800 MW of hydropower. This proposal could not be carried out since such a mammoth structure would submerge huge areas of land and forests in Arunachal Pradesh and have huge negative impacts on the ecology of the region (CDRO, 2013).

A fresh proposal conceived the idea to construct three separate dams on the river, one of which would be built on the border between Arunachal Pradesh and Assam. The Brahmaputra Board was entrusted with the task of preparing the Detailed Project Report in 1998-1999 but due to non-completion of the report before the stipulated time, the project was transferred to the NHPC in 2000 (Choudhury, 2010).The NHPC submitted the Environmental Impact Assessment Report in 2001 and the first public hearing for the LSHP took place in September 2001. The project received environmental and forest clearances in 2003 and construction work started in 2005 with its completion expected by 2010 (Vagholikar and Ahmed, 2003). The LSHP is a concrete gravity dam on the river Subansiri at Gerukamukh in Lower Subansiri district on the border between Arunachal Pradesh and Assam. The dam is 116 metres high from the river bed level and is expected to generate 2000MW of electricity. The reservoir once the dam is completed will extend 47 km upstream and its submergence area is 371sq km (Riba, 2008).

The project faced teething problems ever since the first public hearings were held in 2001. While environmental groups and NGO's complained about the inadequacies in the EIA report along with the non-inclusive nature of public hearings, local groups in Arunachal Pradesh and Assam started mobilizing against the dam. In upstream Arunachal Pradesh, the movement was led by the All Mishing Students Union (AMSU) who opposed the acquisition of huge tracts of fertile land and rich forests which was the backbone of their economy. The ensuing displacement of the people and the loss of their ancestral lands and forests along with the social and ecological impacts of the project became a significant cause for the opposition. In downstream Assam, the initial movement was led by various civil society groups and individuals under the banner of Peoples Movement for Subansiri Brahmaputra Valley (PMSBV). The All Assam Students Union (AASU) along with the Krishak Mukti Sangram Samiti (KMSS) later joined the protests and became one of the biggest opposition to the project responsible for the suspension of work at the project since 2011 (Schneider, 2015). The downstream groups were concerned about the loss of livelihood (agriculture and fishing) along with the consequences of dam breakage and issues related to dam safety.

The first major protest occurred in March 2005 when hundreds of protestors under different banners staged a mass dharna on the banks of the river Subansiri. This was

followed by similar large scale protests by different civil society groups both in Assam and Arunachal Pradesh. The protests involved large scale rallies and dharnas, submission of petitions and memorandums to the government and concerned stakeholders, filing of Public Interest Litigations and staging road blocks and strikes to prevent the flow of materials and vehicles to the project site (CDRO, 2013; Choudhury, 2014). The continued opposition to the project led to the formation of an expert committee to assess the viability and downstream impact of the LSHP in 2006. The Committee submitted its report in 2010 and stated that the site for the project was not viable since it was in a geologically and seismologically fragile environment and recommended the scrapping of the project (Sharma, 2012).

However, the work at the project continued and another committee was constituted by the Planning Commission to study the downstream impact of the project in January 2011. The Committee also expressed similar apprehensions. However, another expert committee was constituted by the Power Ministry in December 2014 to assess all aspects of the LSHP whose report is still awaited. Meanwhile, work at the dam site has stalled since December 2011 with the NHPC reportedly suffering a loss of Rs 10 crores daily against an initial estimated cost of Rs 6,285 (2002-2005) for the construction of the project (Indian Express, 2014).

The conflict due to the LSP has brought into the fore a new level of anti-dam politics which has the means to disrupt the plan of large hydro-power projects. The downstream impacts which had received scant attention within the policies ruling hydro-power development has brought into play a different kind of fluid dynamism to anti-dam movements. The protests which started against one dam, has now evolved into opposition to all dams being developed in Arunachal Pradesh. The opposing groups in Assam, particularly the KKSS has sought moratorium on all dams to come up in Arunachal along with revoking the clearances accorded to the Demwe, Dibang and Tipaimukh projects.

The development of dams for hydro-power has emerged to be a contentious issue in Arunachal Pradesh and forms the crux of conflicts over natural resources. The conflict over damming the rivers of the state has the elements of all issues that can be associated with anti-dam protests. From environmental and ecological concerns to the rights of indigenous peoples; from religious and cultural issues to negative demographic changes and subsequent social issues; from the loss of fauna flora to

concerns regarding the safety of dams and seismic activity; the concerns of livelihood of the upstream people to downstream impacts. The rapid pace of change in the garb of development has created a stir that seeks to threaten the relatively peaceful fabric of the region. The protests and conflicts are bound to escalate in the future when construction work starts at the proposed dams. The conflict between differing interests and resources will enable the creation of social structures that will in turn influence individuals and resources at both spectrums of the conflicting parties (Mills, and Mills, 2000). Hitherto isolated indigenous groups will merge and make bigger coalitions and pose a challenge to the dominant structures of power and resource grabs. Conflict as a vehicle of change will surely be put into play but the circumstances and beneficiaries of change can only be analysed in the not too distant future.

3.4 The Adis of the Siang, Lower Siang Hydro Electric Project and Conflict – A Case Study

3.4.1 The Adi Tribe

The Adis are one of the most prominent and populous tribes of Arunachal Pradesh concentrated in the East Siang, West Siang and Upper Siang districts of the state. They occupy an area roughly over 21,229 sq. km and their population according to the 2011 census is .They belong to the Mongoloid racial stock and their language is grouped under the Tibeto-Burman branch of the Sino-Tibetan Family. The word Adi generally means 'hill people' and is a generic category which subsumes a number of sub-tribes. The People of India Project launched under the Anthropological Survey of India lists fifteen sub-groups of the Adis; Ashing, Bokar, Bori, Gallong, Karko, Komkar, Milang, Minyong, Padam, Palibo, Pangi, Pasi, Ramo, Shimong and Tangam. Out of these, the Gallong, Minyong and Padams constitute the largest sub-group of the Adi tribe.

The Adi society is patrilineal and the smallest unit, the family is patrilocal in the beginning and neolocal after the passage of a couple of years (Roy, 1960). Marriages are based on tribe endogamy and clan exogamy. Monogamy is usually practiced in marriage but in certain cases polygamy and polygyny is also allowed among some of the sub-groups. The modes of acquiring mates were through capture (*rot kamnan*), elopement (*nyodong*), exchange (*ape*) and negotiation (*ngamengtato*). Child

marriages were prevalent in the past but is not practiced anymore. Bride price (*nigoni*) is an important part of marriage which is paid in service or in kind (Husain, 1995).

In earlier days the male and female dormitories called Musup and Raseng played a vital role in creating marriage alliances. These dormitories were the central institutions where the boys and girls received practical training in the traditional mode of life and could well be considered as "*schools of preparation for matrimony*" (Roy, 1960:198). These dormitories were within the confines of the village in which all adult unmarried boys and girls would sleep at night. Since the traditional power of a village dependent upon their population, fertility and procreation was of utmost importance. The boys would visit the Raseng in the night and be acquainted with the girl/girls he would marry in the future (Roy, 1960; Nath, 2000). No stigmas were attached to pre-marital sex and children born out of wedlock were given the same status as those out of matrimony. The upbringing of a child born out of wedlock remained the responsibility of the male household if it was a male child and a female household if it was a female. In addition, a girl who had conceived a child out of wedlock was placed at a higher value since she had proven her child-bearing abilities. Hence it was not unusual for a woman to claim many children as her own or a man to have many children from different women (Nath, 2000). However, adultery after marriage was prohibited and entailed harsh punishment.

The Adis are primarily agriculturalists and practice Jhum farming (*Tumperik*) but of late have started practicing terrace farming. Their major economic resources are the land, forests and rivers and their livelihood is entwined with the natural produce of their surroundings. Bamboo being abundantly available finds its use in almost every aspect of their lives. It is used in building houses, bridges, baskets, weapons, costumes and other articles of everyday usage. Land being the most important asset is classified into residential land, agricultural land, fishing site, hunting land and forest land. Except the residential land, other classes of land are usually owned by the clan or by the village. The management and utilization of the land and other resources are usually set through the traditional system of land laws with boundaries being well known and honored by all (Borgahain, 2004).

The Adis are believed to have migrated to their present dwelling place in Arunachal Pradesh from Tibet (Mimat) around seventh century A.D. The circumstances leading to their migration is believed to have occurred due to the culmination of two

important factors. First, was the consolidation of Tibet under the Yarlung dynasty by King Shrong Tsan Gampo and subsequent attacks upon the Chi'ang (Kyang) tribe of which the Tani group of tribes including the Adis also belonged. Second, was the introduction of Buddhism as the state religion in place of the aboriginal Bon religion being practiced by the tribes including the Adis (Nath, 2000). These two factors made them venture towards south in search of more fertile agricultural lands into present day Arunachal Pradesh, far from the political and administrative control of Lhasa.

Their migration route followed the Tsang-Po (Siang) and batches of these people started settling along the course of rivers and their tributaries. A majority of their settlements were uni-ethnic located on hilltops as a protection against warfare and inter-tribal feuds. (Singh, 1995). The names they gave to their new settlements also served as the name of their sub-groups as many Adi sub-groups or clans are named after places they originally settled in like Karko, Shimong, Milang, Padam, Pasi , etc. (Nath, 2000). The presence of various clans nevertheless did not create a social hierarchy amongst them and all clans are equal though some villages[8] were more powerful than the rest owing to their strategic location and the availability of able-bodied fighting men.

Since their arrival from the seventh century onwards, the Adi people lived without an external authority to impose law and the rule of law over them till the advent of the British in early twentieth century. They were free people in the truest sense governed only by the rules they themselves made. They established their villages like the city states of the Greek civilization and these villages were sovereign states in the fullest sense of the term. As independent states, they evolved their own laws and customs to regulate the social life and to establish peace, security and development conducive to their needs. The absence of chieftaincy or aristocracy among them gave rise to a democratic republic body of governance called the Kebang in which all matters related to the people were deliberated and decisions were reached through consensus. This Adi polity, a democratic republic system of governance, was sufficient enough to help them get through the harsh, isolated ages and even today it is an impartial body of wise men with a socio-ethical purpose of maintaining justice, development and peace in the society.

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[8] According to Hamilton (1912), the village Kebang which was the centre of the Abor expedition was one of the most powerful Adi centres and its fall while denting the self-confidence of the Adis also provided relief to other Adi villages which were dominated by it.

The major faith of the Adi people lies in various benevolent and malevolent spirits and all human sufferings, illnesses and natural calamities are ascribed to the evil ones. Rituals involving animal sacrifices are necessitated to propitiate the angry malevolent spirits. They trace their ancestry to one common father, Abo Tani and profess the Donyi-Polo religion, or the worship of the Sun (Donyi) and Moon (Polo).The Adis do not have a written script and their history is traced from oral traditions preserved in many forms. The *Abang* and *Bari* relates to rhapsodies regarding myths of creation and origin of several institutions, The *Abe* is the introductory speech before every village council or Kebang. *Kongki Bote* refers to the narration of historical facts and exploits of their ancestors. The *Odong* traces the genealogy of the various sub-tribes. The *Doying* narrates the stories and histories of the clan feuds as well as other events and many forms of dance-drama (*Besung Nayi, Nunu Pipi, Padam Nyanyi, Boying Nero, Pasi Kongki)* narrate the social behaviour of their ancient past (Borang, 2008). The oral tradition of recording history and historical events is passed down through generation. Though the tradition of Adi oral history is variedly rich but it is only recently that attempts are being made to systematically codify much of this oral tradition. Hence, much of the historical narratives of the Adis have come from the lens of outsiders and was subject to the kind of associations they had with these frontier tribes.

The Adis were earlier known as Abors which had two connotations. In a broad sense it meant unruly or savage and denoted all the hill tribes around the Assam valley. In a narrower sense, it was used to refer to the hill tribes inhabiting the region between the Dibang and Subansiri rivers. But later on it was used to denote only the Adis (Roy, 1960). Post Independence the derogatory name 'Abor' was changed to Adi at their insistence. The portrayal of Adis in early European writings has been contradictory depending upon the nature of subjective perceptions that the writers had. Writers such as Hamilton (1912:18-19), writing on the Abor expedition from a colonial viewpoint portray them as *"cocks of the Assam border…very independent and quarrelsome…have come to regard themselves as the rulers of this far-distant corner of India…they speak with the deliberation of a typical savage people, their manner and customs no less reveal their primitive state"*. Others have tried to provide a better picture as Father Krick chooses to describe them as *"very active, jolly, a lover of*

freedom and independence, generous, noble-hearted, plain-spoken, more honest than the average Oriental" (cited in Roy, 1960:36).

Dunbar tries to provide a balanced view by depicting them as being *"full of curiosity and avariciously inclined to set an inordinate value on his services to strangers visiting his country, he possesses a certain dignity, is hospitable, cheery and honest...he is not treacherous .....but in his character cunning takes the place of bravery, and he does not, most emphatically, court war like a mistress"*(cited in Roy, 1960: 37). Verrier Elwin (1957:17-18) writing much later succinctly states that *"the Abors have always been a proud, independent people, resentful of interference a d suspicious of strangers. They were the last to take part in the markets of Sadiya; they kidnapped gold-washers on the tributaries of the Brahmaputra; they made many raids and put up a strong resistance to the punitive expeditions that were sent against them"*. The amount of mixed press that the Adis received nevertheless reveal the mystery surrounding them as well as the dominant position they held amongst the other tribes of the region.

3.4.2 Damming the Siang- The Lower Siang Hydro Electric Project

The river Siang (Dihang), one of the major tributaries of the Brahmaputra, originates at Mansarovar near Mount Kailash in Tibet from three major headstreams identified as Kubi, Angsi and Chemayungdung. In Tibet (China) it is known as the Tsangpo or Yarlung Tsangpo and traverses nearly 2,057 km before entering Arunachal Pradesh near Gelling village in Upper Siang district. It flows for another 283km in Arunachal Pradesh before it forms the Brahmaputra in the plains of Assam. The total catchment of the river in Arunachal Pradesh before it joins the rivers Lohit and Dibang is 14965.30sq km and its basin is bounded by the Eastern Himalayas in the north, Subansiri River basin in the west and Dibang River basin in the east. It flows through the Upper Siang, East Siang and West Siang districts of Arunachal Pradesh where it is joined by many tributaries to form the Siang River basin. The major tributaries of the Siang include the rivers Siyom, Yamne, Simang, Sigong, Ringong and Yang Sang Chhu. The Siang basin is one of the top biodiversity hotspots in the world with D'Ering Memorial Wildlife Sanctuary, Yorde Rabe Supse Wildlife Santuary, Mouling National Park and the Dibang Dihang Biosphere Reserve covering parts of the three districts of the Siang basin.

The Siang River basin with its numerous perennial glacier fed rivers is estimated to have the highest potential to generate hydropower in Arunachal Pradesh. Its potential estimated at 18,293 MW is proposed to be harnessed through a series of 44 dams (see Annexure III) with power generating capacity ranging from 4MW to 6000MW. The initial plans to build dams across the Siang River basin was conceived during the late seventies as a permanent and long term solution to the annual flooding problems in the plains of Assam. A high level committee of Rashtriya Barh Ayog (RBA) and Regional Task Force for Flood Management had recommended the construction of storage reservoirs in the upper reaches of the river to prevent the annual floods as well as generate electricity. Accordingly, the Brahmaputra Board was constituted on December 1981 and tasked with the survey and investigation work and preparation of the Master Plan for flood control, irrigation, hydropower, navigation and other beneficial purposes.

The Brahmaputra Board submitted the Detailed Project Report on May 1983 and proposed the construction of a 2000MW multipurpose dam on the river Siang, near Rotung village about 54 km upstream of Pasighat. The proposal was rejected by the Government of Arunachal Pradesh since it would submerge huge tracts of land and displace many indigenous populations. In 1998, another set of survey and investigations were carried out by the Central Water Commission (CWC), Geological Survey of India (GSI) and the Brahmaputra Board and mooted the plan to build a cascade of three dams (Table 3.5) to minimize the extent of submergence.

Table 3.5: Feasibility Report for Cascade Development of Dams

Sl. No.	Name	Location	Dam Height (Metres)	Installed Capacity (MW)
1	Siang Upper	Pugging	257	11000
2	Siang Middle	Mega	154	700
3	Siang Lower	Rottung	65	1700
Total				13400

Source: CISMHE. (2011). *Environmental Impact Assessment of Lower Siang H.E. Project, Arunachal Pradesh- Volume – 1*. Prepared for Jaypee Arunachal Power Limited by Centre for Inter-Disciplinary Studies of Mountain and Hill Environment, Delhi: University of Delhi.

These proposals were entrusted to the NHPC for conducting further Survey and Investigation and the preparation of Detailed Project Reports. NHPC identified several other sites for the development of hydro-power projects including the Lower Siang Hydro Electric Project. The LSHEP was proposed as a run-of-the-river hydroelectric project with an estimated potential of 2700MW. The project site identified by the Brahmaputra Board was shifted further 16 km downstream between Bodak and Pongging villages, about 1.5km downstream of the confluence of the rivers Siang and Yamne.

The Government of Arunachal Pradesh in a bid to expedite the execution of these projects invited private firms to develop these projects and the LSHEP was allocated to M/s Jaiprakash Associates Limited in 22[nd]February 2006 on a BOOT[9] (Build Own Operate Transfer) basis for forty years after its commissioning. Jaiprakash Associates Limited is a part of the Rs 20,000 crores Jaypee Group which at present has three operative hydropower plants[10] and two operative thermal power plants[11] and is one of the leading private entities in the hydro power business. The LSHEP will be developed by Jaypee Arunachal Power Limited (JAPL), a fully owned subsidiary of the Jaypee Group in which the Government of Arunachal Pradesh holds 11 percent equity shares. Apart from the equity holding in JAPL, the company is required to provide 12 percent free electricity for the first ten years and 15 percent free electricity thereafter to the state government.

The LSHEP is the first and the lower most in a cascade of three dams to be built on the main Siang River, the other two being 6000MW Upper Siang Stage I and 3750 MW Upper Siang Stage II hydro electric projects. The three dams are proposed to be built on a cascade without any free flowing stretch of river between them and would convert 208.5 km of the Siang River into an artificial reservoir as represented by the L-section diagram given below (Fig 3.1). The 6000MW Upper Siang Stage I and

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[9] The EIA report prepared by CISMHE mentions the LSHEP to be developed on a BOOT basis but other documents and reports of the company classifies it as a BOO (Build Own Operate) project. For example refer to the website of Jaypee Group at http://www.jalindia.com/hydropower.html or its Preliminary Placement Document dated January 31, 2013.

[10] 300MW Jaypee Baspa-II Hydro Power Plant in Himachal Pradesh, 400 MW Jaypee Vishnuprayag Hydro Power Plant in Uttarakhand and 1091 MW Jaypee Kharcham Wangtoo Hydro Power Plant in Himachal Pradesh.

[11] 500MW – Phase I (of 1200MW) Jaypee Bina Thermal Power Plant and 1320MW Jaypee Nigrie Super Thermal Power Plant in Madhya Pradesh.

3750MW Stage II are still in the scoping and investigation stage while the 2700MW LSHEP has been trying to conduct mandatory public hearings to receive clearances from the Ministry of Environment and Forests.

Fig 3.1: Diagram showing L-section of the Proposed Dams on the Siang River
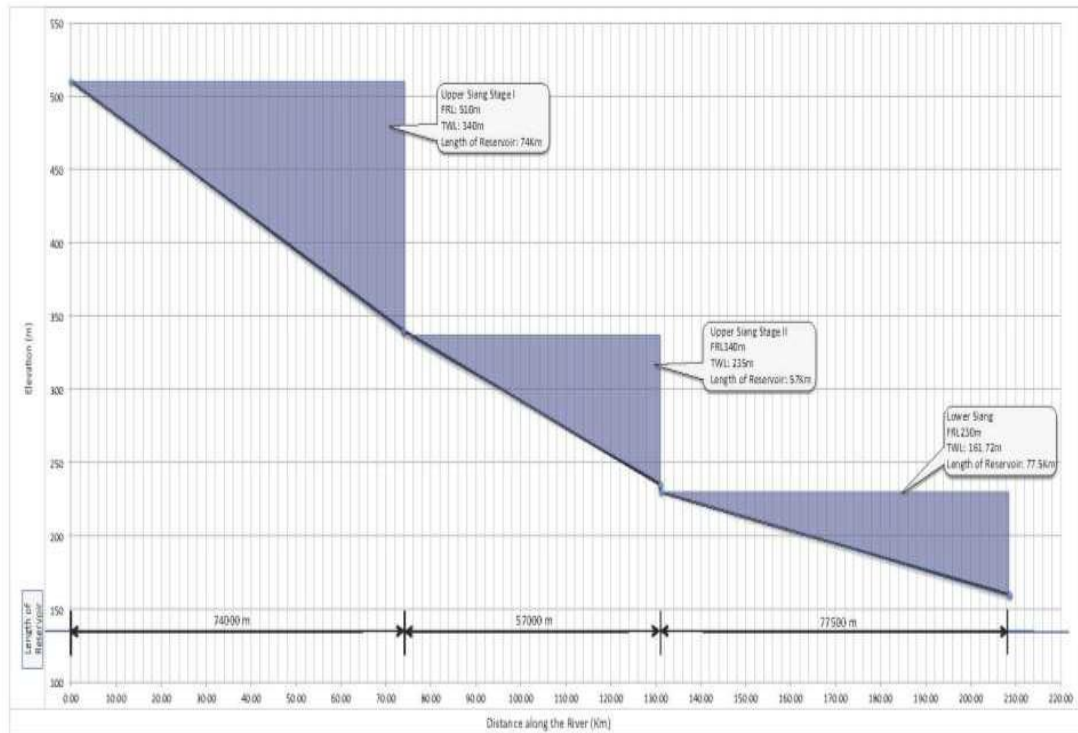
Source: Envirolink Technologies. (2013). *Cumulative Impact and Carrying Capacity Study of Siang Sub-Basin Including Downstream Impacts- Volume 1*. Prepared for Central Water Commission by R.S. Envirolink Technologies Pvt. Ltd., Gurgaon.

The LSHEP is a 2700MW hydro electric project planned on the river Siang between Pongging and Bodak villages, around 1.5 km downstream of the confluence of the rivers Siang and Yamne and 23kms from Pasighat, the headquarter of East Siang district. The project site is located at 28°09'59" N latitude and 95°14'0"E longitude and the project headquarters is proposed to be located at Pasighat. The concrete gravity dam will be 111metres high (from deepest foundation level) and 710 metres long with a Dam Toe surface Power House of 9 Francis turbines having 300MW capacity each. The Project will be developed in two stages comprising 1500MW and 1200MW each (Dey, 2010) and is estimated to cost Rs. 12,768 crores at June 2009 prices level. The LSHEP will submerge an area of 51.51 sq km at Full Reservoir

Level and the length of the reservoir created will be 77.5km along main Siang River and 28.5km along river Siyom.

3.4.3 The Conflict – An Overview

The protests against dams that has engulfed Arunachal Pradesh and its river basins has scripted a defiant and long drawn conflict for the Adis of the Siang valley. The continued opposition to the project has made it difficult for JAPL to start any construction work or even conduct public hearings. The apprehensions about damming the Siang were prevalent ever since the Brahmaputra Board floated plans to dam the river during the late 70's and 80's. Civil society groups had been vigilant amidst fears of dam breakage and concerns of submergence of villages, lands and community forests. Anti-dam activists and groups opposing the LSHEP had their origins from this period though it was only after the LSHEP was transferred to JAPL in 2006 that full blown protests erupted.

The first protest against the project was held on 10th March 2010 at the District Collector's Office in Pasighat where several organisations gathered and submitted a memorandum to the District Collector against the LSHEP. The memorandum sought a complete withdrawal of the project along with other mega projects planned on the main Siang River. The first notification for public hearings were issued on 28th April 2010 to be held at Pessing, Pangin and Jeyping villages on 30th, 31stand 1st June respectively. However, before the public hearings could be held, protests in the form of strikes and demonstrations were organised by various groups throughout Pasighat and the Siang valley.

The groups that were at the forefront of the anti-dam protests included Forum for Siang Dialogue, Siang People's Forum, Adi Students Union, Siang Bachao Federation, Mebo Area Bachao Committee, Save Arunachal Forum, Lower Siang Project Affected People Action Committee, Dam Affected Peoples' Forum among others. The first incidence of violence broke out on 26th May 2010 near Pongging village, where the anti- dam protestors and villagers from Pongging were lathi-charged by the Central Reserve Police Force (CRPF) in which two women were seriously injured and had to be hospitalized. While the scheduled public hearing was cancelled owing to the restive situation, this incident served as a precursor to the events that lay in store for the anti-dam protestors, JAPL and the state government.

Successive attempts at conducting public hearings were met with similar resistance on the part of the groups opposing the LSHEP. The Terms of Reference (ToR) accorded to the project on 3rd August, 2010 had provided JAPL a validity of two years within which it had to submit the final EIA/EMP after conducting the mandatory public hearings. Thereafter, the Ministry had granted it extension of another year and the APSPCB had announced the dates of public hearings in 2010, 2011 and 2012. Since no public hearings could be held during this period, JAPL was given a final extension of one year and had to submit the final EIA/EMP reports after conducting public hearings before 2nd August, 2014. However, even after repeated attempts, the public hearings could not be held and JAPL had to approach the Supreme Court to keep its stake in the LSHEP alive.

In a bid to create goodwill, JAPL developed an Industrial Training Institute at Rottung apart from doling out monetary benefits and engaging local Adi people as (unofficial) Public Relations Officer. The state government tried to dissuade protests by increased deployment of police and paramilitary forces. Tactics of fear and intimidation were employed against the anti-dam activists and cases were filed against them under various sections of the Indian Penal Code. The anti-dam groups on the other hand, intensified their stir by organizing awareness campaigns and mass demonstrations, submissions of pleas and memorandums, stymie public hearings and staging road blocks and strikes. Regional and national environmental groups joined in and provided the necessary expertise in scrutinizing the draft EIA/EMP reports and publicizing the lacunae and findings.

To compound the problems for the project proponent and the state government, the Apex body of the Adis (Bogum Bokang Kebang) declared its objection to the project and prohibited anyone from attending the meetings and public hearings initiated by JAPL or others associated with it. The APSPCB continued in its efforts to conduct the public hearings amidst huge security cover but the mood against dams had already crystalized. The anti-dam groups issued diktats to the workers and employees of JAPL to stop all work and leave the Siang Valley. It also issued warnings against local contractors engaged with JAPL and threats of punishment according to customary laws to anyone accepting benefits from the company. Another round of violence occurred on 16th April, 2012 at Jeying where a public hearing was scheduled. Police had to resort to the use of force to disperse the anti-dam protestors and prevent

damage to JAPL's personnel and property. However, the next day, JAPL's labour camp near the dam site was burnt and demolished by anti-dam elements and the workers chased away. Further public hearings were indefinitely postponed and an unsettling calm has descended over the valley ever since.

At present, a small clearing on the left bank of the river marks the spot where the camp stood and an abutment a few metres downstream designates the spot where the dam would have been built. The offices of JAPL have closed and the workers relocated to Bhutan where the company is working on the Kurichu Project. The movement against the dam, though still at a nascent stage has shown its proclivity towards violence and conflict and the present lull is symptomatic of the absence of any dam building activity. The GoAP in the meanwhile has constituted a High Powered Committee in 2014 under the chairmanship of Taji Thaggu, Secretary, Department of Power to study the feasibility of dams in the Adi belt. The report is yet to be submitted but the greatest concern for the dam proponents will be influencing the decision of the Kebangs which still holds much sway over Adi lives.

Opinions on the issue of dams are still widely divided and the structural opposition and incompatibility of goals extend beyond the binary/dyadic representations of the pro versus anti debate. The conflict represents the quotidian lives of all Adi population who lumber between the need for development and the sacrifices that need to be made in the process. It represents the familial and inter-personal relationships that define an indigenous lifestyle, the memberships and belongingness of a social life and the many individual identities and interests that abound the human sphere. Though the plans for the project have been laid in the far away plains of mainland India, its execution and concomitant effects will be affected in the valley. The conflict promises to bring about change, but only posterity will be able to judge its costs and benefits.

3.4.4 Mega Dams- The Shifting Perceptions

Rivers and their flood plains are the fundamental life line that has evolved and sustained both the human civilization and the natural world. From times immemorial, major river systems and their fertile plains have served as the foundation of many great civilizations ranging from the Egyptian to the Mesopotamian to the Indus Valley. Though rivers served as the cradle of civilization it also brought along floods

that wrought havoc upon life and livelihood. In order to prevent the devastating nature of floods, mankind's ingenuity evolved the construction of water retaining structures in the form of dams that would not only serve as a measure of preventing floods but also provide water and irrigation throughout the year.

Dams have since occupied a central place in mankind's scheme of controlling and using rivers. While the "agricultural age" necessitated the development of these water retaining structures but in the industrial age, not only water but electricity also became essential for the progress of mankind. The process of transforming potential kinetic energy of stored water into electrical energy transformed the perception of rivers and the vast amounts of water it carried. The notion of a free flowing river became obsolete and a 'dam-free-river' was perceived as a 'waste' since all its potential and utilities were draining into the sea. Dams and hydro-electric projects apart from preventing a river going into 'waste' also represented the notion of clean and sustainable energy along with maximizing benefits for the people and communities living along the projects. Dams became synonymous with economic development and raising the standards of living of entire populations. Dams came to epitomize the grandeur of Man's mastery over nature and the commoditization of rivers into projects that would generate income through "hydro-capitalism[12]".

The perceived benefits of dams and the advancement in scientific and technical expertise led to its proliferation throughout the globe. This proliferation was limited not only to their increase in numbers and geographical distribution but also in terms of their size and the reservoirs created. Large dams[13] have occupied almost every river in the world and its numbers have seen an exponential growth. Almost every habitable part of the world has a dense distribution of dams and reservoirs (Nilsson (et.al.), 2005). It has been estimated that while there were 5700 large dams during the 1950's, at present there are more than 50,000 large dams with nearly 80 percent concentrated in five countries- China, United States, India, Spain and Japan (Scudder, 2005). Amongst these China has made the greatest leap in the construction of large dams. China had only 8 large dams before the revolution of 1949 (McCully, 2001) but presently this number has swelled to approximately 22,000. China is followed by the

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[12] Term coined by Kausila Timsina (2014).

[13] Large dams is defined by the International Commission on Large Dams (ICOLD) as having a height of more than 15 metres or a storage capacity of over three million cubic metres.

United States of America with over 6000 large dams, India with over 4000 large dams and Spain and Japan with over 1000 large dams (Scudder, 2005).

The boom in building dams occurred mainly between the 1950's and 1970's (Tortajada (et.al), 2012)when there was a general consensus that dams were required to propel a nation and its people towards prosperity and economic growth. However, the optimism placed on it also had a downside. Apart from the large negative ecological and environmental effects it also produced destitution and deprivation in the form of displacement and the pauperization of riparian communities. The primary victims were essentially from the poorer class of subsistence farmers, indigenous populations and groups already discriminated or at a disadvantage. Also since the benefits provided by dams were diffused throughout the society but the negative impacts concentrated at a point (on particular communities), the downside of dams was more visible and easily identifiable (Biswas, 2012). As a result, the popular perception that large dams were vehicles of prosperity began to change and skepticism towards these mammoth structures crept in aided through the work of environmental groups, NGO's and advocacy movements.

By the 1990's, the World Bank (the biggest financier of large dams) and other regional development banks became wary of financing them owing to the protests that engulfed any large dam project. Protests and opposition to these structures became ubiquitous owing to the large scale displacement, failure of resettlement policies, environmental and ecological damages and the huge social costs that the affected people had to endure. The acrimonious relationship that had developed between the proponents of large dams and anti-dam lobby led to the establishment of a global multi-stakeholder body in the form of World Commission on Dams (WCD). The process initiated in 1997 by the World Bank and International Union for the Conservation of Nature and Natural Resources (IUCN) held its first meeting in May 1998 and was represented by both the proponents and opponents of large dams (Scudder, 2005). The WCD was mandated with primarily two agendas:

1. To review the development effectiveness of large dams and assess alternatives for water resources and energy development.

2. To develop internationally acceptable criteria, guidelines and standards for the planning, design, appraisal, construction, operation, monitoring and decommissioning of dams (Biswas, 2012: viii).

The WCD submitted its report in November 2000in which it indicted the dam industry for the callousness with which it had impinged upon rivers and the lives it supported and established a set of comprehensive guidelines for building dams. The report, titled "Dams and Development – A New Framework for Decision- Making" was lauded by anti-dam advocates along with many United Nations' bodies since for the very first time "*an innovative framework for planning water and energy projects that is intended to protect dam-affected people and the environment, and ensure that the benefits from dams are more equitably distributed*" (International Rivers, ND) was discussed and propounded. The dam proponents on the other hand accused the WCD of being *"hijacked by the anti-dam lobby (and being) highly skewed against dams by the majority of its commissioners, Secretariat staff and consultants"* (Biswas, 2012: viii).

Further the report was rejected by major dam building countries like China, India, Spain, Turkey and Brazil among others along with the ICOLD, International Hydropower Association and ICID since they believed that it was largely biased against dams and following the WCD recommendations would greatly preclude the construction of future dams (Scudder, 2005). The WCD and its report, though a watershed moment in the universe of dam building, inadvertently, laid bare the chasm that existed between the pro-dam and anti-dam elements. The rift has widened considerably since then and the opinion and perception of large dams has gone through a see saw ride. Though Dam building has receded considerably in the West and developed economies, it continues to be a prime development apparatus in developing economies like China and India amidst continued financing from World Banks and other regional banks.

3.4.5 The Lower Siang Hydro Electric Project – Issues and Concerns

It was my third visit to Pasighat and this time I wanted to visit the site of the LSHEP. During my previous visits, torrid rains had played foul with my plans since I had invariably visited during the rainy season which lasts for nearly six months. I had been advised to visit again during the winters and this was late December, 2015. My

preferred route to Pasighat has been crossing the Brahmaputra on a ferry at Bogibeel, near Dibrugarh and get shared taxis to reach Jonai, the border town between Assam and Arunachal Pradesh. From Jonai it is around 30 minutes' drive to Pasighat, which I always felt was a slow sleepy town at the heart of Arunachal Pradesh.

My friends, affiliated to the Adi Students Union, had expressed their desire to accompany me to the dam site. The road leading to the site had been recently metalled, as I was informed, and true to form the road was one of the finer roads in Arunachal. The road traversed along the River Siang below with undulating beautiful scenery unfolding at every turn. Upon reaching the confluence of the Yamne and Siang, we scanned for tell-tale signs of the dam but could find none. The low population density of the state at 17 persons per square kilometre meant that it would be very difficult to find passersby to glean for information.

The nearest village at Pongging, could be reached after crossing a bamboo suspension bridge over the Yamne accompanied by a hike of nearly one hour. We decided to hike to Pongging - a quaint beautiful village with the Siang flowing below and the terraced farms, Jhum lands and forests surrounding it. It was a typical Adi village with around 50 households and a primary school (with one teacher) that catered to the educational needs. It was sad to contemplate the future of this village since it would be the first village to be submerged once the dam started its operations. An elderly man informed us that the village and the surrounding hills had been bought from Komsing village around 200 years back by Tamut Panyang. Upon inquiry we could decipher the dam site and the labour camp that had been reclaimed by nature and all that remained was a small clearing on the left bank of the river. The people spoke openly about dams but wanted to distance themselves from their involvement in the demolition of the Jaypee camp in 2012.

Map 3.1: Area of the Field Study in Arunachal Pradesh
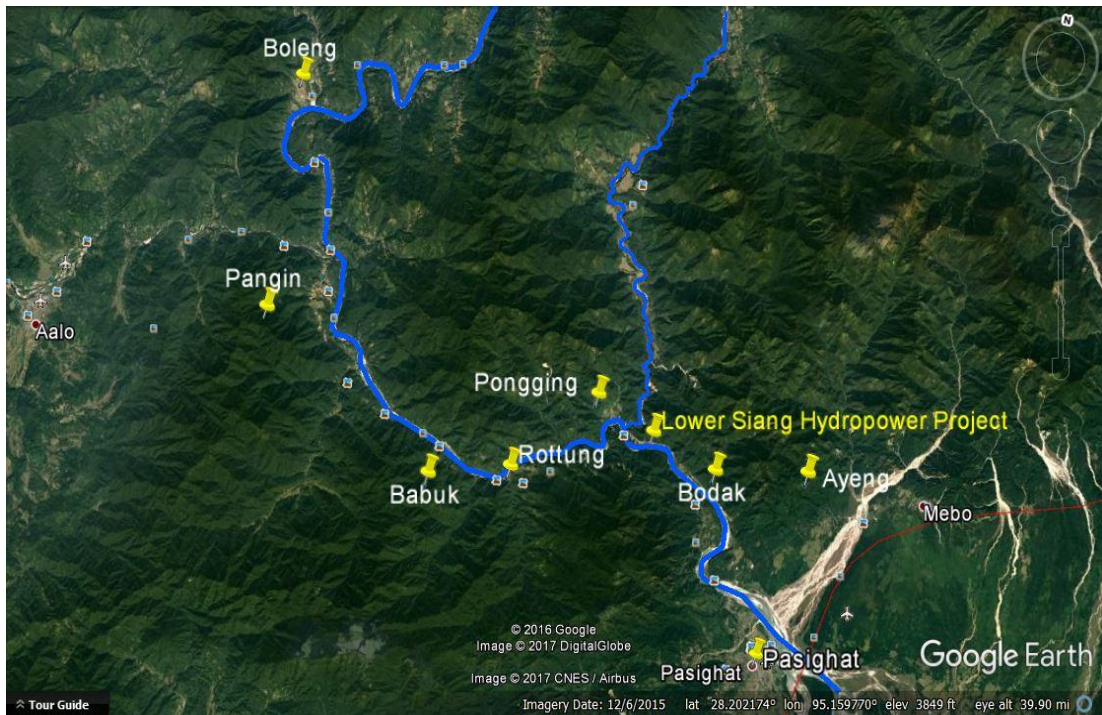
Source: Google Earth, 2015.

The perception regarding the project at Pongging reflected the larger attitudes that were present throughout the Siang valley- ambivalence and uncertainty about the project allied with the rhetoric of national interest and development. Anti-dam sentiments prevailed in abundance but pro-dam arguments also proffered and within a small population, perceptions were not homogenized and everyone held their individual opinions. Pro-dam sentiments included revenue through the generation and sale of hydro-power; employment generation; development of basic infrastructures like hospitals, educational institutions, roads and bridges; liquid cash through compensation for land, etc. The anti-dam stance desired development but not at the cost of their culture and values; displacement and resettlement would seriously jeopardize their lives; damming the Siang would be a disaster in the waiting; the ecological and environmental loss could not be replaced. Attitudes and perceptions regarding the project are depicted through the help of the table (3.6) below:

Table 3.6: Lower Siang Hydro Electric Project - Attitudes and Perceptions

Questions	Response (Total Sample n=180)			Total
Do you know about the Project	Yes: 164 (91.11%)	No: Nil	Uncertain: 16 (8.88 %)	180
Do you support the Project	Yes: 24 (13.33 %)	No: 128 (71.11 %)	Uncertain: 28 (15.55 %)	180
Will it benefit the Adi People	Yes: 27 (15.00%)	No: 125 (69.44 %)	Uncertain: 28 (15.55%)	180
Will it benefit Arunachal Pradesh	Yes: 105 (58.33 %)	No. 41 (22.77 %)	Uncertain: 34 (18.88 %)	180
Will it benefit India	Yes: 155 (86.11 %)	No: 05 (2.77 %)	Uncertain: 20 (11.11 %)	180

Source: Fieldwork 2014-2016.

Pro-Dam Arguments

The support for the project at the local level stems from the fact that the villagers have a practical approach towards the project since it will generate short term benefits. The compensation for their lands, employment in construction activities or gaining contracts for supplying labour and materials for the project means an alternative source of income from which they hope to build their lives. Though only 13 percent of the sample population supported the project compelling arguments were provided in favour of the project. The LSHEP is seen as the best means of developing the region and bringing the people out of isolation, illiteracy and under-development. Crucial local issues such as lack of access to electricity, long hours of power outages, lack of roads and infrastructure, generation of income and overall development remains pivotal in establishing support for the project.

The tapping of the vast hydro-power potential of the state has been projected as a win-win solution and the discourse of damming the Siang and other rivers of Arunachal Pradesh rests on the larger notion of dams being a benign, clean and cheap source of energy. Dams have helped nations embrace growth and prosperity and many great civilizations of the past and 'First World' nations of the present have extensively dammed their rivers. China's economic boom largely rests on its ability and technical expertise at harnessing the hydro power potential of its rivers in the southwest and transferring the electricity generated to the industrial and commercial centres located in the east (Tilt, 2015). Around 30 percent[14] of Arunachal's villages still do not have access to electricity and the state's energy deficit was pegged at around 6 Million Units[15] for the year 2013-2014. The absence of industries and significant lack of infrastructure has made the state perpetually dependent on Central Government funds and ranks amongst the lowest[16] in terms of Human Development Index (Mukherjee (et.al.), 2014). The revenues generated through the sale of hydropower bring out the possibilities of reaping huge benefits which could in turn improve their lives.

The local pro-dam sentiments by and large mirror the larger national agenda of harnessing the hydro-power potential of the rivers of the northeast. India's episode of dams and generation of hydropower started during the colonial era from Darjeeling where the Sidrabong Hydel Power Plant was commissioned in 1897 with an installed power generation capacity of 135 KW (Ray, 1998). However, the boom in dam construction started post-Independence with the initiation of the five-year plans since 1951. During Independence there were nearly 300 large dams but by the turn of the century the numbers had grown to more than 4500 (Central Water Commission, 2009). These dams have played an important role in providing irrigation, generating hydro-power, controlling floods, supplying water and enabling navigation. Dams have not only made India sufficient in food production but have contributed significantly to the process of nation building and in being recognized as an emerging economic power. Though protests over displacements, resettlement and compensation have

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[14] According to the 2011 census, out of a total of 5258 inhabited villages in Arunachal Pradesh, 1578 villages remains un-electrified.

[15] From the Lok Sabha Proceedings 'Power on Environment', Question No. 834 answered on 08.08.2013.

[16] Arunachal Pradesh was ranked 27th during 2011-12 with a Human Development Index of 0.124.

shown the underbelly of the dam industry in India, it remains a major tool for economic development.

The rationale of the pro-dam lobby both at the local and national level in identifying the rivers of Arunachal Pradesh for harnessing their hydro power potential rests primarily on three interlinked factors - immense hydro power potential with negligible human displacement, meet energy requirements for development and establishing first riparian rights vis-a-vis China. The hydro-power potential of the rivers of Arunachal Pradesh is estimated at around 50,000 MW to be harnessed through small, medium and mega dams. The sparse population of the state has made it conducive to conceive of these projects since human displacement will be negligible. This view was also endorsed by the World Bank in 2005, stating these projects to be among the most benign in the world from a social and environmental perspective (Baviskar, 2010).

These projects by virtue of being large with huge capital investments and even greater returns can offer compensation and resettlement deals that would be hard to resist. In the case of LSHEP, a majority of the sample population who supported the project belonged to the upstream submergence area. Furthermore, the older generations were more inclined in supporting the project since they believed it would bring in opportunities for the younger generation which was sorely missing during their heydays. The largesse to be received from the company against their land and forests was the primary factor that motivated them in supporting the project. The major obstacle to dam building in India has been the issue of displacement and many celebrated struggles against large dams like the Narmada Bachao Andolan have capitalized on this grave social issue.

On the other hand, hydro power development in Arunachal is seen as a win-win proposition since both revenue and essential infrastructures will be developed simultaneously. A corollary of generating hydro power in Arunachal Pradesh also transforms into huge revenues gained from the sanctioning of projects and subsequent sale of electricity. The project developers are mandated to provide at least 12 percent of the hydro-power produced free of cost to the GoAP. In many of these projects, the state government has also entered into joint venture agreements with companies engaged in developing these projects. Apart from the revenues generated through the sale of hydro-power, the state government has entered into as many as 162 Memoranda of Understanding (MoUs) allotting hydroelectric projects to public sector

and private companies between the years 2005 and 2014, with a total revenue of INR 14,428.15 million accrued in application money, processing fees and upfront premium alone (Rahman, 2014[17]).

The second factor is the acute need for electricity and the impending energy crisis surrounding India. According to the International Energy Agency (2012), nearly a quarter of its population or 289 million people still do not have access to electricity. The people with access to it have to cope with long hours of power outages and intermittent supply. Nearly 86 percent of the rural population are dependent on traditional biomass as the primary source of their fuel for cooking. The lack of a continuous and reliable supply of safe and convenient energy directly co-relates to India's poor record of human development indices. The Integrated Energy Policy Report (2006) of the Planning Commission estimates that to eradicate poverty and meet the Millennium Development Goals, India needs to maintain a consistent and inclusive economic growth rate of 8% to 10% over the next 25 years. In order to do so, India's primary energy supply will have to increase by 3 to 4 times and electricity generation capacity by 5 to 6 times of the 2003-2004 levels. By 2031-32 the power generation capacity will have to increase to around 8, 00,000 MW from the current capacity of 1, 60,000 MW. The thermal sector provides the bulk of India's energy requirements and coal is estimated to remain the most important energy source till 2031-2032.

While the reliance on thermal sector is predicted to continue, it is economically unviable in the long run due to rising oil prices, scarce oil and coal reserves and significant carbon emissions. After the thermal sector, hydro-power provides the next share of energy. In the year 2012-2013, the hydro power sector contributed to only 13 percent of the electricity generated with an installed capacity of 39600 MW and actual generation of 143000 GWh. Total unutilized hydro-power capacity remains at 79 percent with 523245 GWh still undeveloped (World Energy Council, 2015). The sectoral demand for electricity has also shifted from the residential sector in the 1990's to the industrial sector at present. The projection for demand in electricity for the industry sector is poised to grow at an ever increasing rate. This means that while

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[17] Information obtained from Assistant Public Information Officer, Office of the Chief Engineer (Monitoring), Department of Hydropower Development, Itanagar, Government of Arunachal Pradesh, through Right to Information Act application, by a civil society activist group in Arunachal Pradesh.

India's economy is growing it also needs to augment its energy capability to maintain current GDP rates. However, to increase its energy capability, it cannot afford to rely on importing fossil fuels or burning coal due to the growing pressures from international communities to limit the emission of greenhouse gases (Noronha and Sudarshan, 2009). Hydro-power is the next viable alternative to the looming energy crisis. Also, since all of India's major rivers have been 'dammed', the only free flowing rivers are in the Northeast and in the Himalayan region.

71 percent of the sample population opposed to the project along with 28 percent uncertain about their stand acquiesced that electricity was required for both regional and national development. Though alternatives to the LSHEP were suggested by people opposing the dam, even the staunchest anti-dam activists agreed about the crucial need for energy. An overwhelming 86 percent of the sample population perceived the project to be beneficial for India, with 58 percent and 27 percent stating it would benefit Arunachal Pradesh and the Adi people respectively. Benefits for the state would materialise in the form of revenue generated through sale of hydropower and development of allied infrastructure. The Adi people on the other hand would be benefitted through infrastructural development around the dam site, avenues of employment at the project, access to electricity and investing the compensation amount in businesses and other activities. The buzz word of 'development[18]' remains a strong force behind the rationale for the dam as well as in generating a support base for it. Also since development has been equated with increasing national income and rising GDP, it is imperative for India to generate adequate energy to maintain a steady GDP.

The third major factor influencing the need for damming the Siang and other rivers of Arunachal Pradesh is the notion of establishing first-user riparian rights over the rivers flowing from China. The notion of first riparian rights rests upon the principle that prior claims made upon the uses of an international river by a lower riparian country will be respected by upper riparian country. Both China and India are predicted to become the first and third largest world economies respectively by 2025 and this prediction is predicated upon the demand and supply of electricity and sufficing the need for water. Most of the rivers that flow into India originate in the

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[18] The word 'development' has a positive connotation but must also be taken with a grain a salt. It is an ideological construct (as explained in chapter 2) and should not be accepted uncritically.

Tibetan Autonomous Region of China and the Chinese government has been unwilling to compromise on its national energy and water priorities for India's sake (Reeves, 2011). India and China are not parties to any international treaties on water sharing and even the hydrological data that China shares with India is intermittent. China had agreed to share hydrological data on the rivers that flows from the headwaters in Chinese territory into India in 2002. The agreement was suddenly terminated in 2008 because the Chinese government wanted payment for the data from 2008 onwards (Rahman, 2014). An agreement was signed again in 2013 that facilitates the sharing of hydrological data but its future depends upon China's will and its national interests (Das, 2013).

The major concern for India rests upon China's plan to build a series of dams on the river Tsangpo (Siang) and the plan to divert its water to the drier regions in the country's north. A series of 28 dams are being developed on the river Tangpo (Chellaney, 2012) and one of the biggest dams (Zangmu dam) with a capacity to produce 2.5 billion kilowatt hours in a year was operationalised in 2015 (Vasudeva, 2012). China also plans to build the biggest dam ever conceptualized at the Great Bend[19] of the Tsangpo with a hydro-power generating capacity of 40,000MW (South Asia Politics, 2003; Jayaram, 2015). The magnitude and scale of damming the Tsangpo has raised concerns for India over the availability and flow of water in the river Siang after these mammoth structures are commissioned.

Apart from the frenzy of building dams, China also plans to divert the Tsangpo, Salween and the Mekong rivers through the Great South-North Water Diversion (SNWD) Project (Chellaney, 2012). The SNWD Project envisages the diversion of these rivers through a series of canals and tunnels along a 1,215 kilometre path and link it with the Yellow river to serve the water needs of China's drier northern region (Jayaram, 2015). India has cautioned China against implementing this plan and warned that any re-routing of the Tsangpo would be tantamount to declaration of water war (Reeves, 2011). Amidst these concerns, New Delhi's response has been to claim first user rights over the river Siang and tap its hydropower potential estimated

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[19] The Great Bend the place where the river takes a U-turn to enter the plains of Assam via Arunachal Pradesh, where the Chinese government wants to build a dam with an estimated hydropower generation potential of 40,000MW. Also the Siang river in India is estimated to have a hydropower potential of 34,920MW at 60 percent load factor; enough to supply 41.5 percent of all hydroelectricity generated in India.

at 34,920 MW at 60 percent load factor, which is equal to 41.5 percent of total hydropower generated in India (Reeves, 2011).

The Chinese angle may have been a crucial factor to the frenzy of damming the rivers of Arunachal Pradesh, but this angle explored at the ground level provides a different set of arguments. During the course of field work and through the response of the sample population, the only time China mattered was when the Arunachali people were equated or taunted as being loyal to China or when Beijing made claims over the territory. Racism and stereotyping the people of the Northeast as Chinese or 'Chinkis' is rampant throughout mainland India and a prime concern of the respondents lay in being identified and morally accepted as an Indian.

The concern of establishing first riparian rights over the Siang is something that does not evoke much response. Also since it is a policy issue it may not have yet materialised at the ground level but China only matters to them when they are ilked with them. Secondly, many of the interviewed viewed that the development that is being initiated in Arunachal Pradesh is a 'Chinese boon'. Its only when the topic of Beijing's assertions over Arunachal emerges or when incidents like issuing stapled visa to Arunachalee athletes arises, that developmental plans emerges for Arunachal. Hence, at the macro level where India's national interests are concerned, the policy is to claim prior rights over trans-boundary rivers but at the micro level where the Adi populace is concerned, these larger policy issues do not surface. Instead, Chinese manifestations are countered through a set of micro level concerns over identity and development.

Anti-Dam Stance

The opposition to the LSHEP is primarily articulated through the dual mechanism of environmental/ecological protection and safeguarding indigenous culture and values. Enmeshed within these two ideologies and oscillating between them are the issues of downstream impacts, demographic change, risks of earthquakes and flash floods, lack of transparency, corruption and the loss of a self-sustaining livelihood. Large dams are known to cause huge ecological losses due to submergence and altering the flow of a river. It has also been known to produce significant negative impacts and pauperization of the communities whose lives are entwined with the river. The people who are displaced by these projects have to face significant material, cultural and

psychological loss and among the few who get resettled also do not claim improved livelihoods (McCully, 2001; Scudder, 2005).

The movement is sustained through vigilant action by national and regional environmental action groups/individuals and the anti-dam groups formed by the local Adi population. Environmentalists rue the extensive permanent ecological damages sought to be wreaked by the rampant damming of the Siang River. They argue that a pro-dam bias emerging from the collusion of contractors-promoters-politicians has enabled an unsustainable and ecologically destructive model of development to supersede other alternatives to development. Consequently, the nexus has resulted in the generation of shoddy reports on environmental and social impacts of the projects, sometimes without even the basic data on water flow or biota of the region. However, even these inadequate reports present alarming consequences in damming the Siang.

According to the Environmental Impact Assessment (EIA) report of the LSHEP prepared by Centre for Inter-Disciplinary Studies of Mountain and Hill Environment (CISMHE), University of Delhi the project would have a direct impact on approximately 6360ha of land out of which 51.51ha of pristine forests, jhum lands, agricultural fields and homesteads would be submerged. The submergence would wipe out many of the economically and medicinally valuable, rare and endemic plants due to destruction of their habitat and lead to extinction of its species. It would also lead to the fragmentation and shrinkage of wildlife habitats thereby putting a huge pressure on their survival.

The dam would create an artificial reservoir 77.5 km upstream of the main Siang River, 28.5km along the Siyom River and 6.5km in the Yamne River and submerge an estimated 51.51sq km of forests and wildlife habitats. The reservoir would thus, convert a lotic ecosystem into a lentic environment which would have serious negative impacts on many endemic species of fishes and *"there is likelihood of many species being wiped out"* (CISMHE, 2011: 5). Further the proposed height of the dam at 86.0 metres (above river bed) would prevent fish migration for breeding purposes and management plans like building fish ladders or fish lift would also not be able to prevent the negative impacts on migratory fish species. The EIA report, though modest in its description of the impacts on environment and many endemic species of plants, animals and fishes, presents much ecological damages through the LSHEP.

Another report titled, The Cumulative Impact and Carrying Capacity Study of Siang Sub-Basin including Downstream Impacts prepared by R.S. Envirolink Technologies Pvt. Ltd. for the Central Water Commission under the Terms of Reference (ToR) provided by Expert Appraisal Committee (EAC) for River Valley and Hydroelectric Projects of the Ministry of Environment and Forests (MOEF), also provides graver environmental concerns in damming the Siang. The report studies the impacts of the proposed 44 hydro-electric projects on the entire Siang basin and recommends the scraping of 15 small and medium projects and keeping these stretches free from any dams in the future.

For the LSHEP, the report states that it will submerge 5151ha of forest against the figure of 51.51ha presented in the EIA report. The reservoir which extends over 108km (including the Yamne and Siyom) will lead to not only local but global extinction of animal and plant species. The impoundment will transform a lotic environment into a lentic environment and result in silt deposition and *"change the temperature and oxygen conditions making it unsuitable for existing riverine species"* (Envirolink Technologies, 2013:11.16-11.17). The project would obstruct the migration routes of fishes like mahseer and have a huge impact on their spawning and breeding patterns.

There will be significant diurnal fluctuations in the water flow downstream of the LSHEP which will adversely affect the river floodplain ecology. The average lean season flow of the Siang River in its natural state is approximately 900 cumec and the ecology of the downstream areas as well as the use of the riverine tracts by humans is adapted to this relatively uniform flow. This flow will be altered drastically once the LSHEP becomes operational as there would be 178 cumec of water flow in the river for around twenty hours when the water is being stored behind the dam and nearly 4970 cumec for four hours when water is released for power generation.

The change in water flows will severely hamper the biota of the downstream areas as the chapories (small islands that form in winter) are used by both humans and animals. While the use of these chapories by humans for agriculture and cattle grazing will be impeded, many mammals, birds, reptiles and amphibians that live on these chapories will be drowned and obliterated. These chapories also serve as the breeding grounds of highly threatened bird species like the Bengal Florican and Swamp Florican and the daily change in river flows will drown their eggs and breeding

grounds and these species will not survive in these areas. The project will also have negative impacts on the D'Ering Memorial Wild Life Sanctuary and the downstream areas will face loss of fisheries, changes in the beel (wetland) ecology, loss of agriculture in the chapories and increased flood vulnerability due to extraction of boulders from the river bed for dam construction.

Both the above cited reports state huge ecological impacts from the LSHEP and environmentalists are opposed to this project due to the impending permanent damage to the ecology of the region. Though environmental concerns are seldom heeded in India, the modes of protests against large dams have varied mechanisms depending upon the ecological milieu and social base of the people being affected by it. The movement against the Narmada Dam, one of the most celebrated anti-dam movements, saw the engagement of many national and international groups, renowned social and environmental activists along with the local indigenous population who opposed the project at many fronts. People's mass mobilisation, hunger strikes and rallies, lobbying with international actors and bodies, mass coverage by the media along with sustained resistance at the ground level enabled it to be epitomized as a social movement not only against the proposed dam but also against the model of development pursued by the state.

The protests against the Lower Subansiri dam also has a variegated character in which the downstream groups in Assam have been able to halt construction at the dam site by preventing turbines and materials from reaching the dam site. The KMSS and AASU have been able to poise themselves as a formidable challenge against the plans to harness 2000MW of hydropower from the Lower Subansiri Project and making the movement one of India's longest running anti-dam struggles. Hence, the movement against dams has relied heavily upon people's mass mobilisation, building up networks and groups and generating considerable media coverage of the issues and events associated with the conflict.

The movement against the LSHEP is grounded on issues similar to the conflicts over large dams occurring in Arunachal Pradesh. The opposition to the project at the local level (amongst the sample population) stems from the issues of demographic change, loss of land and displacement, un-participatory nature of development, downstream impacts (earthquakes and flash floods) and allied environmental concerns. A large

segment of the population (more than 70 percent) is opposed to the project and the primacy of the issues involved is represented in figure (3.2) below.

Figure 3.2: Classification of the Issues in Opposition to the LSHEP
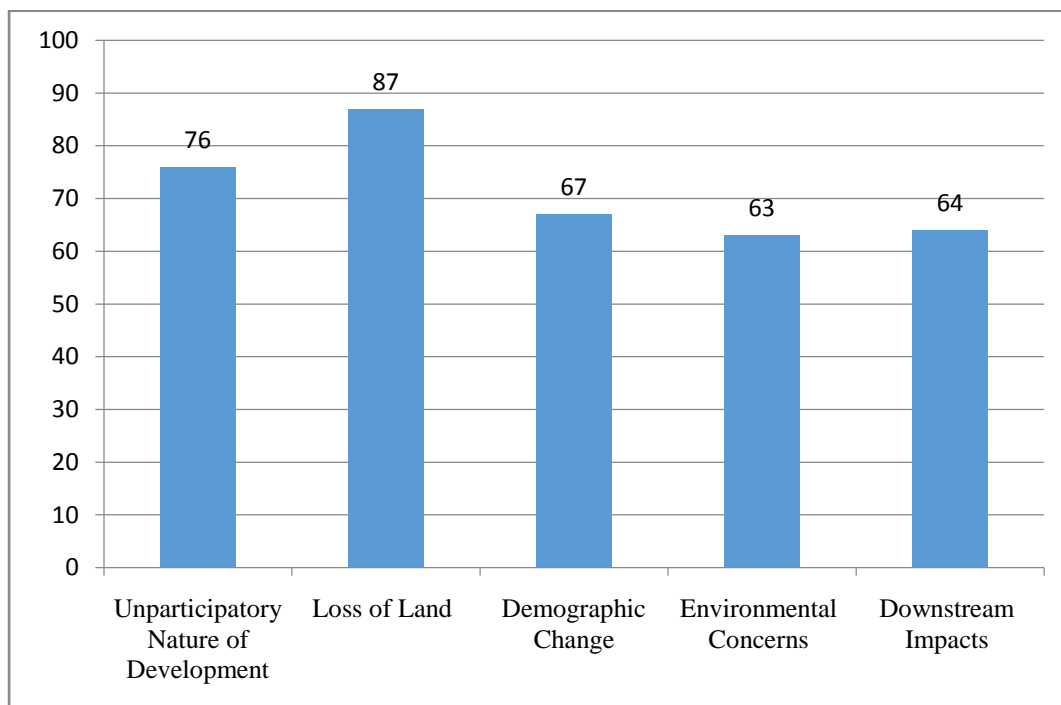
Source: Field Work 2014-2016.

The primary concern against the opposition lies in the loss of land and homestead (87 percent) to which the people have an innate and emotional bonding. The people claim that these lands are a vital link to their ancient culture and heritage and represent their close bonding with nature and environment. Apart from the emotional connect to these lands, many argued that the lands were their only material wealth and served as a social-security net at times of need. Moreover, the agricultural farms and *jhum* lands are communally owned with the entire village involved in tilling and preparing the land for cultivation. The detachment with the land would significantly alter the social bonding within the village which is a crucial ingredient of any indigenous lifestyle. The EIA report of the LSHEP estimates that 32 villages with a population of 6527 people would be displaced by the project. The compensation and resettlement of the displaced would be a very tricky affair as most of these lands are communally owned/ managed and in the absence of legal documents it will not be possible to offer a fair and judicious amount.

Furthermore, rich and influential families within the displaced population could claim ownership of large tracts of land thereby creating a potential root for intra-village conflicts in the future. Apart from the imbroglio of compensation, resettlement is also likely to be a contentious issue since most of the villages and their lands are established along clan identities. Though the entire displaced population belongs to the Adi tribe, clan identities play a pivotal role in the demarcation of boundaries between different villages. Hence, the resettlement of people from different clans into another clans' land will be a potential source of discord and inter-clan conflicts. While the number of people to be directly displaced by the project is comparatively low, the potential for future conflicts along with the deep attachment with the land makes the issue of displacement a prime issue against the opposition to the project.

Apart from the loss of land and displacement, the un-participatory nature of development (76 percent) initiated by the state and dam proponents marks another major issue for opposition to the project. An overwhelming 90 percent of the sample population had information of the project with nearly 8 percent uncertain of it. But at a deeper level, the information that the respondents had were partial and inadequate. They were unaware of the basic details of the LSHEP with regard to its scale, the time frame required for its completion or even the amount of land that they would lose. Their primary source of information had been through word of mouth or when notices were put up for public hearings. The information campaigns initiated by anti-dam activists had provided them with further details regarding the impact of the project.

Surveys in the villages likely to be displaced by the project revealed that none of the villages had been physically measured to determine the compensation levels either by the project proponents or government officials. The lack of information and a veil of secrecy over the project have got the people questioning the motives of the government amid concerns of large scale corruption. The initiation of the project without involving the local people or taking the mandate of the traditional Kebangs is viewed as undermining Adi people's natural claim over their territory. Hence, the un-participatory nature of development with inadequate efforts on the part of the government and project proponents in involving the local populace has transformed into a major issue against the project.

The third factor that sustains the opposition to the LSHEP is the issue of demographic changes (67 percent) that will be brought about in the development of such a large

project. It is estimated that the project will require a workforce of around 8000 people over an extended period of time which will exert pressure not only on the natural ecosystem of the area but also on the indigenous Adi population. The Adis are wary of being a minority at their own place due to the influx of such a large migrant population. Apart from being a minority, concerns regarding the swamping of a distinct Adi culture by an alien one, increased anthropogenic pressures, the transmission of diseases and the adoption of negative elements from the migrant population are also stressed in opposition to the dam.

Environmental concerns (63 percent) and downstream effects (64 percent) are another segment of issues that sustains the conflict. While environmental issues reflect the concerns of environmental groups and individuals in damming the Siang, the downstream effects are largely based upon the loss of fisheries, risks associated with dam breakage and the daily flooding of the river while power is being generated. Fish constitutes an essential and almost daily part of the diet of many Adi households and the impact of the dam on the downstream fish population is a general cause of worry for many interviewed. Also since the river would be dry for most part of the day and would be flooded for power generation, it hampers the use of the river by communities dependent on it for their basic and material needs. The fears of dam breakage due to earthquakes and flash floods also constitute an important segment of the downstream concerns. The region suffered its worst flash floods in the year 2000 and 2004 due to dam breaches in China causing extensive loss of life and property (Deccan Herald, 2004; Weiluo, 2006).

The project site is prone to earthquakes and lies in seismic zone V as per the seismic zoning map of India. Around 1044 earthquakes have occurred in the region ranging from magnitudes of five to eight till the year 2006 (CISMHE, 2011).This has made the concerns regarding dam breakage due to major earthquakes very relevant for most of the respondents. In addition, the dam proponent has been absolved from any liabilities arising from earthquakes and other 'acts of God' in the Memorandum of Agreement signed with the state. Apart from the risks of dam breakage due to earthquakes, large dams are known to cause reservoir-triggered seismicity (RTS) where there is an active fault line or faults with high tectonic stresses (ICOLD, 2010). The region has active fault lines due to the *"Indian plate diving beneath the Eurasian plate in the north and sub-duction below the Burmese plate in the east"* (CISMHE,

2011:14-10) and the triggering of a major earthquake in the region by the LSHEP cannot be ruled out. These fears have played an important role in mobilising support against the project.

The issues and sentiments involved in the pro and anti-dam positions make the conflict over the Lower Siang H.E. Project a seemingly intractable and complex one. The dam is projected as the panacea for the acute need for developing the region but the costs involved has a direct bearing on the lives of those intricately woven with the Siang. The model of development being initiated by the state could very well set into process what theorist Rob Nixon calls the *"resource law of inverse proximity"* where *"the closer people live to the resources being developed the less likely they are to benefit from that development"* (Nixon, 2010: 74).

Moreover, for the pro dam lobby including the state and central governments, the protesting groups are merely *"people in the way"*, to borrow the term from Anthony-Oliver Smith (2010), whose opposition needs to be overcome through any possible means. The present calm in the Siang valley is the lull before the storm and it is only a matter of time before full blown protests and counter-strategies are employed. However it is also important to consider that the conflict over the LSHEP is not immune to the sociological logic of protest movements in which public attention over an issue do not remain focused over a long period of time (Downs, 1972). Hence, while the dam proponents and anti-dam elements bide their time, it is necessary to explore mechanisms that can address and provide a resolution to the conflict.

CHAPTER 4

NATURAL RESOURCE CONFLICTS IN ODISHA

4.1 Introduction

The state of Odisha[1], home to myriad number of ancient temples, is situated on the eastern coast of India. It attracts a large number of tourists mainly due to the plethora of temples situated in the state. Other than being a tourist destination, it is also a mineral rich state. In fact Orissa is an early example of industrialisation in post-independence India. Its untapped natural resources made it an attractive and lucrative industrial hotspot and caught the attention of the country's policy makers. Other than being an industrial hotbed, it is also home to a large number of tribal populations.

However despite the early advent of industrialisation, Odisha has witnessed a sluggish pace of development with large scale poverty, unemployment and poor health standards. Its record of combating poverty is dismal and it is still one of the poorest states in the country. Historical factors and improper planning has resulted in this bleak scenario of the state. At the lowest rung of the ladder are the tribals who have had to bear the brunt of industrialisation. Industrialisation has not been *pro bono*, and the price is being paid by the tribals. Despite being a land abound in mineral wealth, the state has not been able to utilise the full potential of its riches.

Industrialisation has failed to live up to its promise of providing prosperity, rather it has led to the nascence of negative consequences such as rampant poverty and displacement with no proper rehabilitation measures. Although some parts of the state have reaped the benefits of industrialisation, large areas especially in the northern and southern regions remain undeveloped and in a dismal condition. The worst off are the deprived sections which comprise of dalits and tribals. Further the era of globalization and liberalisation has brought in new evils which have further deteriorated the plight of the already

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[1] The previous name Orissa was changed to Odisha in 2011 but the research has used both names.

disadvantaged communities. Conflicts over accessibility to natural resources and a Maoist insurgent movement exemplifies the sorry state of affairs in Orissa.

The moot of the conflict in Odisha revolves around the twin issues of displacement-rehabilitation and denial of rights. Dearth of accessibility to forests, land and water resources due to mining and extractive industries and large hydro-power and irrigation projects has emerged as the bone of contention between the displaced- disadvantaged communities and the state. Often the local population has been made the dupe in the name of the larger interest of the nation. This parochial attitude towards the indigenous population is often echoed by local as well as national leaders. Failure to implement developmental policies, poor rehabilitation measures, failure to understand the plight of the locals and patronising attitude towards the deprived sections has given birth to voices of dissent and ushered in a milieu of protest and conflicts.

4.2 Odisha- A Profile and its Natural Resource Base

The state of Odisha, situated in the eastern coast of India, is surrounded by West Bengal to the northeast, Jharkhand to the north, Chattisgarh to the west and north-west, Telengana to the south-west and Andhra Pradesh to the south. It extends from 17°49' and 22°34' N latitude to 81°29' and 87°29' E longitude. It covers approximately 4.7 % of the total area of the country with an area of 1, 55,707 sq. kilometres and has a coastline of 480 kilometres. Its population according to the 2011 census is 41,947,358 out of which 21,201,678 and 20,745,680 are the male and female population respectively.

Odisha has more than 11.4 percent of the total tribal population in the country with about 62 communities and as many as 22 different tribal dialects. Around 44.7 percent of the total land of Odisha has been declared as a scheduled area under the Fifth Schedule of the Constitution. Primarily the districts of Sundergarh, Mayurbhanj, Koraput and Rayagada comprise the scheduled areas with Kondhs, Saoras, Bhuiya, Gond, Ho, Santhal, Oraon and the Mundas comprising the tribal populations. Among them, the tribal communities of Dongria Kondhs, Kutia Kondhs, Lanjia Saora, Juangand Bhuiya are included in the Most Vulnerable Tribal Group categories (Pathy, 2003).

The state is divided into 30 administrative districts consisting of 114 Tehsils, 314 blocks, 57 sub-divisions, 3 revenue divisions, 50,854 villages and 124 towns. The area under

cultivation is around 40% and the state can be divided into 12 industrially active zones[2] where 2461 large, medium and small sized industries operate[3] (Mohanty, 1992). The state's climate is tropical with uneven distribution of rainfall resulting in constant droughts and floods. It is one of the mineral rich states of India and accounts for 17.99 percent of the total mineral resources in the country.

It is endowed with rich forest resources along with mineral deposits of coal, iron ore, chromate ore, manganese ore, bauxite, dolomite and limestone. The forest cover in the state constitutes 31.38 percent of the total geographical area. The rich mineral deposits has attracted much industrial investments in the state with most of the industrial growth taking place in areas where raw materials, water and power are available.

Table 4.1: Forest Resource in Orissa

Sl. No.	Legal Classification of Forests	Forest Cover with Green Wash (sq.km)	Forest Cover Outside Green Wash (sq.km)	Total
1	Very Dense Forest	6,780	262	7042
2	Moderately Dense Forest	19,646	1,652	21,298
3	Open Forest	17,555	4,452	22,007
Total		**43,981**	**6,366**	**50347**

Source: Adapted from India State of Forest Report. (2013). Odisha. Forest Survey of India. Retrieved from http://cesorissa.org/PDF/odisha-2013.pdf on 11/04/2017.

Apart from forest resource, the state is abundant with various mineral resources which can be attributed to its favourable geological setup. It has a lion's share of the country's mineral resources and is one of the most mineralized states of India along with Madhya Pradesh and Bihar.

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[2] The industrially active areas are Rajgangpur, Ib Valley, Hirakud, Talcher-Angul, Choudwar, Balasoer, Chandikhol, Duburi, Paradeep, Khurda-Tapang, Joda-Barbil, and Rayagada.

[3] Ministry of Environment and Forests, Odisha, accessed at http://orienvis.nic.in/index1.aspx?lid=344&linked=235&langid=1&mid=1 on 16th February, 2015.

Table 4.2: Mineral Resource in Orissa

Sl. No.	Mineral Resource	Location (District)
1	Bauxite	Koraput, Raygada, Malkangiri, Kalahandi, Kandhamal, Kendujhar, Sundargada
2	Iron Ore	Kendujhar, Sundargada, Mayurbhanj, Jajpur,
3	Chromite	Jajpur, Kendujhar, Baleswar
4	Manganese	Kendujhar, Sundargada, Rayagada, Balangir
5	Copper	Debagada, Mayurbhanj
6	Lead and Zinc	Sundargada, Balangir, Baragada, Kalahandi, Debagada
7	Mineral Sand	Ganjam Coast, Puri Coast
8	Nickel Ore	Jajpur, Mayurbhanj
9	Platinum	Kendujhar, Jajpur, Baleswar, Dhenkanal
10	Tin Ore	Malkangiri
11	Asbestos	Malkangiri
12	Coal	Anugul-Dhenkanal, Sambalpur-Jharsaguda
13	Limestone	Sundargada, Koraput, Malkangiri, Nuapada, Balangir, Baragada
14	Dolomite	Sundargada, Baragada,
15	Graphite	Anugul, Baragada, Balangir, Kalahandi, Kandhamal, Nuapada, Rayagada, Nayagada
16	Gold	Mayurbhanj, Kendujhar, Sundargada, Koraput, Anugul
17	Diamond	Nuapada

Source: Directorate of Geology (Economic Survey). (2011). *Odisha Reference Manual*. Government of Orissa. Retrieved from http://odisha.gov.in/e-magazine/orissaannual reference/ORA-2011/pdf/27-28.pdf on 11/04/2017.

Notwithstanding, the state's early venture into industrialisation and the presence of many industrial units, it has remained one of the poorest states in India. It lags behind in many

indicators of social and economic development including health, infant mortality rates, literacy, and poverty among others and ranked among the lowest as per the National Human Development Report of 2001. It also holds the dubious distinction of having the worst track record in fighting poverty amongst other states of India and was the poorest state in 1999-2000 (de Haan and Dubey, 2005).

Odisha's poverty rather than being a liner and homogenous process has been more accentuated by historical forces. The coastal regions have fared comparatively better than the poverty stricken northern and southern parts of Odisha. While the Scheduled Tribes (ST's) and Scheduled Castes (SC's) are the poorest of the poor, the ST's and SC's of the northern and southern regions also have a higher likelihood of being poor than their coastal counterparts (Panda, 2008; Mishra, 2009). This can be primarily attributed to the historical processes of economic transformation which has given shape to the present class and social hierarchies leading to exclusion and discrimination.

The northern and southern region of Odisha, home to large number of tribal groups, was ruled by feudatory chiefs as princely states or *Garjats* under the patronage of the British colonial empire. The coastal region on the other hand was under the direct control of the colonial government and was known as *Mugalbandis*. The colonial government did not interfere in the internal affairs of the *Garjats* but provided protection from external aggression and in return the feudal chiefs helped in the maintenance of the huge British army by taxing the tribals and indigenous groups (Pathy, 2003).

The British also encouraged the migration of a large number of people into the Garjats with a view to increase revenue. The rulers of these tribal dominated princely states provided incentives to outside cultivators and traders to settle in these kingdoms and subsequently changed the structure of property rights over lands, forests and water bodies. The structure of rule also changed gradually from tribal chieftains to upper castes ruling class and laid the foundations for the transfer and alienation of tribal lands and their traditional sources of livelihoods. The upper ruling class continued to control the structure of power of the *Garjats* in Independent India and recreated themselves as the elite rulers and leaders of the erstwhile princely states (Mishra, 2011).

The policy of development ushered in through industrialisation and the vision of 'dams as the temples of modern India' sought to create prosperity in these backward regions. The Hirakud multi-purpose dam in Mahanadi and the Rourkela steel plant, initiated immediately after Independence, brought in agricultural and industrial development in parts of the state but it also became a symbol of domination and marginalisation for the local people who lost their lands to these projects. Displacement of local people comprising mostly of the tribals for 'development projects' continued unabated while these projects failed to create alternative sources of livelihood for the many who were displaced. The unequal power relations at the grassroots and the intervention of the state in favour of capital marginalised the poor and the tribals and little was left for them to sustain their livelihood (Mishra, 2011).

The opening of market driven growth in the nineties through liberalisation, privatisation and globalisation (LPG) has further marginalised the deprived sections of tribal, dalits and the poor. The rate of industrialisation has risen in direct proportion to the number of displaced and marginalised leading to a state of unrest and conflicts. The presence of Maoist activities in many of its poorer districts coupled with conflicts over the use and access to natural resources epitomizes the quotidian lives for a majority of its rural and poorer populations.

4.3 Nature of Natural Resource Conflicts in Odisha

The conflicts over natural resources in Odisha has primarily occurred over the issue of displacement and the loss of rights over commons like forests and water due to mega hydro-power and irrigation projects, extractive industries, and other developmental projects. The issue of displacement and rehabilitation has remained the most contentious issue with the state involved in large-scale mega projects since Independence. The ominous remark made by India's first Prime Minister, Jawaharlal Nehru: *"if you have to suffer, you must suffer in the interest of the nation"* is still followed with the present Chief Minister echoing his words in televised programs, *"No one- I repeat no one – will be allowed to stand in the way of Odisha's progress."*

Nehru's belief of dams being the modern temples of progress was initiated early on by laying the foundation stone of the Hirakud Dam in 1948. The dam's main purpose was

115

outlined as meeting the irrigation needs, flood control and hydropower generation while it displaced at least 1,60,000 people with over 50 percent of them tribals (Viegas,1992). The dam also served the important purpose of supplying power to Alcan/Indal's Hirakund smelter in present day Jharkhand (Padel and Das, 2010). The nexus between the construction of dams and the opening up of mining and extractive industries was thus laid and was believed to be the path to growth and progress while the poor and hapless tribals and peasants were made to sacrifice for "the greater common good" (Roy, 1999).

The benefits accruing from these developmental projects and its adverse impacts on the local and tribal communities have formed the basis of most of the protests and conflicts. These movements occurring at different levels seek to retain access to life sustaining natural resources, the issues of displacement and rehabilitation and the loss of access to commons, socio-cultural rights and rights of indigenous communities. Invariably, much of these conflicts are seen through the prism of development, hence the people protesting these projects are labelled as anti-development, anti-national or having a Maoist agenda and have to bear the brunt of the state's brute force.

A major factor for the conflict lies in the fact that these developmental projects displace a huge number of people who are dependent on the same resources that these projects require. While industrialisation has become the *sine qua non* for displacement and pauperisation of the local and indigenous communities, it also cannot be denied that industrialisation is necessary and one of the major forces that has pushed and sustained the Indian growth trajectory. Nehru's statement of "*...India, we are bound to be industrialised, we are trying to be industrialised, we want to be industrialised, we must be industrialised*" has been pursued with all seriousness but the adversity and destitution faced by the local and indigenous populations is wallowed away as collateral damage. The benefits from these projects which was meant to trickle down to the lower rungs of the society never materialised but the process of development through industrialisation continues unabated.

Many events have played their roles in shaping up and determining the conflicts over natural resources in Odisha. While the forces of colonialism laid the foundations for the alienation of the local indigenous populations from the life sustaining natural resources,

the process came to a full circle under the post liberalisation era initiated during the nineties. The displacement of hundreds of tribals by the Hirakud dam immediately after Independence might have been considered as fait accompli and in the interest of the nation, but subsequent continuous uprooting of peoples along with their cultures and life systems have created a domino effect wherein past experiences come to play a major role in resisting these 'developmental projects'.

The nature of natural resource conflicts in Odisha is not without its set of historical misgivings and present day modalities of domination and destitution. Statistics of displacement due to development projects provides a terrifying picture but somehow the harbingers of development want these to be forgotten and hope to provide a better future. The story being repeated throughout Odisha in Kashipur, Lanjigarh, Jagatsinghpur, etc rests on this basic truth. Anti-mining, anti-dam, anti-land grabbing etc are only variations in the fundamental fight for life and livelihood and every single conflict has the same basic fears and demands which the state and the corporates chooses to ignore.

4.3.1 Anti-Dam Movements

One of the earliest protest movements against the state led model of development in Odisha was the movement against the construction of the Hirakud Dam in the 1940's.The project was mooted to prevent the devastating annual floods of the river Mahanadi and to provide for the irrigation needs of the low lying coastal districts. Other ancillary benefits like power generation, industrialization, infrastructure development, navigation, and the availability of water for domestic and industrial purposes were also highlighted but the immediate and long term repercussions were kept under wraps (Goldsmith and Hildyard, 1984).

The anti-Hirakud campaign was started by the people of Sambalpur district where the dam was to be constructed as it was expected that the dam would submerge 108 full and 141 part revenue villages of Sambalpur which were the most fertile tracts of the district along with large scale uprooting of people and destruction of community life (Baboo, 2009).Mass agitations were organized and after several demonstrations the demand culminated into the separation of the Sambalpur district from Odisha which was strongly resisted by the Congress party and other national leaders. The movement subsequently

fizzled out as it was projected as an anti-development activity led by the feudal rulers along with the backtracking of its members and the imposing image of the Congress at that time. The Hirakud dam was officially inaugurated in the year 1957 becoming the world's longest earthen dam and Asia's largest artificial lake. It also submerged 249 villages, 22144 families, 18432 houses and 112,038.59 acres of cultivate land while compensations to around 4000 families still remain unpaid (Baboo, 2009).

The displacement and discontent engendered by the Hirakud dam continued at a much larger scale at every subsequent project taken up by the government. The Salandi Irrigation Project in Keonjhar, Rengali Multipurpose Dam on the river Brahmani in Dhenkanal district, the Upper Kolab and Upper Indravati Hydroelectric projects in Koraput and Kalahandi districts, etc witnessed similar displacements and submergence of villages, fertile fields and forests (Dalua, 1993; Ota, 1998; Garada, 2015). The construction of these dams and multipurpose projects were justified on the basis of flood control, irrigation needs, generation of hydropower and subsequent industrialisation. These projects came to represent the pillars of modern India while displacing millions of its poor and marginalised.

The protests and oppositions to these projects were largely local and involved those who were likely to be displaced and dispossessed but were unsuccessful in preventing the construction of these projects. However, it brought into the fore the issues regarding rehabilitation and resettlement and adequate compensation for those displaced and dispossessed. It is worth mentioning that prior to the early 1970's Odisha did not have any resettlement policy for people displaced by dams and other industrial projects. The assistance provided to the displaced people from the government depended on the bargaining capability of the protestors often led by rich farmers. *"The policy depended on the organisational and bargaining strength of the displaced and the degree of success of their protest movements. There was no definition of a displaced person and a displaced family or standardized compensation norms for acquisition of different types of properties such as land, trees, ponds, wells, etc"* (Parida, 2000: 113).

It was only after the movement against the construction of the Rengali Multipurpose Dam in the early seventies that a formal rehabilitation policy for the oustees was formulated in

1973 (Mahapatra, 1991). The protest against the Rengali dam lasted for nearly seven years and was led through the formation of a coalition of political forces known as the "Bandha Pratikriya Samiti" which within two years of its formation, split into two factions with different objectives. The first faction was named "Bandha Nirodh Committee" and was led primarily by the landlords of the region. They continued their stance against the undesirability of the project and opposed the construction of the dam through public meetings, mass dharnas and courting arrests.

The protest movement was organised following the ideals of non-violence but the volatile national political scenario during the seventies, made the movement seek judiciary recourse rather than opt for direct confrontations. The second faction was named "Rengali Rehabilitation and Resettlement Committee" and as the name suggests worked towards getting better compensation rates and better facilities of resettlement and rehabilitation (Nath and Agarwal, 1987). The construction of the Rengali dam was completed in 1985 and submerged 263 villages while providing for flood control, irrigation and hydro-power generation (Mishra, 2002). It also laid the framework for the formulation of a formal resettlement and rehabilitation policy in Odisha.

While the earlier protest movements against dams were organised by the landlords and ruling elite class, the protests against the Upper Indravati Hydro-electric project was led by the tribals of Kalahandi and Rayagada districts. The Upper Indravati Hydro-electric Project, financed by the World Bank, was commissioned in 1978. The protests primarily revolved around the issue of adequate compensation and proper rehabilitation and resettlement of the displaced which numbered around 40,000 mostly from the Paraja and Kondh tribal communities. The first phase of displacement in 1989 led to the formation of a frontal organization to address their plight but failed to advocate for their rights as the leadership was taken over by scrupulous politicians who instead harassed and intimidated the displaced tribals.

In 1990, the "Indravati Gana Sangharsh Parishad" was formed with the support of "Ganatantrika Adhikar Suraksha Sanghatan" and pleaded for the rights of those displaced. The movement became volatile in 1991 due to the deaths of 200 tribal workers from the sudden flooding of an under-construction tunnel and led to mass protests. These

protests were dealt with an iron hand and crushed with lathi charges and mass arrests by the state administration while the demands of the tribals for just and adequate compensations remained unfulfilled (Padel and Das, 2010).

The mass displacement of tribals and dalits by the construction of multi-purpose dams has made these dams the edifice of domination and pauperization of the poor and marginalised local communities. The protests and movements by the affected people have been usually dealt with force and the plight and concerns of the poor brushed aside to make way for development and prosperity for the larger majority. The absence of proper mechanisms for adequate compensation, resettlement and rehabilitation has further marginalised the displaced and created an anti-poor/anti-people image of these developmental projects. The conflict over the construction of dams has usually been over the issues of displacement and consequent resettlement and rehabilitation (see Table 4.3 below) and the protest movements have inevitably fizzled out after a period of time.

Table 4.3: Displacement and Rehabilitation Situation in Odisha, 1951-1991

Category	Displaced	Resettled	Percentage	Backlog of settled	Backlog in Percentage
Dams	3,25,000	90,000	27.69	2,35,000	72.31
Industries	71,794	27,300	38.03	44,494	61.97
Mines	1,00,000	60,000	60.00	40,000	40.00
Misc.	50,000	15,540	31.08	34.60	68.92
Total	**5,46,794**	**1,92,840**	**35.27**	**3,53,955**	**64.73**

Source: Fernandes and Mohammed. (1997). *Development- Induced Displacement in Orissa 1951 to 1995: A Database on its Extent and Nature*. New Delhi: Indian Social Institute.

Also the rate of success of anti-dam movements in India is very low and even the most celebrated anti-dam movements like the Narmada Bachao Andolan (NBA) have had to eventually make way for the construction of these mammoth structures. The failure of these movements, while being intricately linked to the political and social milieu of the

society (Baviskar, 2003) also has to contend with the natural forces. Once a dam is built, it is only a matter of time before the water level starts rising and submerges villages and the affected people have no option but to settle for demanding better resettlement and rehabilitation. It is a (zero-sum game) win-lose situation where the dam proponents have only to build the dam and wait for the river to take its natural course while the protestors are left scurrying for higher land.

4.3.2 Movements against Mining and Industrialisation Projects

On the other hand, movements against industrialisation and mining enterprises have one less force to contend against; nature. The absence of natural forces against the protestors makes the conflict violence prone with intimidation tactics involving both coercion and force. The process utilized by the state for mining and industrialisation projects has been aptly described by Sudeep Chakravarti (2014) as a "Clear, Hold and Build" strategy wherein the land is first cleared from humans, then it is occupied with the use of police and paramilitary forces and then the construction of the industrial unit is commenced. A striking feature of the conflicts over mining and other industrial projects is the use of force in the form of police firings and the violence meted out by company hired goons. Direct confrontations between the opposing parties inevitably results in violence and bloodshed in which case there have been many instances of killings of innocent tribals, dalits and the poor.

The human factor at play creates two situations; firstly, these conflicts are more prone to violence and human rights abuses but also results in hardened resolve of the protestors, thereby making a few of them successful in thwarting the plans of the state and big corporates. Secondly, the conflict is drawn out over a considerable period of time making it intractable and what has been described as *"an unequal and unstated war being waged by the government, the companies and the police forces against the tribals and dalits, with consent being obtained through coercion and force"* (PUDR, 2005:17).

Anti-BALCO Movement: One of the first protest movements against mining in Odisha was the movement against bauxite mining in the Gandhamardhan hills by BALCO (Bharat Aluminium Company) during the 1980's. This movement marked a watershed in the history of anti-mining protests through its continued resistance and success in

preserving the ecology of the hills. The Gandhamardhan hills, a designated forest reserve, straddles the borders of Balangir district to the Southeast and Sambalpur district to the Northwest and is located in the west central part of Odisha. It is also the abode of the tribal communities of Kondhs and Binjal who consider it as a sacred grove and the source of two important perennial rivers, Sutkel and Onga. The top of the hill is estimated to have a bauxite zone that covers an area of 735 hectares. BALCO had plans to mine nearly 1500 crores rupees of bauxite from the Gandhamardhan hills and transport it to its aluminium plant, at Korba in Madhya Pradesh (Gallo, 2007). The foundation stone was laid by the then Chief Minister of Odisha on May 1983 and infrastructure development for mining bauxite was started.

The protests were carried out over the issues of livelihood, subsistence and religious significance by an alliance of tribal and dalit communities along with Hindu and other activists. The Gandhamardhan Suraksha Yuva Parishad (GSYP) formed in 1985, started by creating awareness about the ill-effects and ecological destruction by bauxite mining through songs, prayers and dharnas (Pegu, 2011). The protests retained its non-violent character throughout the course of the movement while certain incidents helped it in gaining the mass support that played a crucial role in its eventual success.

Firstly, around 6,000 trees were cut down for construction of roads and other logistics required for BALCO which made the locals apprehensive about the sustainability of the life supporting forest and rivers. Secondly, a portion of an ancient temple including the Garuda Stambha was damaged due to blasting work being carried out by BALCO workers. To add fuel to fire, the idol of Lord Nrusingnath was also stolen which the agitators blamed on BALCO. Thirdly, the catch dam which was built by BALCO at Manabhanga, and portrayed to be beneficial for the locals instead submerged about 30 acres of fertile land including the famous orchards of Madhuban, which was the primary source of livelihood for the people of five Gram Panchayats (Pegu, 2011).

These events led to the intensification of protests and strikes and blockades were held to disrupt the plying of BALCO's vehicles and the transportation of any materials. Blockades were held at all the four major entry points to the hills as well as the under-construction rail links. The government reacted by arresting the agitators and in the

course of the movement more than 1000 people were arrested but it only further intensified the protests. In the face of continued opposition, the project was abandoned for some time in 1987 owing to environmental reasons and the government finally withdrew the permission allotted to BALCO on 15th September, 1989.

Anti-Utkal Movement: The success story of Gandhamardhan however, could not be emulated at Kashipur, which has become infamous for police excesses, blatant human rights violations and unprovoked killings. The conflict has been going on for over two decades between the local adivasis/dalits and International Corporate Bodies and the state government. Utkal Alumina International Ltd (UAIL) was formed as a joint venture between Hindalco, Alcan and Norsk Hydro of Norway in 1993. TISCO joined the venture but withdrew subsequently and Norsk Hydro also withdrew in 2001 following large scale protests against the project (Menon, 2005). Hindalco and Alcan were left with 55 percent and 45 percent shares respectively until Alcan also divested its stake to Aditya Birla Group in 2007 (Business Standard, 2013). UAIL aims to mine around 200 million tonnes of bauxite from the Baphlimali hills around Kashipur in Rayagada district. The extracted bauxite would be transported through a 22km conveyor belt to its refinery at Doraguda near Kucheipadar and the aluminium exported to the rest of the world (Srikant, 2009). The operating cost per tonne of Alumina is one of the lowest in the world and the plant is expected to produce more than 8 million tons of aluminium annually (Goodland, 2007).

The land acquired for the Utkal project is 2800 acres out of which 2,153 acres is private land and the remaining is government land including 92 acres of non-forest community land and 206 acres of village forestland (Indian People's Tribunal, 2006). According to Utkal's estimates, 147 families will be affected for whom the resettlement and rehabilitation procedures are planned, but the figures of other agencies varies significantly. The PSSP sources claim that more than 20,000 will be displaced while Norwatch puts the figure at nearly 60,000 (Srikant, 2009).

The project has been opposed on the issues of involuntary displacement, destruction of livelihoods of the local communities, and adverse effects on the ecology and environment of the region. They argue that the *"state has no moral right asking them to sacrifice their*

livelihood for this type of development that would benefit only a few outsiders and companies led by the MNC's and ICH's" (Meher, 2009: 463). The protests have been organised through the efforts of organisations such as the 'Prakrutik Sampada Surakhya Parishad' (PSSP), 'Baphlimali Surakhya Samiti' (BSS) and the 'Anchalik Surakhya Samiti' (ASS) ever since the local people came to know about the project in 1996. The protests have involved a large section of the local adivasi and dalit communities and organised massive rallies, blockades along with the filing of petitions and memorandums to the government and concerned agencies. The voices of the local people which includes a large number of tribal population has been met with repressive measures from the state in *"the form of large scale arrests, disruption of public meetings by force, violent beatings to disperse gatherings, official encouragement to the employment of private goons by UAIL, midnight raids by the police, unmitigated violence on women and children, etc"* (Indian People's Tribunal, 2006: 1).

The extreme repressive measures of the state came to the fore on 16th December, 2000 when the police opened fire at unarmed local tribals at Maikanch village killing three adivasis and injuring 16. The actions of the police were condemned as "preplanned and premeditated" cold blooded murder while connecting Utkal to the shootings by Justice Tewatia and Swami Agnivesh report (Tewatia Agnivesh Report cited in Goodland, 2007). The report further concluded that "*the entire state's administrative machinery, the police in particular, appeared to have worked at the behest of the powerful aluminium consortium, rather than under the rule of the law"* (Tewatia Agnivesh Report cited in Goodland, 2007: 31).

This incident further intensified the protests along with the resolve of the local population and received much support from national and international civil society groups and support organisations. The state government on the other hand has also intensified its coercive practices through arrests, detentions, increased police presence and the blacklisting of NGO's and other organisations working amongst the tribals in Kashipur. The state became successful in repressing the voice of the marginalised in Kashipur through its repressive and coercive tactics with UAIL finally staring its operations in 2013 and plans to produce one million tonnes of aluminium in the fiscal year 2014-15 (Business Standard, 2014).

Anti-POSCO Movement: The movement at Odisha's southern coastal district of Jagatsinghpur against South Korea's Pohang Iron and Steel Company (POSCO) has been going on for nearly a decade with the fate of the project now hanging in a limbo. The Memorandum of Understanding (MoU) between the Government of Odisha and POSCO was signed on 22nd June, 2005 and was touted as the biggest Foreign Direct Investment since liberalisation of the economy in 1991. According to the MOU, POSCO was to invest US$ 12 billion (Rs. 52,000 crores) for establishing a 12 million tonnes per year steel plant with a captive port and the necessary infrastructure for the integrated steel plant and mining of iron and other related ores in Odisha (Das, 2005). The MOU required the Odisha Government to supply non-renewable minerals and fuel resources, water and land, the facility for the construction of a new port at Paradeep and various other incentives and concessions including recommendation of "Special Economic Zone (SEZ)" status to POSCO (Mukhopadhyay, 2006).

The land required for the project has been estimated at around 12,000 acres, including 4,004 acres for the steel processing plant and port at Jagatsinghpur district, 2,000 acres for the company town and related infrastructure and another 6,177 acres for the iron ore mining in Khandadhar hills (International Human Rights Clinic, 2013). The steel plant and port projects in Jagatsinghpur district will affect eight villages from the three Gram Panchayats of Dhinkia, Nuagaon, and Gada Kujanga where 4,004 acres of land will have to be acquired including 3,566 acres of forest lands and 438 acres of private land (Mahapatra, 2013).

The project ran into trouble ever since its inception with the local villagers opposing the project against the proposed displacement and destruction of the rich economy and livelihood of the region. The unique environmental features of the area, such as high water table, rich soil composition and proximity to the sea, have created a vibrant, productive and sustainable local economy where the local farmers sustain themselves throughout the course of the year. The chief mainstay of the area is the cultivation of betel leaf and cashews, shrimp farming, fishing, rice paddies and animal husbandry which has formed the background to a robust local economy (International Human Rights Clinic, 2013). The three Gram Panchayats affected by the project, is estimated to have 5,000 betel vineyards supporting 10,000 cultivators. A vineyard of 100-150 vines

produces an annual profit of about Rs. 200,000 apart from the income generated through the sale of cashews and shrimps among others (International Human Rights Clinic, 2013). The POSCO project would destroy this vibrant self-sustaining economy and push the villagers into destitution and poverty.

Many 'people's groups' were formed to voice their concerns with the POSCO Pratirodh Sangram Samiti (PPSS), Nav Nirman Samiti (NNS), Rashtriya Yuva Sangathan, United Action Committee (UAC) among others fighting tooth and nail against the proposed industrial project. The protests carried out in the Gandhian way of non-violence involves dharnas, village resolutions denying consent for diversion of forests lands, submissions to government committees, issuing press releases and demonstrations at various important places including New Delhi. They have also formed blockades around the three Gram Panchayats and refused access to representatives of POSCO or the state governments' representatives (Mahapatra, 2013).

The government on the other hand has resorted to violence and intimidation tactics along with arbitrary arrests and detentions against the anti-POSCO protestors. The state has even resorted to barricading entire villages with the help of the police and leveled fabricated criminal charges against individuals opposing the project. The villagers have been forced to live under siege with constant threats of attacks by company sponsored goons. In one such instance, four villagers were killed when the company sponsored goons attacked a village meeting with bombs. In May 2010, the police attacked fleeing villagers with rubber bullets, tear gas, metal pellets and batons and injured over 100 people at Balitutha while around 3,000 charges have been filed by the authorities against individuals opposing the project. Notwithstanding the repressive measures adopted by the state against peaceful protestors, the fate of the project now hangs in limbo with the state government unable to acquire the required land to be transferred to POSCO.

Thus, the nature of natural resource conflicts in Odisha can be argued to be conflicts over the nature of development adopted by the state. At a micro level, the conflict and protests over development projects primarily revolves around the issues of loss of livelihoods, displacement and pauperisation of the forests and agriculture dependent communities. A combination of these factors along with the negative effects of similar developmental

projects in recent time and place makes the conflicts seemingly intractable and with hardened stance adopted by both parties. Odisha has witnessed several protests and conflicts over these issues with both the state and the opponents of its developmental paradigm adopting hardened stance and attitudes. Though some of these protests have been successful in thwarting the state-led process of development and change, others have failed, some have become a protracted issue and many more are yet to materialise. Interestingly a recurrent theme in each of these protest movements has been the overt use of force by the state against its own people and for whom it envisages to bring development.

4.4 The Dongria Kondhs, Bauxite Mining in the Niyamgiri Hills and Conflict – An Analysis of the Pre and Afterlife of the Conflict

4.4.1 The Dongria Kondhs- A Profile

The Dongria Kondhs are one of the most traditional indigenous communities inhabiting the Niyamgiri hill range spread over 250 sq.km in parts of Rayagada and Kalahandi districts of Odisha (Behera, 1996). The tribe has been notified as one of the Particularly Vulnerable Tribal Groups (PVTG)[4] by the Government of India with their population estimated to be around 10,000 scattered around more than 100 villages. The Dongria Kondhs are one of the sub-groups of the Kondh Scheduled Tribes who constitute one of the largest tribal groups in Odisha with a population of 16, 27,486 according to the 2011 census. The Kondhs had acquired quite an infamous reputation due to their practice of human sacrifice during Meria festival which was later suppressed by the British (Padel, 1995).

Pattnaik and Das Pattnaik (1982) categorise the Kondhs into three broad sub-divisions of Kutia Kondhs, Dongria Kondhs and Desia Kondhs. The Kutia Kondhs inhabit the hill ranges and is the weakest section leading an isolated life of poverty and indigence. The Dongria Kondhs also inhabit the hill ranges and are comparatively less primitive and skilled in horticulture. The Desia Kondhs are comparatively the most developed and have

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[4] The Primitive Tribal Groups (PTG's) now renamed as Particularly Vulnerable Tribal Group (PVTG's) in 2006 were classified in 1973 by the Debhar Commission as communities who were thought to be less developed than other tribal communities due to their homogenous, stagnant or declining population, relative physical isolation, use of simple technology primarily for shifting cultivation and gathering forest produce and very low literacy rate.

settled in the plains and purse cultivation. The Kondh relate to the proto-australoid stock with mongoloid mixture as well (Bailey, 1964). In local Oriya, the term 'dongara' means hill and the people inhabiting these hilly terrains are known as the Dongria Kondh (Routray, 1987). The Dongria Kondhs trace their ancestry to Niyamraja, whom they consider to be their supreme being. They are distinguished from the Desia and Kutia Kondhs in terms of dressing style and love of ornaments and they usually sport long hair tied into a bun at the back of the head (Pattnaik and Das Pattnaik, 1982). The Kondhs speak Kui language and the dialect of the Dongria Kondhs is Kuvi and previously it had neither a script nor any substantial literature. The Kui language belongs to the Dravidian family of language and it resembles Telugu and Tamil in relation to grammar and in recent times substantial amount of words has been borrowed from Oriya as well (Behera, 1996).

The tribe largely depends on shifting cultivation for their sustenance along with the horticulture and gathering of seasonal fruits and roots from the forest. Myths and social norms considerably determine the kind, quality and preparation of food. The staple food of the Dongrias is simple and suited to their socio-economic conditions. It consists mainly of a type of gruel prepared from flour locally known as 'Mandiapeja' in which minor millets like *bada-dana, kangu or arka and ghantia* (Aparajita, 1994). They also consume different types of freshwater fish, crabs and various kinds of roots, tubers, mushroom, berries, honey and fruits. The Dongrias consume the meat of animals like pork, cow, monkey, fowl, goat, buffalo, pigeon, rabbit, peacock and sambar. Beef and pork are the delicacies among the tribe and buffalo meat is usually cooked during festivities or ceremonial occasions. Certain insects are also consumed during the summer months. Snakes, lizards and snails are inedible items for the Dongria Kondhs (Jena (et.al), 2002). The meals are prepared by the woman of the house with assistance from her daughters. Dongrias are particularly fond of drinking and drink frequently and liquor also occupies a special place in certain rituals as well (Das Patnaik, 1976; Routray, 1987).

The family is the primary unit in the Dongria Kondh social organisation and the father occupies the central place in the household and his authority is supreme. The family is patrilineal, patripotestal and patrilocal. Ancestral landed property is inherited from father to his sons and the *dongars* are equally distributed amongst the sons. A married woman

has no right to claim the father's property as the Dongria's are very particular about their clan affiliation and membership (Nayak, 1989). A male brings his wife to his household after marriage and the families are predominantly nuclear types. Often after marriage, the son leaves his parents' house and establishes his own household. However patrilineal extended families may also exist wherein two bothers may reside in the same household with their parents. The most commonly found family structure is the nuclear family type. Polygynous family may also exist which consists of a man with two or more wives and their children but monogamy is usually the norm (Jena (et.al), 2002)

Strict clan and village exogamy is maintained in marriage practices. Marital relations can only be maintained with clans which are considered to be affinal or *Samdhi* clans. Marriage relationships are often sought outside the village, since boys and girls of the same village are regarded as brothers and sisters, hence marital relationship between them is considered to be a taboo and incestuous (Nayak, 1989). Mainly two types of marriage exist among the Dongria Kondhs- marriage by capture and arranged marriage. Marriage by capture is quite common among the Dongria Kondhs. The capture can be spontaneous or pre planned as well. Usually the would-be bride is aware of the planned capture. Marriage by capture is often used as a last resort by the boy when all channels of arranged marriage fail. Interestingly, the capture is not done by the boy himself but by friends, parents and villagers (Aparajita, 1995).

The bride is brought to the groom's house and treated with respect. The bride's family after being aware of the capture rush to the groom's village often with the village elders. The bride's father cannot ask for a high bride price in such cases of capture. The marriage is then solemnized with the drinking of liquor. In certain cases, the groom comes to his father in law's house and serves as a suitor servant if he is unable to pay the full finalized bride price. He has to serve as a servant suitor until the time the entire amount has been cleared. He can take his bride only after payment of the full bride price. Certain marriages by capture are not settled amicably. The bride's family often resort to force and bring back their daughter or charge a very exorbitant bride price. The groom's family may resort to recapture as well in such situations. Arranged marriages are based on negotiation and the village messenger or Barika is entrusted with finding suitable matches (Aparajita, 1995).

A Dongria settlement consists of a clutter of mud houses concentrated around a territory where there is availability of water and vast tracts of land for shifting cultivation. Dongria Kondh families often live together in each village and form a ward or sahi and the size of a village varies from area to area. Sometimes an entire village can be abandoned if it is deemed unlucky or inauspicious by the Dishari who is like a shaman among the Dongria Kondh community. In such cases, entire families move to a new village. The houses are constructed in a linear fashion. Often behind the line of houses dormitories for girls are located. These are known as *Dhangidi Basa* or *Had-asi-hada* but there is no separate dormitory for boys. Unmarried young girls spend their nights in the dormitories. The Dongria Kondh houses are simple in design with compact features and the building materials for all constructions are collected from the forest. (Das Patnaik, 1984).

The Dongria Kondh clan is known as *Kuda* and combines patrilineal descent with territorial organisation which is called the *Mutha* system. The unity of a *Kuda* is symbolized by the possession of a common name and residence in a definite territory and practice clan and village exogamy. The Dongria clan (*Kuda*) is subdivided into four different sub-clans (*Punjas*) of *Mandal Punja*, *Bismajhi Punja*, *Jani Punja* and *Pujari Punja*. Each of these *Punjas* has a distinct function to perform and is hierarchical in nature. The *jani and pujari* are the senior and junior level religious functionaries while the *mandala and bismajhi* are the senior and junior level secular functionaries respectively. The *Jani* is the religious head of the village and the formal headman of the traditional village council. The *Pujari* is second to the Jani in status and an important socio-religious functionary. He assists the *Jani* in ritual performances and cooks in rituals and other ceremonial occasions. The *Mandal* is the secular and the political head and maintains the political organisation at the *mutha* level. The *Bismajhi* is the revenue collector of the village and also fixes the rate of participation at various festivals communal feasts (Nayak, 1989; Aparajita, 1994; Jena (et.al), 2002).

The Dongria's observe many festivals according to the cycle of sowing and harvesting but their most important festival is the Meria sacrifice in honour of the Earth Goddess to ensure good crops and immunity from all diseases and accidents. The Meria festival is observed during January and February for eight days by all people of a particular *Mutha*. The festival is observed once in every three years but sometimes it may also be

postponed up to a period of ten years or more until the *Mutha* members are ready to hold it (Acharya, 1985). The festival always begins on a Friday since the Dongria's believe it to be the most auspicious day of the week. The Kondhs were infamous in history due to their practice of human sacrifice during the Meria festival but nowadays humans are substituted with a buffalo and the sacrificial meat is distributed among the community members. Moreover, the sacrifice of a living being, small or big during festivals and rituals is an integral part of Dongria culture and is mark of respect to nature which gives them everything (Padel, 1995).

The Dongria's are fiercely independent by disposition and to work under anyone is a notion beyond their comprehension. Even during the lean months, they subsist on mango and jackfruit seeds rather than leave the village to work outside as wage labourers as is often a practice among other tribes. They claim themselves to be the descendants of Niyamraja and consider it below their dignity to work as wage earners (Aparajita, 1995). As in any tribal community, the women in Dongria Kondh community have an equal status although the society follows patriarchal system. Women carry out much more tasks as compared to men and participate in the household work and in cultivation in equal intensity. Taking the surplus to the market to sell is primarily done by women as they trek down with head loads of material to trade off for salt, oil and cloth. The Dongria men have little engagements in this work though it is not nil as well (Routray, 1987).

The supreme Goddess of the tribe is known as *Dharani Penu* or *Jakeri Penu*and symbolizes the Earth Goddess. She is regarded as the supreme creator of the world and is believed to reside in every Dongria village. She is symbolized by three long pieces of stone placed in an upright position along with two other stones placed horizontally over it. Sixteen pieces of stone lay scattered which is supposed to represent her sixteen disciples. The holiest place of the village where *Dharani Penu* resides is situated at the centre of the village. Along with *Dharani Penu*, another God which protects the village from harm and evil is known as *Koteyavalli Penka* and is symbolized by a big slab of stone two to three feet in height, with two wooden planks placed vertically and horizontally over it. *Koteyavalli Penka* resides at the entrance of the village and is believed to protect the village from drought, epidemics and natural calamities. Besides

the two, there are several other Gods and Goddesses and unnamed spirits who are worshipped by the Dongrias (Aparajita, 1994).

They also believe in ancestral spirits known as *Dumbas* and is represented by a small wooden post (*Hadada Munda*) near the central post of a Dongria house. The *Hadada Munda* is the most sacred object inside a house and no house is complete without it. The Dongria's believe that these ancestral spirits guard and protect a Dongria family from all unforeseen situations and take an active interest in the well-being of their future generations. The tribe also believes in magic and witchcraft and its practitioners are considered to be the embodiment of all aspects of traditional knowledge and magico-religious specialists (Das Patnaik, 1972). These specialists are integrated within a rigid hierarchical system which includes the Disari, Peju, Pejuni, Sisa, Bahuki, Gurmeni and Bajayun. The Disari is the medicine man and the astrologer of the community as well as the religious head and his assistant is known as the Sisa. The Peju and Pejuni are the male and female shamans of the community respectively. Their many functions include curing diseases, looking for lost objects, discovering the location of enemies, capturing fugitives for justice, success in love, games and other enterprise, etc. Bahuki is the Peju's assistant and Gurmeni is the Pejuni's assistant. The Bajayun is the drummer or the music specialist (Jena (et.al), 2002).

Hence, the Dongria world is encysted within their traditional cosmological beliefs and institutions. They Dongrias lead a secluded but sustainable lifestyle drawing all sustenance from Niyamgiri. The Dongrias consider the mountain sacred and thus believe it to be a sin to cut trees in Niyamgiri. Likewise, despite animal rearing is a common practice among the Dongrias, they never milk the animals as they strongly believe that taking out milk means preventing the calves from adequate milk from the mother. For them, Niyamgiri is *Niyam Raja* – lord of the laws – and they worship nature as the sole provider of life and sustenance. They consider themselves as the descendents of Niyam Raja and thus live like kings of the jungle.

4.4.2 Mining the Niyamgiri Hills

Niyamgiri is a hill range, about 250 sq. km. in area lying between 19°33' North latitude and 83°25' East longitude. It forms the northernmost hill in the cluster of hills called the

Niyamgiri and is home to the Dongria Kondhs. The Dongria Kondhs call it the Niyam Dongar and it runs in a southwest alignment with a maximum elevation of 1306 meters (Daspatnaik, 1984). The Niyamgiri hills forms a single-hill-country from socio-cultural, anthropological as well as geographic point of view. Administratively, the area comes under three districts of Kalahandi, Rayagada and Koraput. The Dongria Kondhs are one of the vulnerable tribal groups of the state and maintain an important symbiotic relation with the Niyamgiri forests. For the Dongria Kondhs the entre Niyamgiri hill belongs to *Niyam Raja Penu*or the Lord of the Laws and claim themselves to be descendants of Niyam Raja (Samantara, 2006).

The Niyamgiri hills are extremely rich and significant both culturally and ecologically. It is the source of Vamsadharariver as well as a major tributary of Nagavali river. It forms a distinct phytogeographical zone because of its elevation and highly precipitous topography. It is also one of the most pristine forests in Odisha, and is home to a number of vulnerable wildlife species including tiger, leopards, sloth bear, pangolin, palm civet, giant squirrel, mouse deer, langur and sambhar, etc. Furthermore, it also constitutes a migration corridor of elephants as well as the territory of Royal Bengal Tiger (Saxena, (et.al), 2010). Due to its ecological importance, it was declared as nature conservation / game sanctuary and was also proposed as a Wild Life Sanctuary in the working plan of Kalahandi Forest Division. The State Wildlife organization has a proposal to declare this area as South Odisha Elephant Reserve as mentioned in the vide memo no. 4643/3WL (Cons) 34/04 dated 20.08.2004 (Environment Protection Group, 2010).

Vedanta Aluminium Ltd, a subsidiary of M/S/ Sterlite Industries India Limited (SIIL), plans to exploit the Niyamgiri bauxite reserve located on top of Niyamgiri hill in Kalahandi and Rayagada districts of Odisha for commercial exploitation of bauxite. The company is going to mine bauxite deposit from Niyamgiri hills jointly with OMC as per the lease agreement signed on 7th June, 2003 (Action Aid, 2007). According to the Memorandum of Understanding SIIL would set up an Alumina Complex , which includes 1.0 MTPA Alumina refinery, 3.0 MTPA of bauxite mining and 75MW capacity power plant at Lanjigarh in the district of Kalahandi at an aggregate investment of Rs. 4000 crore (Padel and Das, 2010).

The parent company is Vedanta Resources Plc, a British metals and mining company headquartered in London and owned by Anil Agarwal. It was listed on the London Stock Exchange in December 2003 and its principal operations are based in India with mines and production centres in Australia and Zambia. Sterlite Industries India Limited is headquartered in Mumbai and has been a public listed company in India since 1998. Vedanta Resources Plc owns 59.9 percent shares of SIIL and has management control of the company. Vedanta Aluminium Limited is headquartered in Lanjigarh, Orissa. The parent company, Vedanta Resources Plc owns 70.5 percent shares and the remaining 29.5 percent share is owned by SIIL (Amnesty International, 2010).

The location of the Proposed Mine Lease (PML) site is between 19°38" and 190°48" North latitude and 83°22"and 83°25' East longitude. The mining is proposed to be undertaken on the top of the Niyamgiri hills in Kalahandi and Rayagada districts in Odisha; with the PML site between 900 to 1000 metres above mean sea level. The site will be spread over an area of 7 sq. km (Nostromo Research, 2005). As per the proposal, the PML site contains 72.897 million tonnes of bauxite and 17.9 million tonnes of overburden. The open cast extraction process would involve the removal of overburden to an average depth of 2.7 metres, and mining of bauxite ore to a depth of 13.6 metres over the proposed area. Vedanta proposes to extract 3 million tonnes per annum of bauxite from the reserves which have a projected lifespan of 23 years. The bauxite will be crushed and transported by a conveyor belt to the refinery at the foot of the hill. It is expected that the mining will lower the topographic level by some 10-15 m. To meet the power demands of the refinery project, a 75 MW captive coal-based power plant was also proposed (Amnesty International, 2010).

4.4.3 The Conflict – An Overview

The conflict between Vedanta Aluminium Ltd (and its subsidiaries) and indigenous tribes and local population of Lanjigarh and Niyamgiri has been described as a modern day 'David and Goliath' duel. The conflict that went on for over a decade between the multinational corporation and the local people and indigenous groups has marked a watershed in the history of conflict over natural resources and the corresponding environmental and indigenous movement in India. The sustained opposition to the

134

refinery and mining project against a mighty international corporation hand in glove with the state apparatus brought fruition through the rejection of the mining project by the Supreme Court ordered Palli Sabhas (Gram Sabhas) in 2013. However, the fate has been half sealed for both the multinational corporation and the local and indigenous groups opposing it. While Vedanta's refinery and related complex at Lanjigarh marks the power that corporate entities have over local communities and the environment, the incomplete conveyor belts running up the hill and the undisturbed environs of the surrounding Niyamgiri hills, stands for the resilience and belief of the local population and indigenous communities fighting for what they believe to be rightfully theirs.

The conflict represents the brazen disregard of the rules and procedures for the protection of environment and indigenous communities by a powerful multinational corporation with dubious environmental and human rights records; it unearths the fait accompli attitude of corporations hand in glove with the state apparatus; it exposes the power and ruthlessness of the corporate-state nexus in labeling popular resistance as insurrection and bulldozing of people's voices; it epitomizes the dogged determination of a very small primitive tribal group, the Dongria Kondhs, in protecting their God and belief systems and standing tall against an all-powerful corporate entity; it posits the globalised nature of protest movements played out at venues miles and oceans apart from ground zero; and finally charts the convoluted and tedious process of securing rights for communities living on the fringes of state led capitalist mode of development while being content in living with nature.

The foundation of the conflict goes back to April 1997 when the state owned Odisha Mining Corporation (OMC) transferred its rights to mine bauxite from the Niyamgiri hills to Sterlite Industries India Limited (a subsidiary of Vedanta Resources) along with the setting up of an aluminium refinery plant at Lanjigarh (Amnesty International, 2010). The project was subsequently halted within a few months due to the Samatha Judgement of July 1997 in neighbouring Andhra Pradesh. The Supreme Court in the Samatha Judgement ruled that the provisions of Fifth Schedule of the Constitution also applied to the transfer of private or government land in Scheduled Areas to non-tribals. The Judgement held that the relevant Andhra Pradesh legislation read along with Fifth Schedule of the Constitution also prohibited the transfer of land in Scheduled Areas by

135

way of a lease for mining purposes in favour of non-tribals. Furthermore, the Court stipulated that committees should be set up in other states as well where similar acts do not totally prohibit granting mining leases of the lands in scheduled areas. It also suggested that it would be beneficial for the Central government to take a take a policy decision and enact suitable laws within the scope of the court's guidelines so that a consistent scheme is implemented throughout the country in respect of tribal lands and mining (Samatha Judgement, 1997).

This judgement should have put an end to proposals to mine bauxite from the Niyamgiri hills, a Scheduled Area with Kondh indigenous groups forming a significant part of it and the related aluminium refinery scheme. However, the GoO had other plans and in July 2002, it came out with a notification stating that the Samata Judgement did not apply to Odisha as it already had sufficient procedures for the protection of indigenous rights and compulsory land acquisition was started for the Lanjigarh refinery. Also, MoU's were signed between Vedanta and OMC for a 1MTPA refinery at Lanjigarh which was to be expanded to 6MTPA and mining bauxite from the surrounding Niyamgiri Hills (Nostromo Research, 2005). The land acquisition for the refinery at Lanjigarh was held in two phases in 2002 and 2004 and118 families were fully displaced and a further 1,220 families sold their farmlands for the refinery and related infrastructures (Rights and Resources Initiative, 2012). The work on the refinery started even before the mandatory clearances from the Ministry of Environment and Forests were acquired and the plant was operationalised in 2006, amid growing discontent and protests amongst the local populace.

The aluminium refinery at Lanjigarh operated through bauxite outsourced from nearby mines while it started building conveyor belts to mine bauxite from the adjacent Niyamgiri hills. It also applied for clearances to the Ministry of Environment and Forests for six-fold expansion of its operations at the Lanjigarh refinery. Though Vedanta continued its operations with a 'business as usual' attitude and was successful in acquiring lands -through coercion and force- required for setting up the refinery and related infrastructures, the protests against the planned bauxite mining in the Niyamgiri hills grew larger day by day.

The indigenous Dongria population and the local Dalit families were being united through the support of local/regional activists, national NGO's and civil society groups, international NGO's, anti-mining organisations and environmental groups along with politicians and political parties. Apart from spontaneous protests and mass rallies at the ground level, petitions were submitted at the Supreme Court against mining the Niyamgiri hills. The Supreme Court appointed Committees (to investigate the instances of environmental and forests laws violations) came out with reports indicting Vedanta of gross irregularities and circumventing regulations. On the other hand, transnational environmental and human rights groups publicized human rights violations and imminent threat to the religion, customs and culture of the Dongria Kondhs at a global level eliciting huge support at the international level and also resulting in protests during Vedanta's annual general meetings at London.

Within the span of a decade, the movement against Vedanta took a global and colossal form unanticipated either by the state government or the multinational corporation and came to represent the 'legend of Niyamgiri'. For the actors involved in the conflict, it involved a see-saw ride with the fate of the mining venture and the Niyamgiri hills hanging in a limbo. Threats and coercion, police repression, protests and counter-rallies, defection of leaders, fatalism and dogged resistance put Niyamgiri hills and the nondescript valley of Lanjigarh into the natural resource conflict map of India and the world. The conflict went through many phases during the course of the movement until the final verdict was sealed through the Supreme Court appointed Palli Sabhas in 2013.

Though many actors played their respective roles throughout the conflict, the decisive role in charting out the course of the movement was inadvertently scripted by the Supreme Court. The petitions submitted to the Supreme Court by activists opposed to Vedanta's project paved the way for the Courts' involvement in the movement which became decisive in paving the course of the movement. The Supreme Court appointed committees were blatant in their indictment of Vedanta for the gross irregularities and the ecological importance of Niyamgiri. The Court however ruled in favour of the mining project in 2008 which was challenged by the Ministry of Environment and Forests resulting in the cancellation of the project. In 2013, the Supreme Court decided that the final say with regard to mining the Niyamgiri hills lay with the local people and a

referendum of the Palli Sabhas was sought. The project was unanimously rejected by the Palli Sabhas while the OMC again sought to change the ruling and petitioned the Court.

The analysis that follows of the Niyamgiri movement will be recounted along the events effectuated by decisions of the Supreme Court and is divided into four segments. The first segment recounts the events surrounding the conflict emerging from Vedanta's aluminium refinery at Lanjigarh. The first phase of the movement is replete with instances of violations of laws and regulations, intimidation tactics and complicity of the state apparatus in allowing Vedanta to set up the refinery. This phase describes the germination of the Niyamgiri struggle and the actors involved in the struggle against the refinery and the mining project. It analyses the events and conditions leading to the failure of the movement against the aluminium refinery and the Supreme Courts' judgement that led to Phase II of the movement.

The second segment deals with the protest movement against mining the Niyamgiri hills and the involvement of the Dongria Kondhs as the primary actors of the conflict. It traces the events that led to the Niyamgiri movement being publicized at a global level and the fallout of the continued protests over Vedanta's interests. The second phase ends with the decision of the Supreme Court in 2013 to hold referendum of the Palli Sabhas to diffuse the imbroglio created by the decision of Ministry of Environment and Forests revoking the clearance given to the company. The third segment recounts the referendum held at twelve villages in Niyamgiri and the unanimous rejection of the proposed mining project. The final section analyses the afterlife of the Niyamgiri struggle informed through field studies conducted in the region.

4.4.4 Phase I: The Pre- Niyamgiri Struggle

The genesis of the Niyamgiri struggle was initiated on 8th June 2002 when Sterlite advertised its application to acquire the land of 12 tribal villages in Lanjigarh block of Kalahandi district to build a refinery there. On 22nd June, several hundred villagers went to the Revenue Office in Bhawanipatna, where they lodged a memorandum opposing this project, filing 200 individual petitions against it. The Kalahandi Collector, Mr. Saswat Mishra, instead served notices on 26th June stating that sixty families would be displaced and 302 would have their land acquired. He personally visited these villages several times

later with the lure of cash, new house and jobs to which only four families agreed (Padel and Das, 2010). In the meantime, local activists who had cut their teeth in the Gandhamardhan and Kashipur movement started organizing the people against the proposed refinery and mining project and formed the Niyamgiri Surakhya Samiti (NSS) (Niyamgiri Protection Samiti).

By 2003, the opposition to Vedanta's Alumina plans for Lanjigarh was stepped up and several activists and organisations apart from Niyamgiri Surakhya Samiti (NSS) came forward to protest against Vedanta's refinery and mining plans. Organisations like Kalahandi Sachetan Nagrik Manch, Adhim Adhikar Suraksha Mancha, Lokshakti Abhiyan, Ekata Parishad, Green Kalahandi Movement, and Action Aid amongst others were at the forefront of opposing Vedanta's proposal but the core struggle was against setting up of the refinery at Lanjigarh in which mostly landless people from the Kutia Kondhs and the Dom community participated (Kraemer (et.al), 2013).

The protests were spontaneous and lacked a central organisation with NGO's and their activists planning their individual activities against the proposed refinery. The splintered nature of the protests and the involvement of NGO's with individual interests weakened the movement leading to the struggle against the refinery collapsing within three years. Apart from the splintered nature of protests, the intimidation tactics and physical assaults upon local activists and people aligned with the resistance by the police and company sponsored goons instilled a sense of fear leading to a fatalistic attitude amongst the local indigenous population. People who had once been vehemently opposed to selling away their lands had no other option than to accept whatever compensation Vedanta was offering them (Dash, 2008).

On 1st April, 2003, one of the prominent activists of the struggle, Lingaraj Azad, was arrested and taken to Lanjigarh police station. Villagers who went there to demand his release the next day were attacked by members of a Sterlite-funded youth club. This began close to the police station, and Mr. Azad overheard an officer giving instructions to beat people over the phone. According to the victims, their attackers had left a game of cricket and used bats and stumps to beat people. Seventeen people were seriously injured, including women and the attack continued as far as Basantpadar village in the Niyamgiri

hills. An elderly man, Maya Nayak, succumbed to his injuries after a couple of months (Padel and Das, 2010). A four-member team from the civil rights group, People's Union for Civil Liberties (PUCL) conducted a fact-finding on the incident and concluded that the Lanjigarh police had colluded in the attacks.

The foundation stone for the Lanjigarh refinery was laid on 8th June, 2003 by the Chief Minister, Naveen Patnaik but it was destroyed by agitated villagers on 10th June, 2003. This prompted swift retaliatory action on the part of the administration and many prominent leaders of the struggle were arrested and put behind bars (Patnaik, 2012). Amidst these events, Sterlite became Vedanta in December 2003when Vedanta Resources plc was registered as a British public company on the London Stock Exchange and owned a majority share of Sterlite (55.1 percent) in 2003-2004. Though the Lanjigarh project was advertised as a key growth project of Vedanta Resources plc, it was actually operated by an Indian subsidiary company named Vedanta Aluminium Ltd (VAL) (Chakravarti, 2014).

By early 2004, the lands required for the refinery had been acquired through the use of police and company sponsored goons. The villagers who had been fully displaced were shifted to a new colony, called Vedantanagar built for them between the hill and the refinery site. The displaced also served as an important captive pool of labour required for the construction of the refinery (Dash and Samal, 2008). The social milieu of Lanjigarh had also changed and conflicts between those who had accepted compensation and those who declined became frequent. The villagers unwilling to part with their land had to face severe hardships and intimidations forcing them to toe the company's line. Those who were adamant in their stand were disposed off as Sukru Majhi of Kansari village, one of the prominent leaders of NSS, was allegedly mowed down by a company vehicle on the night of 27th March, 2005 (Kohli, 2006).

In 2004, three different petitions[5]were filed at the Cuttack High Court in Odisha and India's Supreme Court. These petitions challenged the proposed mining project on the grounds that it violated India's Constitutional provisions under Schedule V, the Supreme

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[5]Interim Application 1324 & 1474, Writ petition (Civil) No. 202 of 1995, with Interim Application Nos. 2081-2082 at Writ Petition (Civil) No. 549/2007.

Court's order on the Samata case and the country's environmental and forest conservation laws (Sahu, 2008).The hearing of arguments in these cases by the Supreme Court led the Central Empowered Committee[6] (CEC) to investigate the different aspects of the case. The CEC in its interim report, submitted in September 2005 stated that Vedanta and its subsidiaries had committed many infringements of the law. According to the CEC report, the project involved the bauxite mine as well as alumina refinery, yet Sterlite applied for Environmental clearance for the refinery in March 2003, requesting the MoEF in March 2004 to delink the two projects, on the grounds that the refinery would take three years to construct, while the bauxite mine would only take a year, and the legal side of mining operations would be handled separately by the OMC.

It was one of the CEC's main conclusions that environmental clearance was "*granted on the wrong premise that no forest land is involved*" due to "*inappropriately delinking*"[7] the mining component from the refinery. It observed that "*the Alumina Refinery construction work had been started and continued in blatant violation of MoEF guidelines which forbid construction work to start on a project which will require forest land until clearance for use of this forest land has been granted*" (para 8).

The CEC concluded that "*the allegations about the improper rehabilitation and the forceful eviction [of displaced villagers] needs to be looked into carefully through an impartial and unbiased agency. The alumina refinery project should have been allowed to be constructed only after carrying in-depth study about the effect of proposed mining ....and after careful assessment of the economic gains vis-a-vis environmental considerations*". It recommended that "*the use of the forest land in an ecologically*

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[6] The CEC is an advisory body set up to advice the Court on environmental issues.

[7]The two components of the project were –
1)   To mine 3million tons of bauxite per year on 721 hectares of land (672 which is forest) in a joint venture company with OMC. OMC would have a 26 percent share and two directors and would handle legal matters. Vedanta would have a 74 percent share and four directors and *de facto* control, paying OMC the cost of mining the bauxite plus 50 percent royalty. The lease area, on top of Niyamgiri, was divided between Kalahandi and Rayagada, and the bauxite lay to an average depth of 12.4 metres below the surface.
2)   To build an alumina refinery for producing 1million tons of alumina per year on 723 hectares of land in the plains below the mountain, plus a 75MW captive coal-fired power station, and a water requirement of 30,000 cubic metres of water per day, at a total cost of Rs 4,000 crores. Over 58 hectares if this land was forest, tough the first application for clearance (in March 2003) stated there was no forest land.

sensitive area like Niyamgiri Hills should not be permitted...the lackadaisical manner and the haste with which the entire issue of forests and environmental clearance has been dealt smacks of undue favour/leniency and does not inspire confidence...it is recommended that this Hon'ble Court may consider revoking environmental clearance dated 22 September 2004 granted by the MoEF for setting up of the Alumina Refinery Plant by M/s Vedanta and directing them to stop further work on the project" (Para 31-32).

Yet the Supreme Court passed no such orders and the case was repeatedly deferred allowing Vedanta time to complete construction of its refinery on schedule. In 2006, Vedanta Aluminium completed construction of the refinery and commenced trial operations using bauxite brought from Korba in the neighbouring state of Chhattisgarh and other states and the refinery moved to full operation in 2007 (Chakravarti, 2014). Rather than implement the CEC's recommendations, the Court requested further reports from the MoEF, via the Forest Advisory Committee (FAC). One of the FAC's reports was submitted in July 2006 which delineated in scientific detail exactly why the forests on and around the Niyamgiri mining lease area are of such importance and confirmed the CEC's recommendations in not allowing bauxite mining in the Niyamgiri hills.

Ideally, this should have been the last straw in withdrawing the clearances given to Vedanta and its subsidiaries but in a bizarre twist, the Supreme Court argued that there would be no negative impacts, and that large sums offered by the company for tribal development, re-forestation and wildlife management would compensate for any detrimental effects (Patnaik, 2012). Though the judges admitted that Vedanta had been blacklisted by the Council of Ethnics of the Norway Government Pension Fund- one of the major investors in the company- in May 2007, it called upon Sterlite to create a Special Purpose Vehicle (SPV) with the Odisha government and the OMC for the purpose of mining Niyamgiri. After this SPV had been constituted, an order from the same panel of judges granted clearance conditional on MoEF approval to the mining project on 8th August 2008 (Moody, 2007).

The MoEF's environmental clearance came through on 28th April 2009 after a deeply flawed public hearing held by the Odisha State Pollution Control Board (OSPCB) at

Belamba village. The public hearing was not about mining but rather a six fold expansion of the refinery from a capacity of 1 million tons per year to a colossal 6 million, making it one of the biggest refineries in the world. Also, almost everyone present at the public hearing spoke strongly against the project yet the administration reported that the overall opinion at the meeting was favourable (Padel and Das, 2010). Ostensibly, the only public hearing on the mining issue was held in February 2003 at Lanjigarh where no Dongria Kondhs were present. Thus, the state machinery along with the judiciary subverted every rule and procedures in granting clearances to Vedanta for its refinery and mining project. It had brazenly disregarded the popular resistance and mass protests against Vedanta's refinery and mining project and the implications it had upon the environment and the indigenous communities of the region.

4.4.5 Phase II – Niyamgiri Strikes Back

The movement against Vedanta's refinery failed to produce results for the communities involved and the refinery started production since 2006. The 2008 judgement of the Supreme Court clearing the ground for the mining project and the MoEF's environmental clearance for the same now posed an eminent threat to the Dongria Kondhs and the Niyamgiri hills. The movement against the refinery had primarily failed because it lacked a coherent sustained opposition. The struggle was divided into different interest groups and the landed elites along with those in possession of land *pattas* (documents) had supported the project for compensation amounts, petty contracts and employment opportunities.

Also significant was the fact that the Dongria Kondhs from the hills had negligible presence in the struggle against the refinery. However, the 2008 Supreme Court judgement catalysed the Dongrias into forming a resistance of their own. Local activists aligned to the NSS campaigned about the threat to Niyamgiri - a redoubt of the tribe's reigning deity Niyam Raja- and the socio-religious impacts upon the tribe. The pro-company sentiments at the valley in Lanjigarh had also undergone significant transformation due to poor living conditions of the displaced families, unfulfilled promises of employment and income generation and the concomitant pollution of the rivers and the surrounding environment. The local people had witnessed a first-hand

account of the impacts of the alumina refinery and were wary of its expansion to six fold of its current capacity.

The rift that had existed between the Dongrias of the hills and the tribes and local population in the valley which had prevented a unified struggle to materialise during the struggle against the refinery slowly started to fade and a cohesive movement at the ground level was being charted to save the Niyamgiri hills. In 2009, the environmental clearance accorded to the mining project by the MoEF was challenged at the National Environment Appellate Authority [Kumati Majhi and ors. v. Ministry of Environment and Forest, Srabbu Sikka and ors. v. Ministry of Environment and Forests, R. Sreedhar v. Ministry of Environment and Forests, Prafulla Samantara v. Ministry of Environment and Forests and ors, Appeal No. 18, 18, 20 and 21 of 2009]. This was the first time that the Dongria Kondhs had directly challenged the project in the court of law.

By 2008, international public opinion, driven by increasingly influential and media-savvy watchdog organisations (Survival International, Amnesty International) operating in the space of human rights and the rights of indigenous people had been building up against the mining project (Chakravarti, 2014).Their sustained efforts at publicising the environmental and human rights violations by Vedanta and its subsidiaries at Lanjigarh and Niyamgiri produced a global interest upon the Niyamgiri movement. An international campaign under the banner of 'Foil Vedanta' organised protests at London and at places where Vedanta had its operations.

The fallout of these protests resulted in considerable scrutiny of Vedanta's business policies and activities. In 2007, the Norwegian Government pension Fund-Global decided to withdraw its investments ($13 million or about GBP 8 million) from Vedanta Resources Plc, based on recommendations by the fund's Council on Ethics. The Council had studied in intensive details-from the perspective of environmental and human rights violations- four Vedanta subsidiaries in India: Sterlite Industries, Madras Aluminium Company, Bharat Aluminium Company and Vedanta Aluminium (Council on Ethics, 2007). It came up with the following conclusion, basing much of its ire on issues related to the Lanjigarh project:

"...the allegations levelled at the company regarding environmental damage and complicity in human rights violations, including abuse and forced eviction of tribal peoples, are well founded. In the Council's view the company seems to lacking the interest and will to do anything about the severe and lasting damage that its activities inflict on people and environment....the violations against the environment and human rights that have been revealed are recurrent at all the subsidiaries subject to investigation and have taken place over many years. In the Council's view, they indicate a pattern in the company's practices where such violations are accepted and make up an established part of its business activities..." (Council on Ethics, 2007:36).

A string of adverse publicity quickly followed, hammering the Lanjigarh project. In August 2009, Vedanta suffered globally broadcast protests at the time of its annual general meeting in London, when star activists Arundhati Roy and Bianca Jagger showcased a Dongria Kondh tribal from the Niyamgiri Hills (Survival International, 2009). They bemoaned the potential loss of habitat on account of Vedanta's proposed bauxite mining on the hills. The same year also led to a series of sales of Vedanta Resources Plc stock by several blue-chip funds, all citing human rights and environmental violations at the Lanjigarh and Niyamgiri project. Martin Currie Investments dropped GBP 2.3 million and British Petroleum reduced its holdings. In 2010 the Church of England divested GBP 3.8 million of such stock followed by Joseph Rowntree Charitable Trust, which shed GBP 2.2 million of Vedanta stocks (Chakravarti, 2014)

In February 2010, a report by a three-member panel constituted by the MoEF highlighted that environment norms were being twisted for Vedanta. It also claimed that locals were pressured to not protest environmental impacts arising from an existing alumina refinery project, the nearby 'red mud pond' where it dumped waste, and Vedanta's plans to expand both the pond and the refinery, and, of course, mine bauxite in the Niyamgiri Hills (MoEF, 2010). The report was severe in its censure and lamented the fact that *"No mechanism has been set in place to monitor matters of health, employment, immiseration"* the report added, *"and collateral effects of the developments in and around the plant, including matters such as water logging, the loss of an easementary*

way- access through another's land of a facility, in this case an elementary school- and connected matters" (MoEF, 2010: 53).

The report went ballistic when it came to agreements that Vedanta entities had entered into with villagers who had lost land to the projects and were otherwise affected by it. The report basing its case upon excerpted company documents stated that *"displacement, loss of livelihood, pollution, non-payment of compensation for land and objections to the project and its effects are some of the causes for discontent and protest"*. The report added that the company had reacted to the protests in the form of *'an agreement which abjures the villagers from opposing the activities of the company"* and arrest and detention by the police and being let off on bail with an undertaking taken from the villagers saying *"I will not protest again"*(MoEF, 2010: 63). The report detailed several infringements of rights ranging from constitutionally mandated rights to free speech and expression to environmental norms and the Forest Rights Act.

On 24th August 2010, the orders of the MoEF denied Vedanta's subsidiary-through its joint venture vehicle with OMC- final clearance to mine the Niyamgiri hills for bauxite. It also put on hold the refinery expansion plans. To keep the refinery running, Vedanta sourced raw materials from neighbouring Jharkhand and Chattisgarh but even this ran into trouble; the ministry virtually banned import of ore from Jharkhand for the project, stating that most mines Vedanta had contracted with were illegal from the perspective of environmental clearance (Times of India, 2010). The orders of the MoEF had financial implications for Vedanta as according to its own figures, it had by September 2010 spent nearly $900 million on the existing refinery and over $400 million for the expansion-close to one-third of the projected cost (Vedanta Resources Plc, 2010). The backlash by the MoEF was soon followed by political support to the Niyamgiri movement. Congress heir apparent, Rahul Gandhi flew to Lanjigarh to address a rally in support of the Dongria Kondhs claiming to be one of the foot soldiers for the tribe.

At Lanjigarh, the NSS had taken centre stage as the main organisation of the Dongria Kondhs and spearheaded the movement with regional, national and international organisations playing a fiduciary role. The NSS itself went through an organisational change in 2009-2010 after one of its main protagonists and the face of the Niyamgiri

struggle defected to Vedanta's side swayed over by Vedanta's proposal for funding his higher studies at Bhubaneshwar (Kraemer (et.al.), 2013). The NSS now became a collective of five prominent Dongria leaders guided through Lohia-Socialist ideologies propagated in earnest by the late Kishen Pattnaik and Lingaraj Azad. The presence of Communist Party of India (Marxist –Leninist) New Democracy with alleged links to the Maoists enabled to suppress the activities of company sponsored goons. The Niyamgiri struggle had garnered enough attention by now to also thwart intimidation efforts by the state apparatus. Vedanta was losing ground equally at Niyamgiri and with its investors globally and it petitioned (along with the OMC) the Supreme Court challenging the MoEF's 2010 decision.

After several months in limbo, on 18th April 2013 there appeared to be some breathing room for the extractive industry in general and Vedanta in particular. That day the Supreme Court offered a window of opportunity for free, prior and informed consent by declaring that a Gram Sabha or village council decision would decide the fate of sourcing bauxite from Niyamgiri. It laid the groundwork for the first environmental referendum to be taken by the lowest form of governance in India. However, the window of opportunity was interest agnostic as it could sway either way. The referendum was being held in a region where violation of human rights and coercion of will by employing agencies of the state government was a part of the industrial policy. On the other hand, the Niyamgiri struggle represented one of the most celebrated anti-mining struggles in India and the dogged determination of the Dongria Kondhs had become the *bête noire* of Vedanta.

4.4.6 The Referendum

The process for deciding the fate of Vedanta's mining project spurred by the Supreme Court's decision of April 2013 was announced to be held from 18th July 2013. The state government announced that the referendum would be held at twelve villages around the proposed mining area in Kalahandi and Rayagada districts. Five villages (Tadijhola, Kunakadu, Palberi, Phuldumer and Ejrupa) under Kalahandi district and seven villages (Lamba, Lakhpadar, Khambesi, Jarapa, Batudi, Kesarpadi and Serkapadi) under Rayagada district were selected for the Gram Sabhas (Samadrusti and Mishra, 2015). Concerns were immediately raised by several lawyers, human rights commentators,

activists and NGO's as to whether the decision to conduct such meetings at only twelve villages inhabited by the Dongria Kondhs would be representative. The NSS claimed that residents of more than 100 villages across Kalahandi and Rayagada districts depended on the forested range for livelihood and divine intervention. Other watchdogs wondered if the state government would permit neutral meetings even while the Dongria Kondhs decided to conduct their own Palli Sabhas in villages beyond the dozen identified by the Odisha government. The NSS also undertook a massive padhyatra (rally) throughout the entire Niyamgiri hills urging people to vote against Vedanta's plan and to seek the cancellation of the proposed mining project (Bera, 2013a).

The concerns regarding the conduct of a fair and impartial referendum soon materialised as reports of police intimidation and other tactics to subvert the process emerged. The Central Reserve Police Force (CRPF) deployed in the area indulged in frequent combing operations threatening villagers from voting against the project. The police indulged in illegal arrests, physical and mental torture, and plundering of resources which were routinely reported by various activists. On 3 June 2013, CRPF forces opened fire on a group of women and children bathing in a waterfall at Batudi village in Niyamgiri. Though the bullets missed the women and children it was enough to terrify them and instigate a sense of fear and helplessness (Foil Vedanta, 2013).

Apart from the deployment of the CRPF, the state government had chosen only 12 villages out of more than 100 villages for the Palli Sabhas. Ostensibly, this was done to exclude those villages upon which the company and the state government had little control. These twelve villages had only 186 voters whereas more than 8000 Dongria Kondhs and Kutia Kondhs lived and worshipped the Niyamgiri hills (Shrivastava, 2013). One of the listed villages, Ijrupa had only four registered voters from one Gauda family and a majority of the other notified villages were primarily occupied by immigrant Yadavs and not the adivasis for whom the judgement was aimed at. The state government also tried to block the votes of the Dongria leaders by suppressing their names or registering their names at villages excluded from the referendum process. Lado Sikaka, one of the prominent leaders from Lakapadar village did not get to vote as his name was included in the voter's list of Patangpadar village (Samadrusti and Mishra, 2015).

Amidst the pressure tactics employed by the state government in cahoots with Vedanta, the first Gram Sabha was held at Serkapadi village under Rayagada district on 18th July 2013 in which the District Judge Sarat Chandra Mishra was the observer. People from villages across Niyamgiri came to witness the historic event and be a part of it. The mining project was unanimously rejected by the villagers amidst an atmosphere of uncertainty and fervour. The sense of remaining united throughout the process was exemplified at all the twelve Palli Sabhas. The Dongria Kondhs, Kutia Kondhs, Jharnia Kondhs, Gauds and the non-indigenous forest dwellers of Niyamgiri stood fast in their resolve to save Niyamgiri. Songs that captured their imagination and resolve were chanted at every venue of the referendum which succinctly expressed the eminent threat - *Oh brothers! Oh sisters!; please come and unite; be one and a mighty one; united we fight; foreign forces have come; to take our soil, our earth; and build a factory here; we all will be in deep trouble* ((Samadrusti and Mishra, 2015).

The month long process of determining the decision of the Gram Sabhas culminated at Jarpain Rayagada district on 19th August 2013. 16 out of 26 voters, including 10 women, gathered at the final Palli Sabha in Niyamgiri under heavy police presence, and in heavy rain. They repeated the statements given in previous meetings – that they opposed the mine and would not leave the mountain no matter what. The sixteen voters said they were ready to face bullets to prevent the digging of their sacred mountain.With the villagers of Jarpa rejecting the mining proposal, all twelve Palli Sabhas had unanimously rejected the mining project along with all proposals submitted in the name of Forest Rights Committee. The villagers in entirety had declared that the whole of Niyamgiri hills was their god and they would rather die than give it away for mining. The verdict as narrated by the District Judge of Kalahandi stated *"...they have only one view...no mining in Niyamgiri...they say they have rights over all of Niyamgiri...they dont' claim rights over any specific forest land...the hills, Niyam Dongar all belong to them"* (Samadrusti and Mishra, 2015).

When the Palli Sabha was over, the Dongria Konds and other forest dwellers from surrounding villages celebrated the victory of their decade old agitation against mining, and the unanimous resolution against the mine of every attending voter in twelve villages in Niyamgiri, by dancing with traditional musical instruments. The Dongria Kondhs had

succeeded in protecting the abode of their gods, the Niyamgiri hills and with it their beliefs, culture and traditions. The referendum marked an epoch in the struggle for indigenous rights and environmentalism and placed the Forest Rights Act of 2006 as a potent tool in protecting the rights of tribals and other forest dwelling communities.

With this, Vedanta's proposed timeline as stated in their 2013 annual report(which acknowledged the April 2013 Supreme Court order and the consequent decision by the GoO to conduct village council meetings to decide the fate of its project) had failed miserably in its prognosis-*"Restart of the existing plant- 13 July 2013: Approval for refinery expansion- January 2014 with project to commence from October 2014: Mining operations at Niyamgiri- Mining approval by September 2013 with production expected to commence in September 2015"* (Chakravarty, 2013:55).

4.4.7 Afterlife of the Niyamgiri Struggle – Issues and Concerns

"So happy we have won the battle for Niyamgiri...we will live with our parent Niyamgiri the way we have been living... now no threats from the company, no threats from the government, that makes us happy" (Samadrusti and Mishra, 2015). Lado Sikaka, one of the firebrand Dongria leaders expressed after the final Palli Sabha at Jarapa village bursting with uncontrolled glee and tears of joy rolling down his face. His days of turmoil and suffering interspersed with numerous instances of false cases, imprisonment and police torture had finally come to an end. He had stood his ground and in the process become one of the heroes of the Niyamgiri struggle. Now he could live his life peacefully amidst the bountiful divinity of Niyamgiri, the abode of *Niyam Raja*.

The MoEF took cognizance of the decision of the Palli Sabhas and vetoed Vedanta's mining project.Following the vote against mining in Niyamgiri, Vedanta conveniently passed the buck on to Odisha Mining Corporation, the state government company slated to supply bauxite for Vedanta's Lanjigarh refinery. At the company's annual general meeting held in London on 1st August 2013, chairperson Anil Agarwal told shareholders that it is the state government's responsibility to supply the company with bauxite. Though Anil Agarwal chose to put the onus of feeding the refinery upon the OMC, another senior Vedanta official did not mince words when he stated that the next government, under Narendra Modi would ease them out (Bera, 2013 b). This statement

has stood out to be dead-on prescient and the relief felt by Lado Sikaka and his fellow tribesmen is unpropitious in the afterlife of the Niyamgiri struggle.

At Lanjigarh, the agricultural fields, mango trees and the quaint villages with beautiful mud houses, half naked children running around chasing the hens and the dogs does not evoke much of the decade long struggle that it has witnessed. Vedanta's refinery with its red mud pool, the adjoining complex and the hoardings and boards proclaiming the company's presence also does not suggest much of the protests that the company managed to diffuse. The low rising Niyamgiri hills surrounding the Lanjigarh valley like an arc puts ambitious ideas into one's head to summit the hill from any direction, but betrays the resistance it had witnessed for over twelve years. It is only when one encounters the half-finished conveyor belts leading up to the hills that one conjures something amiss, remnants of a plan gone awry – to represent the battle between modern day David and Goliath and create the 'Legend of Niyamgiri'.

Map 4.1: Area of the Field Study in Orissa
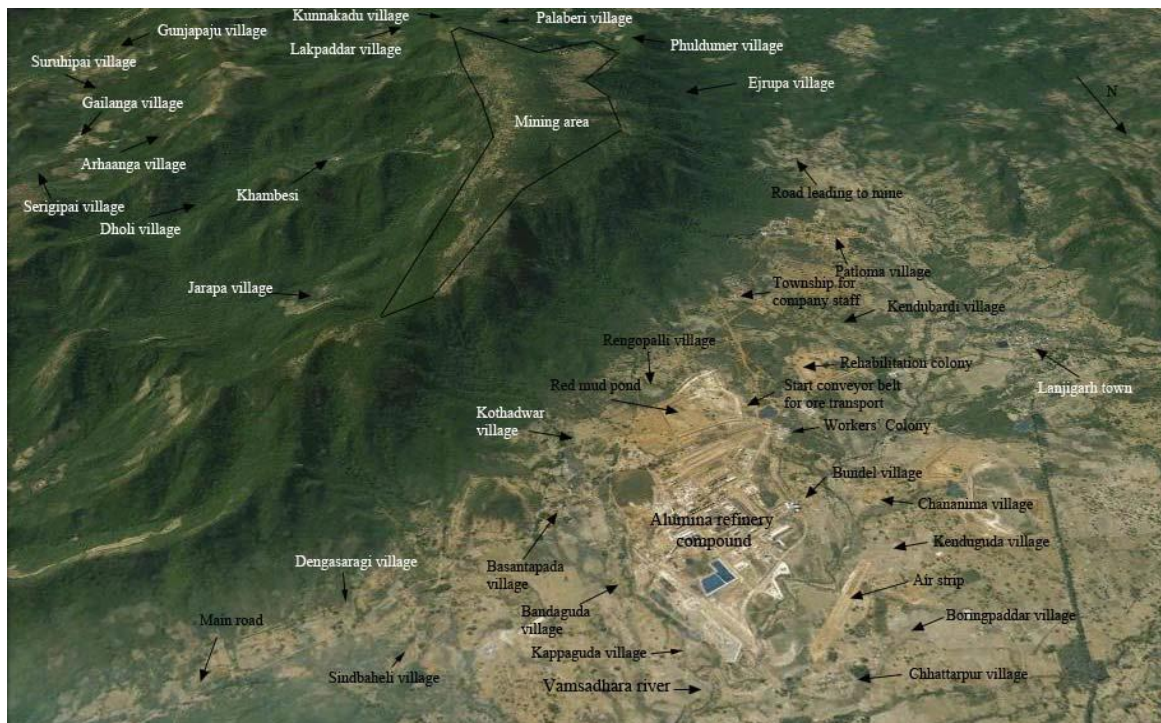
Source: Amnesty International. (2010). *Don't Mine Us Out of Existence- Bauxite Mine and Refinery Devastate Lives in India*. London: Amnesty International Publications.

Kumti Majhi, Lado Sikaka, Lingaraj Azad and Prafulla Samantara are solemn in their conversations and cautious about their next move. Prafulla Samantara, one of Odisha's leading human rights and environmental activist and a petitioner to the 2004 Supreme Court case tells me that the refinery has to be decommissioned. He is convalescing from a second stroke but his zeal to save the Niyamgiri and fight alongside the Dongrias easily masks his affliction. Lingaraj Azad, the general secretary of Samajvadi Jan Parishad and one of the brain-child behind the NSS since its inception states that as long as Vedanta's refinery is present at Lanjigarh, it is a threat to not only Niyamgiri but the surrounding *malis* (hills) as well.

Kumti Majhi, in his sixties and one of the adivasi leaders of the NSS living at Kendubardi (Jagannathpur) village in Lanjigarh remains unperturbed with the decade long struggle he and his family faced. He nonchalantly mentions his days of incarceration and torture but there is palpable grief in his eyes when he mentions how his younger son (Ganesh Majhi), who was a constable in the police, lost his job recently on account of being his son. Lado Sikaka, the president of the NSS living at Lakhpadar village in the Niyamgiri hills is his usual self, unflinchingly dauntless and fearless in his zeal to protect his God. He merrily states that Vedanta has been chased away many times from Niyamgiri and will continue to being chased. After his death his kid will do the same.

At Lanjigarh and Niyamgiri the concerns and sentiments expressed by Lado, Kumti, Azad and Samantara have been universally crystallized. Unlike the previous phases of the conflict where pro-Vedanta elements were distinctly discernible, pro-Vedanta individuals have also joined the bandwagon of resistance against the project in the afterlife of the Niyamgiri struggle. People's perceptions regarding the project both at the valley and the hills encompass a homogenous opposition to Vedanta's plans. The field study conducted amongst the sample population at Lanjigarh and Niyamgiri, represented in table (4.4) sheds further light.

Table 4.4: Vedanta Mining and Refinery Project- Attitudes and Perceptions

Questions	Response (Total Sample n=125)			Total
Do you know about the Project	Yes: 125 (100.00 %)	No: Nil	Uncertain: Nil	125
Do you support the Project	Yes: 09 (7.20%)	No: 116 (92.80%)	Uncertain: Nil	125
Will it benefit the Local Populace/ Dongria Kondhs	Yes: 09 (7.20%)	No: 116 (92.80%)	Uncertain: Nil	125
Will it benefit Odisha	Yes: 06 (4.80 %)	No. 92 (73.60%)	Uncertain: 27 (21.60%)	125
Will it benefit India	Yes: 11 (8.80%)	No: 88 (70.40%)	Uncertain: 26 (20.80%)	125

Source: Fieldwork 2014-2016.

The decade long struggle has naturally made everyone aware of Vedanta's refinery and the mining project. Everyone amongst the sample population was well acquainted about the project and were overwhelmingly against (92.80 percent) the mining and existing refinery. Apart from opposing mining in the Niyamgiri hills, people are also resisting the expansion of the refinery to six times its current capacity. At a public hearing held on 30th July 2014 at Lanjigarh for the six fold expansion of the refinery, more than 1000 Dongria Kondhs and local villagers opposed the project and prevented the proceedings from being carried out. Apart from the Dongria Kondhs, the Land Losers Association of Lanjigarh also registered their objection citing un-fulfillment of the claims made by Vedanta with respect to compensation and employment (Foil Vedanta, 2014).

The sample population agreed that a miniscule section of the population (7 percent), involving the local elites and businessmen from surrounding areas had benefitted either through the sale of land or being engaged as petty suppliers and contractors at Vedanta's refinery. The benefits to the state (4 percent) were attributed to revenue generated through accrued royalties and employment generation for the educated youths at the

refinery. A large segment of the white collared jobs at the refinery is being occupied by educated and technically able personnel[8] from bigger towns and cities. The blue collared jobs are held by labourers from the nearby towns and members of the displaced families from the refinery. More than 25 percent of the sample population was uncertain about the benefits to Odisha and India and more than 85 percent were convinced that it would not benefit either the state or the nation in any way. They believed that only politicians and government officials who had allegedly received huge remunerations to allow the project to go through would be benefitted.

The unflinching opposition to Vedanta's mining proposal hinges primarily on the threat to the Niyamgiri Hills- a redoubt of the Dongria Kondhs reigning deity Niyam Raja- and the socio-cultural and religious impacts it will wreak upon the tribe. Apart from the threat to the Dongrias' indigenous culture, the evolvement of the opposition to the project at present has also stemmed from sustained mobilisation campaigns by the NSS on issues of unfulfilled promises by Vedanta, environmental and health impacts from the refinery, loss of land and displacement due to the existing refinery, and un-participatory nature of development as shown in Figure 4.1.

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[8] The employees of Vedanta's refinery project declined to be formally interviewed for the research work. Casual conversations with them however indicated certain contempt towards the local populace, the Dongria Kondhs and the Niyamgiri movement.

Figure 4.1: Classification of the Issues in Opposition to Vedanta's Mining Project
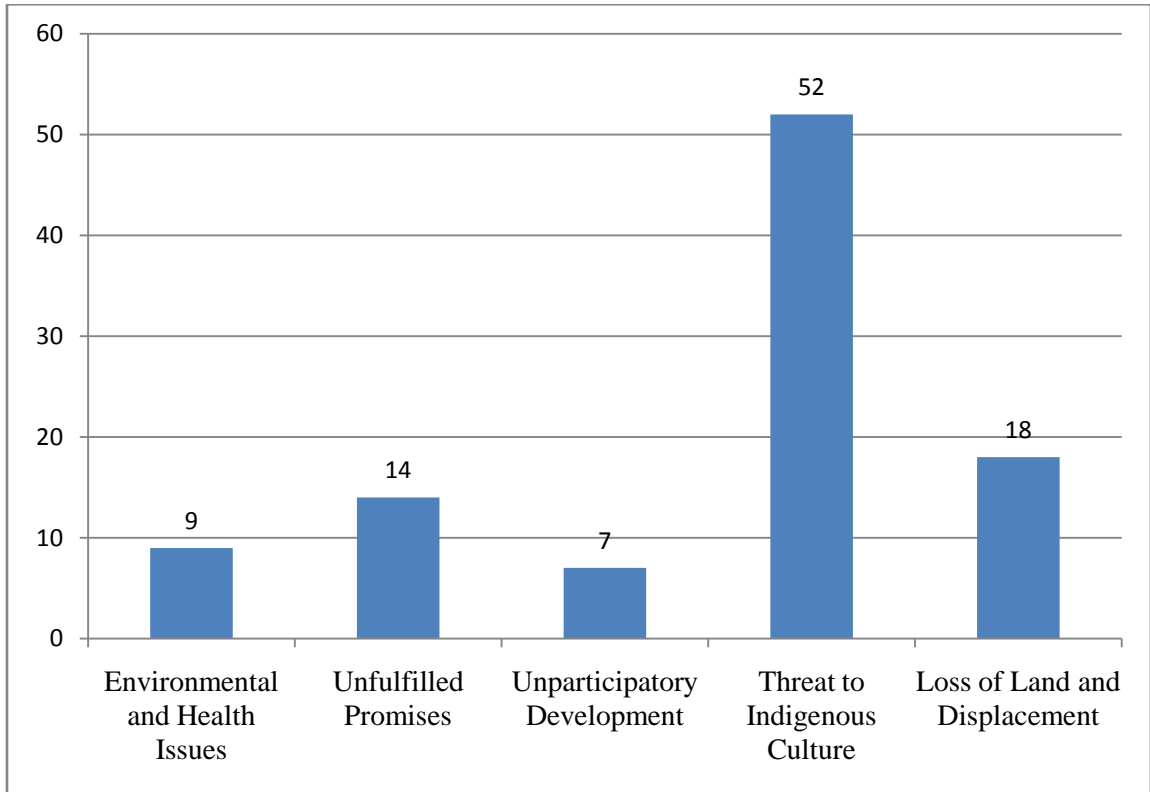
Source: Field Work 2014-2016.

The NSS has remained vigilant in tracking the activities of Vedanta and OMC and in making the local population aware of any future plans. It has equipped itself with the agenda of decommissioning the existing plant and in the process organized padhyatras, meetings and publicity campaigns throughout Niyamgiri and Lanjigarh. People who lost their lands and those affected by the consequent pollution have joined forces with the NSS, exasperated by the false cases and imprisonment they have had to endure whenever they demanded proper compensation and employment as promised by Vedanta.

In the afterlife of the Niyamgiri struggle, the local resistance has certainly swelled up but the designs of Vedanta and the state government works malevolently in nebulous forms. They are out to exercise every ounce of authority and power vested onto them- through the nature of democracy or by simply being an icon of aggrandized capitalism- to amass the billion dollar bounty buried under the hills. In their bid to terrorise the Dongrias and people opposing the project, the region is under paramilitary occupation for more than

eight years now under the pretext of fighting the Maoists. The modus operandi of the security forces has conveniently been staged as combing operations to flush out the Maoists. While, in the name of combing operations, the security forces have indulged in fake encounters, illegal detentions, abductions and molestations of the Dongria women.

Prominent leaders like Lado Sikaka and Dasru Kadraka have been either abducted or arrested by falsely presenting them as Maoist militia leaders. Another NSS activist, Mando Kadraka was killed in a fake encounter by the para- military forces on 27th February 2016 while Drika Kadraka could not withstand the incessant police torture and committed suicide on 28th November 2015. The act of terrorising the resistance at the ground level has been well supplemented by trying to undo the decision of the Supreme Court which recognized the claims made at the referendum. The Odisha government through the OMC has filed a new interlocutory application before the apex court on 25th February, 2016 to challenge the landmark Supreme Court judgement which upheld the statutory powers of the tribal village councils to decide if they wish mining to take place in their traditional forestlands or not. The interlocutory application filed by the OMC claims that for the use of forest lands, Forest Rights Act (2006) and its rules do not require any consent from the Gram Sabhas if the state government decides that the rights of people have been settled (Rajshekhar, 2015; Ganesan, 2016).

The application also opposes the perpetuity of the Gram Sabha resolutions rejecting mining in the Niyamgiri hills. The OMC further contends that with adults dying in the community and new ones growing up to have voting rights in the Palli Sabhas, the decision should be up for review. The state government has also claimed that there were technical errors in the way the Palli Sabhas were conducted and the resolutions passed to refuse mining in their forest lands. Odisha government wants the Palli Sabhas decisions to be set aside, its meeting be held afresh and the environment ministry's order rejecting mining based on the tribals' decisions also be quashed. The state government further claims that the Dongria Kondhs and others who voted in the referendum have exceeded their powers by declaring an entire plateau as sacred (Rajshekhar, 2015; Ganesan, 2016).

The state government's claims may be absurd and even preposterous, devoid of warranting any concern but under the new 'business-friendly' government at the Centre,

it provides a glimpse of the future for the Niyamgiri struggle. Since assuming power under the rhetoric of "*achhe din*" in 2014, the present NDA government has tweaked the rules that favour business at the cost of the environment and tribal populations. It has effectuated changes to delink work on linear projects such as highways and defence projects from requiring forest clearances. It has reconstituted the National Board for Wildlife (NBWL) by slashing the number of independent members from fifteen to just three. It has diluted the Forest Rights Act 2006 that requires the consent of the local tribal population for diverting forestland. Instead of Gram Sabhas (village councils) certifying that their rights had been settled and that they had consented to projects, the district administrations have now been asked to do the same. This exercise must be completed in 60 days, irrespective of the number of project-affected villages or the complication of the process. Moreover, prospecting for minerals in forests is now exempt from having to acquire the consent of local Gram Sabhas for settling tribal rights.

These changes are unsettling for the NSS and the Dongria Kondhs but the biggest concern in their fight to save Niyamgiri is the Mines and Minerals (Development and Regulation) Amendment Bill (MMDRA) passed in 2015 (The Gazette of India, 2015). The government has brought 22 substantial amendments to strengthen the rights of private sector mining companies in the name of attracting investment. The Act has no provision for consent or even consultation with Gram Sabhas which would be affected by mining operations. According to the MMDRA, adivasis/tribals are described as "occupiers of the surface of the land". As "occupiers", they have the right to compensation, but as enunciated in the Rules, if they do not agree to the mining plan or to the amount of compensation, the *"State Government shall order the occupier to allow the licensee to enter upon the said land and carry out such operations as may be necessary"* (Part V under General Provisions).The prediction made by the Vedanta official (as stated above) has chillingly come true and a new round of battle for Niyamgiri is yet on the cards. The afterlife of the Niyamgiri struggle may now become a precursor to another movement to save the Dongria Kondhs and their Niyamgiri hills.

CHAPTER 5

INDIGENOUS PEOPLE, CONFLICT AND CONFLICT RESOLUTION

5.1 Introduction

The Adis and the Dongria Kondhs are one amongst the sundry indigenous groups in conflict with the 'developmental paradigm' of the state. The conflict is intrinsically related to the access and use of nature and its resources and categorically falls within the ambit of natural resource conflicts. Analogous to the access and use of natural resources is the imminent threat to their culture and life-systems that is at odds with the state-led model of modernization and industrialization. The process is hinged at the marginalisation and pauperisation of the already impoverished communities and seeks to de-establish the basic roots on which these indigenous communities sustain themselves.

The theoretical linkages between natural resources and conflict has hinged between two diametrically opposed propositions of resource abundance and resource scarcity with many other ancillary factors being proposed for the onset and continuance of conflicts. The propositions propounded by both the scarcity and abundance schools is however insufficient to explain the present conflict as has been explored in chapter two. Rather the present conflict is indicative of the conflict between two opposing world-views that pits the relationship between man and nature than simple abundance or scarcity thesis.

The previous chapters analysed and elaborated on the nature of conflicts in Arunachal Pradesh and Orissa and laid the theoretical grounding for the conflict. The present chapter will explore the meanings associated with conflict and its resolution within the universe of conflict resolution. However, it will not aim at providing the way out or taking a messianic or moralistic viewpoint and offer readymade solutions to the conflict, rather it aims to bring into focus the conditions that could facilitate the resolution of the conflict. As Karl Popper 1934 [2002] famously termed "utopian engineering" which was regarded as both irrational and dangerous. Utopian engineers were unable of learning from their

own mistakes and had to be opposed to anyone who challenged their Plan and did not allow for the possibility of error.

Hence, the crux of this chapter lies in its attempt to analyse and understand the vast universe of conflict resolution and provide the elements necessary for the resolution of the conflict. Having said that, it is my contention that not all conflicts require a win-win solution and in some conflicts a party will also have to lose for the sake of justice. Keeping this in mind the following pages will un-tie the complexities inherent in the nature of conflicts and conflict resolution, particularly within the discourse of indigeneity and indigenous rights.

5.2 The Indigenous Discourse

The history of the subjugation of indigenous peoples, the usurpation of their lands and annihilation of their culture begins with the culmination of the history of the modern world beginning in the late 1400's. The new form of social organisation born in Western Europe due to the simultaneous collapse of economic, political and religious elites and the end of the external threat from the Mongol empire, resulted in the re-organisation of Western European society which would ultimately engulf the entire globe (Wallerstein, 1992). In the new system, capital accumulation was freed from the constraints imposed by politics and religion; modern nation-states were created on the basis of mutuality of interests which sought gradual geographical expansion of resources around the world (Taylor, 1996). In the construction of this capitalist world-economy there stood countless indigenous societies who had their own distinct forms of social organization. The encounter between these two opposing forces eventually produced the foundations for the suppression of indigenous ideologies through an imposed and totalizing bureaucratic construct of colonization and capitalism (Ross (et.al), 2011).

The expansion of capitalism was also followed by the creation and expansion of modern nation-states to facilitate the free flow of resources from peripheries of the globe to core centers of production and capital accumulation. The next five centuries witnessed the lands of the entire world along with the people there neatly bounded into nation-states. Subsequently, the nation-state became the only legitimate form of sovereignty and all other potential forms of local authority became subordinate to the ultimate control of the

centralized state. Furthermore, while nation-states in Europe evolved out of local social structures, the remaining global territory was shaped into nation-states either through externally imposed colonial processes or through a system of internal colonialism. The boundaries of states drawn by competing European powers rarely considered the presence, interests or the effects on indigenous populations of these colonizing processes (Ross (et.al), 2011).

Subsequently, there were dramatic decline in indigenous populations due to warfare and resistance as well as the new forms of diseases and epidemics introduced through contact with European peoples. Through the combined effects of warfare and disease indigenous voices were significantly silenced (Reynolds 1987a and 2001). The devastating loss of indigenous populations resulted in the occupation of these empty spaces by European immigrants. The remaining indigenous populations were thereafter subjected to explicit alien government policies aimed at the removal these people from their lands and resources. Indigenous lands were transformed into government and settler titles and indigenous land ownership and resource management systems were annihilated and replaced with European mechanisms of identifying land tenures and control of property through fences, gates, title deeds, tagged animals and so forth (Thornton, 1987; Perkins, 2001).

The European attitudes of political and economic superiority was supplemented by what Robert Niezen (2003: 211) calls 'philanthropic hubris' – that *"Europeans were 'liberating natives' from 'thralldom and superstition of their origins' and providing them with a superior model to follow: the model of European society"*. The spiritual systems and social organisations of indigenous communities were disregarded and considered as 'Godless', 'satanic' and 'immoral' which could only be saved through conversion to Christianity. It was largely understood that indigenous peoples had nothing of value and alien ideologies of patriarchy was imposed in place of matrilineal systems and egalitarian roles for men and women. Since, Europeans assumed individualism to be a natural condition of humanity they therefore interpreted any forms of ideology for the good of the group to be the tyrannical oppression of tradition. Social practices that strayed from monogamy and nuclear families were described as bestial, more of nature than of human existence (Ross (et.al), 2011).

The capitalist construct of scarcity encouraged the capture and acquisition of all the resources possible, before they ran out or were taken by someone else (Sahlins, 1972). The pre-existing political systems of Indigenous communities were either not recognized or recognized only as subordinate to the superior authority of European notions of crown or state. Colonization was recognized as a legitimate way of acquiring sovereignty over lands that were *terra nullius* – lands not perceived to be owned by the people who occupied those lands- according to international law in the 16th to 18th centuries. The indigenous systems built upon diffused power, consensus decision making and ultimate local control was discredited or manipulated and replaced with the European logic of centralization (Ross (et.al), 2011).

Indigenous peoples were denied access to their language, education, and cultural practices through state policies and institutions and were encouraged to become members of mainstream society by adopting the economy, religion, and material culture of the mainstream society. Indigenous people who adopted these western forms of hegemony were provided various forms of economic support and protection while those who followed their cultural traditions were viewed as military and economic threats (Ellis, 1994; Perkins, 2001). Self-governance and self-determination were largely destroyed and only those that adopted a Western style of living were able to operate successfully outside institutional controls (Rowse, 2000; Reynolds, 2001). The absence of a recognized political authority or geographic territory of indigenous populations made them hard-pressed to assert their ownership of the land and resources on which they had subsisted for generations.

Despite hundreds of years of conquest, colonization, and cultural subordination, indigenous peoples never ceased resisting their oppression or reasserting their own indigenous ways of living. Their resilience and belief systems flowed deep within them while they were perpetually excluded from decision making-processes and denied access to their own resources. They demonstrated conviction and determination to survive with their distinct sovereign identities and continued to adapt to changing circumstances while maintaining their distinct identity as sovereign peoples.

By the turn of the 20th century, indigenous voices started to reassert and claim their unique and ancient culture, language, religion and systems of governance. The Cayuga Chief, Deskaheh who was the representative of the Six Nations of the Iroquois, travelled to the League of Nations in Geneva in 1923 to plead for the cause of his people. Although he was not granted an audience by the League even after waiting for a whole year, he nevertheless was able to find a much more receptive audience in the media and general public in Europe. The following year, a similar journey was made by Maori leader W.T. Ratana to protest at the breakdown of the Treaty of Waitangi which gave Maori people ownership of their lands. Ratana first travelled to London with a large delegation to petition King George V, but he was denied access. He then sent part of his delegation to Geneva to the League of Nations and arrived there later himself, in 1925, but was also denied access (United Nations, 2009).

Indigenous issues did not receive any attention until the last three decades of the twentieth century. One exception was in the 1950s, when the International Labour Organisation adopted Convention No. 107, entitled "Convention Concerning the Protection and Integration of Indigenous and Other Tribal and Semi- Tribal Populations in Independent Countries" in 1957. This convention was a prompted through the concerns about situations of forced labour among native populations. However, this Treaty was later criticized as being of an assimilationist nature by the indigenous movement, which had become more visible at the international level in the 1970s. This would eventually lead to the adoption of ILO Convention No. 169 in 1989 (United Nations, 2009).

However, the last three decades of the twentieth century has witnessed increasing transnational concern about the lack of a universal system of protection for indigenous peoples, indigenous rights and development. This concern gained prominence with the formation of the United Nations Working Group on Indigenous Populations (UNWGIP) in 1982. United Nations established a Permanent Forum on Indigenous Issues in 2000 and appointed a Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people the following year (Shah, A, 2010). The Working Group has become a critical site for the indigenous cause, and has played a major role in placing indigenous issues on the global agenda.

In 1993, the Working Group completed a Draft Declaration on the Rights of Indigenous Peoples and in 1994 the Draft Declaration was approved by the Sub-Commission. In 1995, the Commission on Human Rights established a Working Group to examine and fine-tune the Draft Declaration and on 13 September 2007, the General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples, which marked a major milestone in the work of the United Nations and indigenous peoples' struggle for the protection and promotion of their rights (Niezen, 2003). Though the UN Declaration does not create new rights but elaborates on the existing ones enshrined in various international human rights treaties/ instruments and posits them in the context of the shared realities of indigenous peoples today. It also maintains that these rights must be recognized as the minimum standards *"for the survival, dignity, and well-being of the indigenous peoples of the world"* (Article 43).

5.2.1 Meanings of Being Indigenous

Indigenous is a complex concept and is not a race, an ethnicity or a religion but an identity, a relationship to the land, and a form of legitimation. Being indigenous is about *"continuity of habitation, aboriginality, and often a 'natural' connection to the land"* (Clifford, 1994 [1997]: 287). Generally, indigenous people refer to the living descendants of the pre-contact aboriginal inhabitants, who were living in tradition-based autonomous communities, and are culturally distinct and often live as internal colonies (UNWGIP, 1994; Anaya, 1996; Guibernau, 1999) *"engulfed by settler societies born of the forces of empire and conquest"* (Anaya, 1996:3). Though indigenous peoples have incorporated elements of the outside society, they have remained rooted in local traditions (UNWGIP, 1994) and are generally only partly integrated into the State (Eriksen, 1993 [1997]). Indigenous people can also be defined as *"people who deeply 'belong' in a place by dint of continuous occupancy over an extended period"* (Clifford, 1994 [1997]: 289).

Being indigenous is not similar to being minorities as the indigenous status is not dependent upon the number of people in the community (Trask, 1999), but rather is to situate oneself within such a space, or to claim what Tania Murray Li (2000) calls the 'tribal' or 'indigenous slot'. Hence, being indigenous is a new way of placing oneself in the world and pursuing a new type of politics that identifies with the experiences and

aspirations of many marginalised peoples in the present day world. Though the views and agendas of indigenous peoples are highly heterogeneous but the pervading theme is that they have been marginalised for centuries, their lands have been stolen and colonized, their cultures are threatened and their numbers are in decline and the states that they live in have given more weight to the values and interests of the non-indigenous populations that their own (Shah, 2010).

Indigenous peoples are natives to a particular place rather than having migrated from elsewhere (Clifford, 2007) and in comparison to settlers, they live in typically segmentary systems organised around kin-based groups claiming descent from common ancestors (Evans-Pritchard, 1969). Unlike the modern nation-state indigenous peoples lack centralized forms of authority and their forms of authority are largely egalitarian and diffused through multiple individuals and groups that are spread over a large area (Shah, 2010). They are also largely independent of settled societies since they often inhibit isolated forests and hills and are swidden agriculturalists maintaining close connection with nature (Xaxa, 2003). Due to their close proximity to nature, they have a deep connection to their natural world and their survival depends upon maintaining the symbiotic relationship with nature (Gadgil and Guha, 1992 and 1995; Merlan, 2009).

Since, indigenous peoples were incorporated often by force into states dominated by others they have been largely marginalised, faced prejudices and are among the poorest citizens of these nations (Rowse, 2000; Reynolds, 2001; Clifford, 2007; Trigger and Dalley, 2010). Though variations exist within the meaning of the term 'indigenous peoples'- both nationally as well as regionally- for a particular version of indigeneity to become a transnational model requires linking across national contexts which is structured by the exigencies of policy and politics. The polices of the nation-state dictates the everyday circumstances of indigenous groups of peoples and the form of indigeneity and the struggles in a particular place cannot be divorced from the histories of national classification and management (Tsing, 2007).

It is also essential that indigenous voices of protests and articulations must first speak to the national audience since the nation is still the locus of political negotiations. Though global connections in the indigenous space are important but to make a political

difference, indigenous leaders must address the nation-state. They must use cultural and political frames that are comprehensible within the nation, organizing around issues of sovereignty, dispossession, human rights, and environmental stewardship (Tsing, 2007).

The meanings attached to being indigenous are congruent upon the fulfillment of the demands of indigenous rights movements. The basic demands include respect for collective rights to land, recognition of cultural difference, and the right to self-determination. Indigenous struggles are based on the re-appropriation of land, artifacts, and knowledge, and are predicated on a mutual acknowledgement of a historical debt created by dispossession. More importantly, indigenous identity is also associated with a set of ideals of environmental stewardship, connectedness to nature, spirituality, and egalitarianism and these ideals do not similarly adhere to groups more closely identified as "ethnic minorities" and that present both strategic opportunities and challenges (Yeh, 2007).

Though transnational indigenous rights movement has been successful in creating a set of ideas about what constitutes an indigenous status and the meanings associated with being indigenous, attempts to provide a single, overarching definition have been controversial. A United Nations report by Special Rapporteur Miguel Alfonso Martinez (1999) stated the "obvious fact" that in postcolonial Africa and Asia, *"autochthonous groups/ minorities/ ethnic groups/ peoples…cannot claim for themselves, unilaterally and exclusively, the 'indigenous' status in the United Nations context"* (cited in Yeh, 2007: 70).

This report was condemned by all indigenous groups and generated considerable opposition from many groups in postcolonial Asia and Africa who have similar claims upon an indigenous identity. The UN Working Group on Indigenous Populations has thus avoided a strict definition and has instead allowed groups to identify themselves as indigenous. Nevertheless, the meanings attached to being indigenous and the limits to the ways the term can be stretched have certain limitations. It is not in itself enough to have a claim of indigeneity but must be recognized and legitimated, if not by their respective states then by at least by some other audience to which indigenous groups wish to speak or address their concerns.

However, groups identified as 'indigenous peoples' have become *"important subjects of concern within the international program to advance human rights. They are indigenous because their ancestral roots are embedded in the lands on which they live, or would like to live, much more deeply than the roots of more powerful sectors of society living on the same lands or in close proximity...and they are peoples in that they comprise distinct communities with a continuity of existence and identity that links them to the communities, tribes, or nations of their ancestral past"* (Anaya, 2009: 1).

The most significant manifestation of the international concern for indigenous peoples is the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the U.N. General Assembly on September 13, 2007. The Declaration represents a widespread recognition of the ongoing effects on indigenous peoples of the historical forces of oppression linked to colonialism or similar invasive settlements. It takes into cognizance the all-pervading suppression and marginalisation meted out to indigenous peoples, their political institutions and cultural patterns and their lands and life sustaining resources through historical patterns of colonialism and empire building processes. Accordingly, indigenous people in the present day exist under conditions of severe disadvantage relative to others within the states constructed around them.

Though the United Nations and the Declaration on the Rights of Indigenous Peoples has not defined the term indigenous, but a working definition as outlined in the Jose R. Martinez Cobo's "Study on the Problem of Discrimination against Indigenous Populations" is generally accepted which defines them as *"Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system"* (United Nations, 2009: 4).

Furthermore, the historical continuity has been explained to include either occupation of ancestral lands or parts thereof; a common ancestry with the original occupants of the

land; culture; language; residence; and other relevant factors. Individually, a person is indigenous if one belongs to these indigenous populations through self-identification or group consciousness and is in turn recognized and accepted by the members of the indigenous populations. This in effect preserves the sovereign right and power of individuals and groups to decide the indigeneity of an individual without external influences (United Nations, 2009).

5.2.2 Indigenous Rights as Human Rights

The term human rights generally include the right to "*what is minimally necessary to live one's life as a human being*" (Howard, 1995:14) and protects human agency and by extension protects human agents (Ignatieff, 2001). The ideas that surround what is minimally necessary to live, what protects agency, and what protects agents are socially constructed. Hence, the empirical expression of human rights is not static but dynamic since it shifts as the socially defined meaning changes. Thus basic human rights generally consist of the right to subsistence; protections from cruel and unusual punishments; and the freedom *from* oppression, interference, or abuse. Rights to something (e.g. the right to life) are positive liberties and freedoms from something (e.g. freedom from degradation) are negative liberties (Smith, 2006).

The ways in which human rights can be defined and put into effect are highly controversial since it must be compatible with both moral pluralism as well as promote the integration of human rights protections (Gutmann, 2001). Having said this, human rights does not mean that they must comply with every belief system since some belief systems can also be exploitative and directly violate human rights (Gutmann, 2001). The task before human rights is to coexist with both the liberal state and moral pluralism and though the moral philosophical thinking could be easy to achieve but the empirical reality is contradictory and sometimes rife with conflict. The human rights regime has been established through the Universal Declaration of Human Rights (1948) along with many United Nations treaties and conventions which constitute the three generations of human rights doctrine.

The first generation of human rights doctrine protects the rights of individuals from the State. These rights are rooted in liberalism and are negative rights or "freedom from acts"

that would hinder liberty (Anaya, 1996). The second generation human rights doctrine offers positive rights for types of individuals who are members of a class of person ranging from women, minorities, people with disabilities, etc. The second generation doctrine incorporates moral equality into the framework of human rights since these guarantees positive rights. The third generation of human rights is an emerging concept which recognizes collective rights such as cultural identity, ancestral lands, language and so forth (Smith, 2006).

Indigenous peoples are entitled to all universal individual human rights as well as collective rights enjoyed as members of certain indigenous groups. However, given their special status due to the centuries of marginalisation and domination, certain rights are specifically relevant for indigenous communities. One of the key rights is the right to non-discrimination apart from important civil and political rights such as right to freedom of expression and association, political participation as well as equal access to justice. In the sphere of economic, social and cultural rights indigenous peoples are entitled to right to access to land and natural resources, rights to freedom from forced evictions as well as rights to health and education (BMZ, 2013)

As members of the international community, indigenous peoples are entitled to specific collective rights that complement individual rights. Collective rights take precedence amongst indigenous communities since individualistic notion of rights is alien to most indigenous communities since individuals and community are inseparable and the community is the entity of reference. Hence collective rights are instrumental to ensure indigenous people's rights to self-determination, ancestral territories as well as participation in decision making and consent. Two of the key sources of collective human rights of indigenous peoples are the ILO Indigenous and Tribal Peoples Convention (ILO 169) (1989) and the UN Declaration on the Rights of Indigenous Peoples (2007). Out of these two the ILO 169 is legally binding upon ratification and the UN Declaration is non-binding but a crucial political instrument (BMZ, 2013).

These two instruments combined together produce a strong case for the protection and maintenance of the rights of indigenous peoples. The ILO 169 provides thirty four substantive articles which protects and preserves the rights of indigenous peoples with

regard to their land rights, labour, vocational training, handicrafts and rural industries, social security and health, education and means of communication, contacts and cooperation among borders, and other provisions relevant to indigenous groups of peoples (Anaya, 2009). On the other hand, the UN Declaration is more explicit in its protection and promotion of the rights of indigenous groups with regard to their rights to self-determination, decision making, lands, territories and resources and culture amongst others.

The UN Declaration provides for the right to self-determination, which is affirmed in Article 3 of the UN Declaration and states that *"Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".* Further Article 4 states that indigenous peoples *"in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions".*

The right to participate in decision making is enumerated in Article 18 which states that *"Indigenous peoples have the right to participate in decision making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures."* Furthermore, Article 5 makes a distinction between internal and external spheres of decision making by stating that *"Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State."*

The right to lands, territories and resources are enumerated in Articles 26, 27, 28 and 32(2) and establishes the rights of indigenous peoples to lands, territories and resources which they have acquired, or possessed in the past as well as the lands they currently possess. The UN Declaration also explicitly establishes upon nation-states to consult in good faith with indigenous peoples and their institutions in order to obtain their free and informed consent before the approval of any developmental projects in their lands or territories. Further, the Declaration impinges upon the States to establish procedures and processes to adjudicate disputes and provide redress with respect to lands, territories and

resources – including those that have been traditionally owned- which had been confiscated, taken or occupied without their free, prior and informed consent.

Cultural rights of indigenous peoples permeate throughout the Declaration since it forms an intrinsic and an essential element to the identity and existence of indigenous peoples. Cultural rights are inter-related with and indivisible from other rights enshrined in the Declaration and establish indigenous peoples' autonomy over their cultural affairs. It also affirms the importance of culture to indigenous peoples and directs that indigenous peoples must not be *"subjected to forced assimilation or destruction of their culture"* (Article 8 (1)).

Articles 5, 9, 11(1), 11(2), 12, 13, 14, 24 and 31 enumerates the different forms of cultural rights of indigenous peoples which includes among others, maintenance of their cultural institutions; determining their own membership in accordance with their traditions along with practicing and revitalizing their cultural traditions and customs; redress mechanisms with respect to the violations of their cultural, religious, intellectual and spiritual property; practicing and developing their spiritual and religious traditions along with maintaining their religious and cultural sites; culturally appropriate education; maintaining their traditional medicines and health practices; revitalize and transmit their histories, languages, oral traditions, philosophies, literatures to future generations; and to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.

The sphere of indigenous rights and the cognizance that indigenous peoples have been marginalised and dominated, their lands and resources usurped, their language and cultures obliterated is a welcome change. Indigenous activism and the assertion of their rights have come a long way during the past four decades. Indigenous groups and activists have also managed to assert their rights vis-à-vis the state and international organisations. The language spoken by these groups and activists mirror those spoken by transnational human rights and other international bodies and their issues have received global attention.

Notwithstanding the progress made in the sphere of indigenous rights, the UN Declaration-which is hailed as a watershed in Indigenous activism- has been toothless in

its efforts to establish an indigenous rights regime. Though the rights enshrined in the Declaration are praiseworthy, however the enforcement and fulfillment of these rights has been left to the discretion of individual nation-states. In effect, instead of empowering indigenous peoples it has instead empowered nation-states, by accepting that the subject of human rights is a state's internal matter (Subba, 2006) and it is a fact that the state is the biggest stumbling block for the realisation of the rights of indigenous groups and peoples.

5.2.3 Indigeneity in India

India is home to an approximately eighty million or more than eight percent of the total population who are classified as Scheduled Tribes. This figure is believed to constitute the second largest indigenous population in the world (Ghosh, 2006). The "People of India Project" initiated by the Anthropological Survey of India has identified more than 400 tribal groups in India, yet the official position of the Indian State is that there are no indigenous people in the country (Shah, 2010). The Indian government has consistently argued that the international concept or the United Nations' categorization of 'indigenous peoples' are not applicable in the Indian context and the constitutionally prescribed term "Scheduled Tribes" or any other category of people cannot be defined or categorised as being indigenous (Karlsson and Subba, 2006). The Indian governments' stand is based on the complex migration history which cannot be compared with other nations like Australia or Canada and hence it is impossible to trace the original inhabitants of a particular region (Shah, 2010). Conversely, it is also argued that the entire Indian population is indigenous.

Notwithstanding the official position of the Indian government, there are many constitutionally mandated provisions exclusively for the category of people known as "Scheduled Tribes". Apart from the Fundamental Rights enshrined in Part III of the Indian Constitution, specific provisions such as the Fifth Schedule and Sixth Schedule guarantee specific rights to the Scheduled Tribes including rights to cultural distinctiveness, identity, autonomy and provisions regarding regulations of transfer of tribal lands. In addition, the Forests Rights Act (2006) and the Panchayat Extension to Scheduled Areas Act (PESA) (1996) guarantee the rights of habitation and occupation in

forest land and self-governance through traditional Gram Sabhas or village councils. These apparent contradictions within the official stance and administrative mechanisms of the state has naturally manifested into various debates[1] and academic hair-splitting regarding the nature of indigeneity in India.

The earliest opponent to the usage of the term "indigenous" in conjunction to the Indian tribes was the prominent anthropologist B.K. Roy Burman (1992; 1994). He took umbrage over the World Bank and other international bodies and organisations equating the Scheduled Tribes as indigenous peoples of India. He argued that this was an illegitimate imposition and a viable solution could only emerge after a thorough debate by eligible persons in India. In his later writings he concedes that the 'indigenous' tag could be applied to the 'primitive' tribes and *"all convivial non-predatory, non-accumulative"* societies (Burman, 2003:12).

Andre Beteille (1998), one of India's foremost sociologist and a leading public intellectual has also argued against the use of the term 'indigenous' to denote India's Scheduled Tribes. His key argument posits the peasants with the tribes by taking the four primary criteria that are usually used to denote tribes- size, isolation, religion and means of livelihood- and argues that there is no apparent difference between the two (Shah, 2010). He argues that there is a complex relationship between tribals and non-tribals and no population can claim indigeneity in the Indian context since no one can be satisfactorily described as settlers or aliens. Moreover, he also affirms the dangers of the policies of positive discrimination and the idea of being indigenous which has the potential to re-order the world on the claims of blood and soil (Beteille, 1991).

Other scholars have also followed a similar line of critique. Sumit Guha (1999) in his book *Environment and Ethnicity in India* argues that the present indigenous discourse in India is an artificial construct created by foreign experts and has been imposed upon India. The present day Scheduled Tribes in India have been *"classified as indigenous by international experts quite regardless of their actual histories"* (1999:4). He further

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[1] Since the theme of this sub-topic is Indigeneity in India, I have omitted the debates regarding the incorporation of the Scheduled Tribes into an Independent India. The bulwark of these debates is between G.S. Ghurye who favoured assimilation and Verrier Elwin who stood for protection and slow integration of the tribals and adivasis into the Indian mainstream.

contends that the Indian tribes are a colonial construct which was conveniently appropriated by the Indian elites to justify their local hierarchy and maintain parity with upper class Britishers. Crispin Bates (1994) has also made similar arguments where he proposed that the term "adivasi" is a colonial invention and in a sense all Indians are basically adivasis.

These critiques also mirror the global arguments against the blanket use of the term 'indigeneity'. Adam Kuper (1988 & 2003), who has been one of the staunchest opponents of the global use of the term, argues that the concept of indigeneity is a remnant of an obsolete Victorian anthropological notions based on false and romantic ethnographic ideas. He proposes that *"culture has become a common euphemism for race"* (2003: 204) and the inherent dangers of such a proposition may lead to conflicts on the premise that the original inhabitants must have first access and privileged rights to its resources. Kuper's arguments equates indigenous movements to extreme right-wing fascist parties and many have taken issue with making an essentially peaceful movement look aggressive (Shah, 2010).

Nevertheless, the issue of self-determination that forms the core of indigenous movements as well as the basis on which all rights depend (Karlsson and Subba, 2006) has remained a thorny issue. It has raised the fears of secessionist tendencies and potentiality of civil war, thereby alienating members of the majority society who would otherwise support indigenous demands when posited in the language of human rights (Corntassel and Primeau, 1995). However, as Robert Niezen (2003) argues that indigenous peoples do not necessarily aspire towards independent statehood but rather "…*control of land, resources and livelihood…opportunity to redress systemic injustice…new opportunities to express culture and language without the expectation that these will be systematically maligned, suppressed and extinguished by state-sponsored programs"* (Niezen, 2003:188). It is now generally understood that assertions of indigeneity strive for recognition of their tribal identity and enhanced rights within existing nation-states.

Notwithstanding the contestations in using the term 'indigenous'; its sociological and political validity; precise meanings and characteristics within the Indian context, what

remains is that the term 'indigenous' is a 'social fact' (Baviskar, 2006). It is already being used by indigenous groups throughout the world and has crucial meanings attached to it. The 'adivasi' or 'tribal' identity that was *"forced upon them from outside precisely to mark out differences from the dominant community has now been internalised by the people themselves. Not only has it become an important mark of social differentiation and identity assertion but also an important tool of articulation for empowerment"* (Xaxa, 1999:3589). Indigeneity has now become a new way of placing oneself and in pursuing a different form of politics (Shah, 2010).

Indigenous groups and peoples who claim to bear the indigenous title are merely following the logic of what Dipesh Chakrabarty (2006) calls 'politics unlimited'. It is the real-life politics of those poor and the oppressed, who in the pursuit of their rights, *"have to adopt every means at hand in order to fight the system that puts them down…it implies a construction of the political that, in principle, has no limits …(and) does not submit itself to the procedures of academic knowledge"* (Chakrabarty, 2006:242). It has become a political concept similar to ethnicity and to deny the ethnic claim or indigenous identity, however unscientific such a claim may be, is unwarranted (Shah, 2010).

Furthermore, a concept cannot be disregarded because it cannot capture the prevailing objective reality and neither can any category fully subsume the reality (Pathy, 1992 cited in Subba, 2006). Hence, a lot depends upon whether one chooses *"to empower those who have been economically, demographically, and culturally marginalised for centuries or be simply concerned academically with the problematique of operationalising a concept"* (Subba, 2006:144). Indigeneity in India continues to remain a struggle for the recognition and fulfillment of basic rights, a struggle against usurping of resources, and a struggle to live life in dignity and respect.

5.3. Conflict and Conflict Resolution- An Overview

Conflict

Conflict is a phenomenon that we all face and know something about. It is omnipresent and is a part and parcel of human life and relationships. The connotations attached to conflict may differ from individuals to societies but to be in conflict is a sign of life. A non-conflictual individual or society is simply dead. Similarly, conflict resolution is an

174

act that we all take part in. The processes and mechanisms of resolution may differ between individuals and societies but we all have an intrinsic and innate response to resolving conflicts. Further, the way we handle conflicts and the means adopted to its resolution determines the course that the conflict will take in the future.

The term conflict can be used to denote a variety of contexts. Words such as fights, arguments, contests, debates, war, combat, and so forth denote a form of conflict. Consequentially, the definitions of conflict are also numerous and two key debates have informed the field. The first set of debates on the explanation of conflict concerns the subjectivist versus the objectivist perspectives of conflict. The subjectivist perspective consists of those who define conflicts subjectively where the focus is on the individual. The objectivist perspective takes into consideration the external and objective qualities of conflict and emphasizes the social and overt behavioural aspects of conflict (Tidwell, 1998). A subjective manner of looking at conflicts is described by Morton Deutsch (1973) through the classical example of a pure conflict- two starving men on a lifeboat with only enough food for the survival of one. The conflict ceases to exist if either or both of the men have religious or social values that are more dominant psychologically than the desire for survival. For Deutsch, conflict is determined by both psychological factors and what is valued by the conflicting parties.

A subjectivist view of conflict can be defined as a social phenomenon in which two or more actors (parties) use conflict behaviour to attain incompatible goals (at the same time) and equally perceive interference from the other in attaining their goals (Kriesberg, 1998; Bartos and Wehr, 2002; Wallensteen, 2002). The subjectivist position holds that conflict exists when any or all of the parties involved express an incompatibility of goals. The conflict is deemed to be resolved when the parties to the conflict no longer perceive an incompatibility of goals (Gorman, 2011). A subjectivist view of conflict underscores the perceptions of the parties to the conflict. For example, an individual in an egalitarian society with equal access to social institutions and a good standard of living may still perceive himself/herself to be in conflict with other members of the society (Tidwell, 1998).

On the other hand, an objectivist perspective of conflict refers to the role that structures or agency have in conflict situations. It underscores the importance of potentially structural nature of conflicts and the *"need to look at institutions, systems and dynamics that lie behind overt and latent"* conflicts (Gorman, 2011: 21). The objectivist definition is broad and incorporates a wide variety of human behaviour. It holds that the occurrence of certain events and the presence of certain behaviours or situations will create conflict. Galtung's concept of structural violence is an example of an objectivist view of conflict.

Also, class theorists of conflict are objectivists as class divisions will lead to conflict between the lower order class members and higher order class members regardless of what individuals think. The idea of "false consciousness" where people are objectively in conflict and yet there are people who do no express knowledge of the conflict is a typical example of an objectivist view of conflict. Other examples of an objectivist view of conflict are slavery, sexism and caste systems.

The objectivist or a subjective view of conflict is largely determined by the values held by an individual. Thus, the definitions of conflicts can be segregated into those that *"treat conflict as a pathological state and seek its causes and treatment, and those that take conflict for granted and study the behaviour associated with it"* (Schelling, 1980:3). Hence, an individual deeply motivated by a sense of justice will seek to view conflict objectively and those who view conflict as sometimes beneficial and not necessarily related to justice will view it subjectively. Moreover, the way one defines conflict will have a considerable impact upon the way one seeks resolution.

The second set of debates on the explanation of conflicts is whether conflicts are inherent or contingent or a combination of both. The inherency set of theories argues that it is in the nature of human beings to engage in conflict and it is inevitable. Thomas Hobbes (1974) in his *Leviathan* states that humans are by nature selfish and brute with a ceaseless and relentless thirst for power. They have the inherent drive to fight and only through imposing the will of the ruler over the ruled can societies be organised to run efficiently. In a similar vein, Edmund Burke also saw humanity as inherently conflictual and the only way to curtail violence and conflict was through imposed law and customs (Tidwell, 1998). Freud's school of psychoanalysis further expounded upon the inherent nature of

conflict. According to him, human beings have both life (libido) and death (thanatos) instincts and when the death instinct is directed outwards, it produces aggression and conflicts. Aggression is viewed as an intrinsic characteristic of human behaviour and serves as the fundamental means through which protection and self-preservation is carried out (Freud, 1990).

Apart from Freud's psychological analysis of human action, the evolutionary and biological competitive nature of human aggression and conflict has also viewed conflicts as being inherent in human nature. Konrad Lorenz (1963) argues that aggression serves to protect human's quest for survival and warfare is as natural as any other form of human aggression. Following Lorenz, Robert Ardrey (1967) in *The Territorial Imperative* analyses the role of territory in fuelling aggression among humans. He argues that territoriality is the single most influential drive determining human action. Further, aggression rather than directly serving the individual instead serves the group as defined by their territory. Hence, the inherency theories of conflict views aggression and conflict as normal and natural behaviour of human beings. The fundamental interest of individuals is power and dominance in which violence is an extreme but normal expression of this tendency.

In binary opposite to inherency theories, contingency theories postulate that aggression rather than being innate is more dependent upon factors external to the individual. Rousseau's writings are a testament to the contingency aspect of conflict theories since he saw within individuals, compassion and abhorrence at the sight of suffering and death of fellow humans (Germino, 1972). This compassion militates against pure aggression (as propounded by Hobbes) and Rousseau states that humans are not innately aggressive or warlike. However, according to Rousseau, humans act aggressive and warlike when they enter into a wrong kind of society. The goal thus is to *"find a form of association which defends and protects with the entire common force the person and goods of each associate, and in which each uniting himself to all obeys only himself and remains free as before-such is the fundamental problem of which the social contract gives the solution"* (Rousseau quoted in Germino, 1972).

Following Rousseau, Karl Marx developed his theory of class conflict based on a contingent argument. He argued that the economic system (capitalism) prevented the producers of labour from enjoying their fruits of labour. Hence, the class of people belonging to the capitalist class are in conflict with the laboring class which is epitomized through the idea of class conflict. Like Rousseau, Marx contented that humanity's condition is deeply transformed through society and the development of society. The absence or the presence of conflict was dependent upon societal conditions and not the intrinsic behaviour of individuals (Germino, 1972).

Similarly, Keynes, a noted British economist and follower of the democratic liberal tradition, saw deprivation, poverty and hunger as causes of social conflict and the state as the only recourse against such ills (Tidwell, 1998). Implicit in many contingency theories is the argument that when humans are faced with a force that frustrates their normal behaviour, they become aggressive. This reasoning was formally articulated in the frustration-aggression hypothesis. It assumes that aggressive behaviour is always a result of frustration or contrariwise, the existence of frustration leads to some form of aggression or conflict (Dollard (et.al), 1964).

Elaborating on the frustration-aggression hypothesis, Albert Bandura (1973) argued that there are three primary sources of human aggression, namely being; familial settings, sub-cultural contexts and symbolic modelling. The family is the starting point for social learning and for the development of models of appropriate behaviour. Simply stated, violent families produce violent off-springs. The second source of aggression is found in sub-cultures as in street gangs where violent behaviour is rewarded. He gives the military as an example of this sub-cultural context where an otherwise relatively non-violent person becomes violent. The final source of aggression according to Bandura is symbolic sources such as television which transmits pictures, impressions and symbolic culture of violence. Hence, the interaction of these three areas in the external sphere gives rise to violence and conflicts. In, sum, the contingency school holds that conflicts and aggressions are a result of outside conditioning and dependent upon factors outside the individual. It holds that individuals are generally pacific, but under special conditions and from external sources, the aggressive disposition of individuals is activated.

Maintaining a middle approach, the interactionist theory combines elements of the inherency and contingency schools of though. Rather than debating the nature versus nurture debate or Galton's Error, the interactionist school does away with reductionist impulses and instead focuses on how both genetics and social interactions combine to form human behaviour. Though the interactionist school has been unable to explain how genetic and social forces interact, but they posit that violent behaviour and conflict are conditioned by both cultural learning and inherent impulses (Tidwell, 1998).

Apart from the debates between subjectivists and objectivists and the inherency, contingency and interactionist camps, another way of viewing conflicts is to divide them into theories which posit conflicts as functional, situational or interactive. The functional approach holds that conflicts serve a social function and George Simmel (1955) and Lewis Coser (1957) are its most noteworthy proponents. Simmel defined conflict as that which is *"designed to resolve divergent dualisms; it is a way of achieving some kind of unity, even if it be through the annihilation of one of the conflicting parties"* (Simmel, 1955:13). For Simmel, conflict served a social purpose in the sense that it reconciled contending forces and reconciliation came through the total annihilation of one of the parties to the conflict. Lewis Coser defined conflict as *"the clash of values and interests, the tension between what is and what some groups feel ought to be"* (Coser, 1957:197) and it served the function of directing societies towards new institutions, technology and economic systems.

Removed from the Functionalist approach are the Situationalists' who define conflicts as a *"situation which generates incompatible goals or values among different parties"* (Bercovitch, 1984:6). According to Bercovitch, a conflict is dependent upon the situation and it is the situation that defines whether conflict exists or not. Bercovitch's situational approach mirrors Galtung's concept of structural violence, where systemic structures act to impede what one could have had, resulting in a form of indirect violence known as structural violence. Differing from the perspectives of the functionalists and the situationalists are the communication interactionists who define conflicts as *"the interaction of interdependent people who perceive incompatible goals and interferences from each other in achieving those goals"* (Folger (et.al), 1993, cited in Tidwell, 1998:34).

179

For the communication interactionists, conflicts do not only arise when there is an incompatibility of values or needs but it is manifested in action and exists when one of the parties to the conflict perceives it to exist. It is the result of the interaction between interdependent people whose payoff matrixes are dependent upon each other. Hence, the definitions and theories postulated for social conflicts are broad in scope and have greater complexities due to its broader scope. Though no theory or definition can fully claim to comprehend the phenomena of conflict, it nevertheless seeks to delineate many of the complexities inherent in the nature of conflicts. This also serves as the starting point for the resolution of any conflict scenario.

Conflict Resolution

Conflict resolution generally means the gamut of techniques and methods through which efforts are undertaken to resolve a conflict situation. Wittingly or unwittingly we are always engaged in a conflict situation and its successful resolution is contingent upon the techniques and methods employed. The need to resolve conflicts is inherent within everyone and we may employ different tactics and methods depending upon our experience and knowledge along with the situational and contextual aspects of the conflict. Its primary aim is to reduce the negative aspects of the conflict upon either party. Hence, a simple handshake or long drawn efforts culminating in cease fires, treaties and agreements between the conflicting parties are both endeavours at conflict resolution.

Conflict resolution is both the theoretical realm of analysing why conflicts occur and how to resolve it as well as the application of conflict resolution techniques in real life settings. The aim is not to prevent conflicts but rather to transform violent conflicts into peaceful and non-violent processes of political and social change (Rogers and Ramsbotham, 1999). It is a comprehensive term that is concerned with addressing and transforming the deep-rooted sources of conflict so that behaviour is no longer violent, attitudes are no longer hostile and the structure of the conflict is transformed. Thus, a resolution entails *"the transformation of the situation and relationship at a deeper level in such a way as to remove the underlying reasons for conflict"* (Beckett, 1997:68).

The study of conflict resolution and its development as a discipline of study has its genesis within the fields of organisational development and management science, international relations and peace movements and alternative dispute resolution. These three different areas of study have influenced and directed the course of modern day conflict resolution (Tidwell, 1998). According to Ramsbotham (et.al) (2011) the field of conflict resolution has progressed through five stages of intergenerational development and practice beginning from the end of World War I in 1918. The first generation (1918-1945) is termed as the precursors of the field wherein ideas and actions that emerged during this period paved the way for the emergence of the Conflict Resolution field. Prominent actors during this phase were Crane Brinton (1938) who analysed the eruption of large scale conflicts including class-based struggles and revolutions. Mary Parker Follet (1942) was prominent in the analysis of conflicts within organisations and labour management systems. Quincy Wright's (1942) quantitative analysis of the incidence of wars also played a monumental role in preparing the groundwork for the field of conflict resolution (Kriesberg, 1997).

The second generation (1945-1965) laid the foundations of the field through institutional growth and the emergence of prominent scholars in the field of peace studies as well as conflict resolution. The threat of nuclear annihilation added a sense of urgency and basic research in many academic disciplines helped establish a base for the later applications of conflict resolution. Prominent scholars and the founding fathers of the discipline like Kenneth Boulding, Johan Galtung and John Burton enriched this phase with their research and scholarly output. Game theory, quantitative analysis of co-operation and conflict between nations, analysis of non-violent action, Graduated Reciprocation in Tension-Reduction (GRIT), etc also made significant contribution in laying the foundations of the field (Kriesberg, 1997; Ramsbotham (et.al), 2011).

The third generation (1965-1985) consolidated and crystallized the core ideas of conflict resolution by drawing from a wide range of disciplines. It had established a reasonably sound institutional base and defined its specific subject area in relation to *"the three great projects of avoiding nuclear war, removing glaring inequalities and injustices in the global system, and achieving ecological balance and control"* (Ramsbotham (et.al), 2011:49). This period was the peak of the Cold War and efforts were made to formulate

a theoretical understanding of destructive conflicts both at the interstate and intra-state levels. Track Two diplomacy in the form of interactive problem-solving workshops, the processes of mediation and the practice of Alternative Dispute Resolution became increasingly popular and provided coherence and consolidation to the field.

The fourth generation (1985-2005) is termed as reconstruction wherein the end of the Cold War brought the field of conflict resolution increased prominence and greater expectations as well as sharper criticisms. Conflict resolution also began to be applied in newer settings and became more institutionalised with the setting up of many research centres and formal degree and certificate courses at universities. Emphasis was laid on including greater *"sophistication in understanding how to bring to bear and coordinate appropriate approaches at different stages of conflict…and how to dovetail peacekeeping, peacemaking and peacebuilding resources"* (Ramsbotham (et.al), 2011:425).

The fifth generation constitutes the present discourse in the field of conflict resolution which has been identified by Ramsbotham (et.al), (2011) as the cosmopolitan phase. They suggest that at this juncture, the 'culture question' is the decisive one and the next generation of conflict resolution will be filled by knowledge and experiences from all parts of the world. The cosmopolitan phase is essentially underscoring the essence of cosmopolitanism, outlined by Ulrich Beck (2006) as acknowledging otherness, namely the otherness of different cultures, futures, nature, object and the otherness of other rationalities.

Bercovitch (et.al) (2009) note that the discipline of conflict resolution is a vibrant and interdisciplinary field where theory and practice comingle with real world events. Scholars working in the field *"study the phenomenon of conflict and analyze ways to bring it under control, bringing their insights and concepts to bear on actual conflicts, be they domestic or international, so as to foster better and more effective relations between states and people… It is about ideas, theories, and methods that can improve our understanding of conflict and our collective practice of reduction in violence and enhancement of political processes for harmonizing interests''* (Bercovitch (et.al.), 2009:1). In a sense, conflict resolution is characterized by a multiplicity of ways in which

systematic knowledge is generated. Different disciplines approach the phenomenon of conflict and its resolution through their traditional lenses making it a vibrant and multi-disciplinary field of engagement.

Generally conflicts can be resolved through a multiplicity of ways. Peter Wallensteen (2002) identifies seven distinct ways through which conflicts can be resolved or through which parties can live with or dissolve their incompatibilities. The first way is for the parties to *shift its priorities* or change its immediate goals allowing the other party to reciprocate in a positive way. Similar to the first is the second way in which both parties change their immediate priorities or stick to their goals but find a way through which the goals or resources can be *divided*. A third way is *horse-trading* where one party has all of its goals accomplished and the other has all of its demands met. *Shared control* is the fourth way whereby parties agree to have equal control over disputed resources or territories. Opposite to the fourth way is the fifth way of *leaving control to somebody else* which essentially means externalizing control. In the sixth way, *conflict resolution mechanisms* in the form of arbitration or other legal procedures are adopted. Finally, the seventh way is to leave the issues to be *dealt with later* by appointing commissions, etc which gives both the parties to consider their stand and also political conditions and popular attitudes may have changed within that time. Wallensteen's ways of resolving conflicts is naturally nation-states centric and has been conceptualized to end hostile behaviour between states in inter-state conflicts.

Anthony de Reuck (1984) argues that conflicts can be terminated in three ways, namely being; determined, settled or resolved. Having a conflict determined entails the forcible imposition of will of the stronger party over the weaker one. The weaker party may be coerced or exterminated to allow the stronger party to gain control. However, the termination of conflict brought through suppression or forceful imposition would be short lived since they do not address the root causes of the conflict. Settlement implies a compromise generally brought about by third party intervention and negotiations. Settlements can be induced when parties to the conflict have depleted resources to continue with the conflict or oppose the settlement. Settlements can at best reduce hostile behaviour and decrease the intensity of the conflict but leaves the conflict situation and the root causes of the conflict untouched. Resolution entails the finding of solutions

acceptable to all concerned and which does not sacrifice the basic interests of the parties to the conflict. Resolution addresses the basic roots of the conflict and the incompatibility of goals thereby eliminating or transforming the conflict situation.

Hence, conflict resolution, notwithstanding the criticisms associated with it, is often seen as a desirable thing. Ramsbotham (et.al) (2011) states that conflict resolution encompasses 'conflict settlement' at one end of the spectrum and 'conflict transformation' at the other. Conflict transformation is the deepest level of conflict resolution tradition but is preceded by conflict resolution in the processes employed since without first resolving the conflict, it can never be transformed. The processes of resolution and the practices employed in handling conflicts determine the future of the conflict situation. James Schellenberg (1996) identifies five basic practices that can be employed in the resolution of conflicts including coercion, negotiation, bargaining, adjudication, mediation and arbitration. Burton and Dukes (1990 a) categorizes these five processes under three headings with the variety of processes under each heading as represented in Table 5.1 below:

Table 5.1: Burton and Dukes' Categorization of Conflict Handling Processes

Management	Settlement	Resolution
Mediation	Adjudication	Citizen Diplomacy
Divorce mediation	Arbitration	T-Group Resolution
Victim-offender Reconciliation	Ombudsmanry	Track Two Diplomacy
Community Mediation		Problem Solving Conflict Resolution
Environmental and Public Policy Mediation		Deductive Analysis

Source: Burton, J., and Dukes, F. (1990a). *Conflict: Practices in Management, Settlement and Resolution.* New York: St. Martins' Press.

Hence, negotiation, mediation, arbitration and adjudication are all identified as processes involved in the handling of conflict and the steps to its resolution. Negotiation is generally defined as a discussion between conflicting parties with the aim of resolving

diverging interest and escaping conflict (Pruitt and Carnevale, 1993). Mediation is the process through which parties to the conflict try to resolve the issues involved in the conflict with the help of a neutral third party. Arbitration also involves the intervention of a third party but unlike mediation, the outcome of arbitration is binding upon the parties. Though, arbitration is quasi-judicial process, adjudication is the legal judicial process generally referred to as litigation and is represented by the courts system.

Notwithstanding these variations and processes of handling conflicts, conflict resolution can be best viewed as a cyclical process in which the first step is identifying whether a conflict is functional or dysfunctional as represented in Figure 5.1.

Figure 5.1: Conflict Resolution as a Cyclical Process
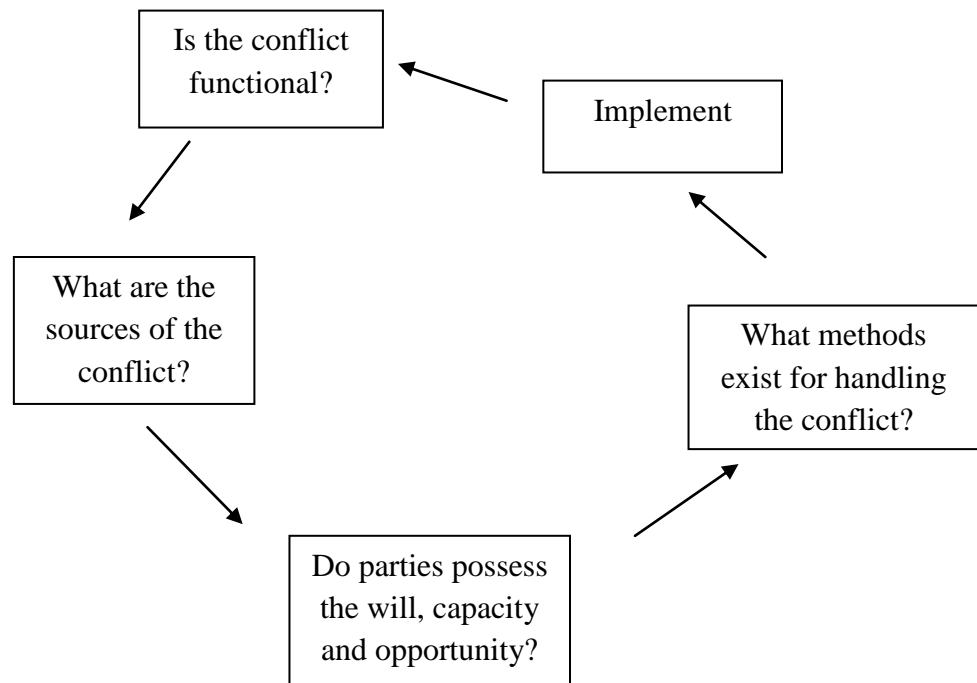
Source: Tidwell, A.(1998).*Conflict Resolved?*, London: Pinter.

The functional aspect ascertains whether the conflict serves a purpose or in other words, whether it is a good (functional) or a bad (dysfunctional) conflict? The decision to label a conflict as functional or dysfunctional is value laden and subjective depending upon the circumstances and parties to the conflict. Having decided that the conflict is dysfunctional or non-functional, the next step involves finding the sources to the conflict. After identifying the sources, the next step involves ascertaining whether the parties to

the conflict have the will, capacity and the opportunity to resolve the conflict. The next step involves the methods that can be deployed in resolving the conflict. The methods can be numerous depending upon the nature of the conflict and the disposition of the parties to the conflict. The implementation of the methods of resolving the conflict leads us again to the question of ascertaining whether the conflict remains functional or dysfunctional.

The crucial element in the resolution of any conflict is ascertaining whether the parties to the conflict have the capacity, opportunity and will to resolve the conflict. The capacity or the ability to resolve a particular conflict is contingent upon many factors such as communication gaps and structural hindrances. The skills and resources available for resolution as well as the communication techniques employed determine whether the parties to the conflict have the capacity for resolution or whether the conflict will be resolved. Opportunity is another essential element in the scheme of conflict resolution since the conflicting parties must have the chance to engage in resolution. Factors such as time and structural constraints do impede an opportunity to resolve conflicts.

Will or the volition to resolve conflicts is perhaps one of the most difficult problems in the process of conflict resolution. The absence of will to reach an agreement or if the parties do not wish to engage in resolution, then there is little that be done to resolve the conflict (Zartman and Berman, 1982). The creation of will to resolve has been one of the pressing problems of conflict resolution. Sometimes, in order to create a will for resolution or to bring the conflicting parties to the resolution table, methods such as coercion, threats and power tactics have been used. These are very inefficient means of creating will since the parties are brought together falsely and in bad faith. Instead, the creation of volition must entail that the parties come together on their own good faith so that they may engage in constructive conflict resolution rather than simply bringing them together to talk. Hence, the creation of will to resolve the conflict is one of the most difficult and vital processes in any endeavour of conflict resolution.

The non-existence of capacity, opportunity and volition of the parties to the conflict leads to three possible outcomes. First, is that conflict resolution may be attempted but obviously without any success. A second alternative or outcome is that those trying to

resolve the conflict may quit citing the difficulties for its resolution. Thirdly, some remedial action may be undertaken to alter the situation (Tidwell, 1998). Though in a small setting, steps may be undertaken to achieve the preconditions for conflict resolution, but obvious problems are encountered when conflict is considered in a large sense. How does one increase these pre-conditions of capacity, opportunity and will of an entire society? How to increase the resources of a weaker party when the stronger party has the capacity to veto such action? In a group conflict, does the entire group need to possess these preconditions or will it suffice if only the leadership possesses them? How much capacity is enough and how do we determine the capacity of the parties to the conflict?

Congruently, both conflict and its resolution is profoundly influenced by societal and structural factors since beliefs, values and cultures all determine the nature of conflict. Therefore, while many methods exist for the resolution of conflicts, they are nevertheless limited by the world within which they operate. Additionally, the process of evaluating whether a conflict is functional or dysfunctional is highly value-laden since one party's dysfunctional conflict may be functional for the other party (Tidwell, 1998). Hence, the resolution of conflicts is not a simple thing. If it would have been simple, conflict resolution would have perhaps occurred more often.

These inherent difficulties in the resolution of conflict have naturally drawn criticisms against the discipline of conflict resolution from across the political and intellectual spectrum. The traditional realists' view conflicts in international politics as essentially a struggle between irreconcilable and antagonistic groups in which the ultimate way of resolution is power and coercion. Hence, the 'soft power' approaches of conflict resolution are dismissed as being ineffective and dangerous. The field of conflict resolution is generally perceived by traditional Marxists as naïve and theoretically uncritical since it is based upon 'liberal democratic' structures. Hence they argue that conflict resolution generally aims to reconcile interests that should not be reconciled, fails to take sides in unjust and unequal conflict situations and lacks an analysis of the global forces of exploitation and oppression (Ramsbotham, (et.al), 2011).

The last set of critics are exemplified through Paul Salem (1993 & 1997) in which he argues that the assumptions on which the field of conflict resolution essentially rests are largely western and these assumptions are not universally applicable. The concept and ideas of conflict as well as its resolution differ along the spectrum of nations, cultures and peoples. Hence, conflict resolution predominantly based upon western philosophies cannot be universally applied across the globe.

5.4 Indigenous Methods of Conflict Resolution- An Overview

As discussed in the previous section, the field of conflict resolution is very much a Western/Northern subject, at least in an academic sense. Contemporary conflict resolution has been framed by mainly Western/ Northern philosophies and values and its approaches are still within the purview of Western views and ideals. The field is at a disproportionate status quo since consciously or unconsciously conflict resolution is examined within a Western philosophical framework (Tanabe, 2010). Also, one of the basic weaknesses of the western models of conflict resolution is that it seeks to establish guilt and execute retribution and punishment. These approaches neglect the wider families and future re-incorporation of the offender back in to the community. The emphasis is on justice with very little consideration of post-resolution relationships making the processes largely adversarial (Lanek, 1999).

Nevertheless, the discipline of conflict resolution is a burgeoning field since societies throughout the world have some mechanisms and techniques for the resolution of conflicts. The role of culture in conflict and how do other cultures manage their conflicts is now acknowledged as being pertinent to the field of conflict resolution. Indigenous societies, since the dawn of life, have been engaged in the resolution of conflicts through their traditional time tested mechanisms and techniques. These indigenous techniques have stood the test of time and are largely based on the concept of restorative justice. It seeks to restore the relationships that have been fractured due to conflicts with the aim of maintaining harmony among individuals and society.

Indigenous Methods of Conflict Resolution (IMCR) are the techniques of resolving conflicts and disputes that have been practiced by peoples and communities for centuries and are a precursor to the present day court-system as well as contemporary forms of

conflict resolution. It is a nested decision making process aimed at the resolution of conflicts and restoration of relationships and harmony. It includes the social, economic, cultural and religious-spiritual dimensions exclusive to the traditions, customs and worldviews of the people and their society. IMCR not only offers an alternative means of resolving conflicts but in many ways are also an efficient means of dealing with conflict situations. It comprises a range of processes structured to meet the specific needs of parties in a conflict and the methods used in seeking to resolve the conflict is commensurate with the nature of the conflict in terms of value, complexity and importance to the conflicting parties.

The process, method and applicability of IMCR vary considerably from community to community, from region to region and from society to society (Boege, 2007). It plays a very significant role in the day-to-day lives of many ethnic groups and tribes particularly for the poor and marginalized societies (Zeleke, 2010). The prevalence of IMCR has been well recorded in African societies as well as much of the developing nations of the Global South. IMCR are intuitive, time-tested and pre-colonial forms and systems of dealing with community problems through consensual and communal processes of arriving at solutions (Osi, 2008).

These include structures, mechanisms, methods and practices that incorporate indigenous principles such as discussions, negotiations, mediation, conciliation, and arbitration. These approaches cannot be segmented into political or juridical but rather is holistic since it also comprises the social, economic, cultural and religious-spiritual dimensions. Hence, the different spheres of societal life that constitutes the sum of indigenous lifestyles and worldviews are hardly separated. The parties to the conflict either directly engage in negotiations to resolve the conflict or the help of a third party mediator is sought. The process of conflict resolution is public with the participation and the final approval of results and outcomes being voluntary. The process is carried out in the larger interest of the social group such as extended families, clans, village communities, tribes, brotherhoods etc. Individuals are considered to be members of a kin-group and conversely both the individual and the group are accountable for the deeds of either the individual or the group (Boege, 2006).

These are essentially grass-roots approaches to resolving conflicts in the society. Important elements of any societal life such as the tradition of forgiveness, respect for elders arising out of their symbolic authority and the transfer of resources as compensation constitute the core mechanisms of any process of IMCR (Zartman, 2000). The incorporation of consensus-building based on open discussions allowing the exchange and clarification of issues forms the bedrock of any IMCR system. The conflicting parties are more likely to accept decisions that emanate out of this organic structure than external sources since an elders' decision does not entail the loss of face and is also backed by societal pressure. Ideally, the end result is the creation of a sense of unity, shared involvement and responsibility and dialogue amongst groups in conflictual situations (USAID, 2005).

Indigenous mechanisms of conflict resolution employ local actors and traditional community- based judicial and legal decision-making processes to manage and resolve conflicts within or between communities. These mechanisms aim to resolve conflicts without resorting to external mechanisms such as the state-run police and judicial systems. In effect, local level resolutions can lead to ad-hoc but practical agreements which helps in maintaining the harmony of the community even if military men remain un-reconciled (Lowrey, 1995).

Hence, IMCR can be defined as a social capital in the sense that it is the *"capability of social norms and customs to hold members of a group together by effectively setting and facilitating the terms of their relationship…sustainability facilitates collective action for achieving mutually beneficial ends"* (Fred-Mensah, 2005:1). IMCR focuses on the values of empathy, sharing and cooperation in dealing with common problems which underlie the spirit of humanity (Murithi, 2006) and is important in re-establishing the social capital that is damaged as a result of the conflict situation. Furthermore, it is a speedy and cost effective mechanism of resolving conflicts (Fred-Mensah, 2005) while also saving the relationship and minimizing revenge killings (Annette, 2009).

An important facet of IMCR is that it analyses and understands conflicts within their social context involving values and beliefs, fears and suspicions, attitudes and actions, relationships and social networks, interests and needs, etc. (Brock-Utne, 2001). The

exploration of the root sources of the conflict is emphasized through shared understandings of the past and the present with the immediate goal of conflict resolution being the mending of broken or damaged relationships, rectification of wrongs and restoration of justice. Its aim is to ensure the full integration of parties into their respective societies and evolve co-operation. Its objective is to refrain from accusations and counter accusations and instead to settle hurt feelings in order to reach a compromise that will help improve future relationships. Factors intrinsic in IMCR processes such as simplicity, participatory nature, adaptability and flexibility, relevance and comprehensiveness make IMCR effective and sustainable with regard to the outcomes and resolutions (Brock-Utne, 2001). Another basic factor within indigenous or traditional communities is the resolution of conflicts through internal and external social controls. Internal social controls use processes of deterrence such as personal shame, fear of supernatural elements etc. External controls rely on sanctions associated with actions taken by others in relation to behaviours that is approved or disapproved (Okrah, 2003).

Thus, there are four characteristics inherent to indigenous methods of conflict resolution, namely being; (i) consensus concerning the mediating authorities, (ii) open meeting where everyone is heard, (iii) compensation for the loss created by the conflict and (iv) a cleansing ritual which serves to integrate the errant member back into the community (Jabs, 2014). Firstly, there is usually a shared understanding within the communities concerning who is qualified and trusted to arbitrate a conflict. These authorities differ depending on the level of the conflict and although the specific authority may differ in different circumstances, there is universal acceptance of a mutually agreed upon authority. The elders in a community are the most common authority for conflict or dispute resolution (Jabs, 2014). One thing that distinguishes elders is a reputation, earned over a lifetime, as *"effective negotiators, trusted mediators, moving orators, or wise and pious men"* (Menkhaus, 2000:186). The key concept is that *"the elders have a status, based on age and experience equated with wisdom, that provides them with enough authority to be the final decision makers in a conflict solved through arbitration"* (Faure, 2000; 157).

The second aspect is an open meeting where all the members of the community have the opportunity to present their opinions and perspectives on the given conflict situation.

This meeting is essentially a process of consensus building and is based on open discussions with the aim of clarifying issues and exchanging information (Pkayla (et.al), 2004). All the members present in the meeting are given the opportunity to express their views and concerns which results in a consensus leading to agreements with cohesive binding power and legitimacy. An essential aspect of open meetings is the enquiry of truth and the facilitation of the emergence of truth which forms the basic element of any conflict resolution process (Jabs, 2010).

The third element of IMCR involves compensation for the loss caused by the conflict. Compensation for the loss serves a dual function of providing for the means of justice as well as the deterrence from initiation of conflicts (Jabs, 2014). Unlike western cultures where a fine imposed after a crime is deemed as punishment and ostracization, the compensation paid by the guilty party allows them to be forgiven and initiated back as a full member of the community. The verdict in an IMCR process is *"nested within an integrative set of payoffs concerning the reinsertion of the offender back into the community and its values. Justice is very much part of the exercise, but as a compensation for loss, not as a retribution for offense"* (Zartman, 2000:221-222). The compensation element while being more symbolic than material is very significant since it shows the participants that justice has been served through payments for wrong deeds allowing the community to be restored (Pkayla (et.al), 2004; Jabs, 2010).

The final and the fourth element of IMCR is a cleansing ritual that follows the pronouncement of the verdict with the aim of restitution to the wronged party as well as integrating the guilty party back into the community. These cleansing rituals vary according to different communities but the primary aim is to bring a closure to the conflict (Jabs, 2014). Instances of a cleansing ritual include a shared meal between the parties (Nwoye, 2006) or the smearing of goats' intestines on the guilty party (Pkayla (et.al), 2004). However, the theme and purpose of the ritual remains consistent in the sense that it serves to indicate an end to the conflict and the restoration and reintegration of the individual into the community. Also the ritual affirmation is a *"symbolic action to ensure that everyone shares what has been decided"* (Faure, 2000:160) and symbolizes both the end of the conflict and the ratification of the agreement.

Hence, IMCR serves a dual purpose of resolving conflicts as well as reintegrating the errant party back into the community and has certain advantages such as restoring social relationships, minimizing costs of resolution and being relatively free from political influences. Its focus on restoring social relationships forms the crux of any IMCR processes. This is necessary for the re-establishment of social relationships by bringing together the society in general and the conflicting parties in particular. Its main aim is not to punish the wrong doer but rather to help restore harmonious relationships (Boege, 2007).

IMCR processes being grounded within the social system is hugely cost effective as compared to formal institutions like the judiciary and police systems. In addition the process is expedient and saves time since the whole society is deeply involved and motivated to arrive at a solution unlike formal mechanisms which is costly, mostly inaccessible, slow and inconsistent in delivering justice (Bendeman, 2007). Furthermore indigenous methods are relatively free from political influences and offer independent, unbiased, fair and efficient access to justice (Helgesen, 2008). It is culture specific with passed down expertise and wisdom in generating verdicts that have a positive impact upon the society. Since, it originates from the society, it is simple and easy to realize, and solutions are achieved without affecting the needs of the society (Srivastava, 2004). Further, since people are already conscious and well aware of their indigenous laws and principles of conflict resolution it gives greater legitimacy and ownership over the processes and mechanisms of the resolution of the conflict situations.

Though IMCR has its own advantages with regard to the groups and society concerned, it nevertheless has its own weaknesses and disadvantages. Indigenous practices while being rooted within the culture and traditions of the indigenous society may sometimes contravene or be contrary to the universal principles of human rights and norms of democracy. Most IMCR processes exclude women and is mostly male dominated thereby curbing the voices and freedom of its female members. Further, women are often seen as 'property' and are exchanged as payments or compensation between conflicting parties which violates the rights of women under universal human rights practices (Boege, 2007).

In addition, the processes of IMCR have limited applicability since it is mostly suitable within an existing societal structure. Also it is open to abuse in the face of rapid modernization and the institutionalisation of materialistic culture thereby corrupting the traditional elders and chiefs who mediate over the proceedings. A punishment perceived as unjust by the guilty party may lead to future retaliations and violence. The lack of a clear mandate along with negligible or limited support to these institutions from governments and international bodies has nevertheless weakened the structural base of these institutions (Michel, 2010). Hence, access to justice for indigenous communities and effectiveness of these institutions in delivering the same remains in jeopardy.

5.5 Indigenous Methods of Conflict Resolution in Arunachal Pradesh and Odisha

Akin to all traditional and indigenous societies, the Adis and the Dongria Kondhs too have their organic self-governing systems which play a major role in resolution of conflicts within the society. The Adi system of governance is called the Kebang. The Dongria Kondhs' system at the village level is the traditional village council and a cluster of villages forms the Mutha system. Both these IMCR are comparatively well established and intact. Furthermore, both these mechanisms also fulfils the criteria for traditional/indigenous methods of conflict resolution as they have continued to exist since a considerable period of time; have adapted and existed within the changing social, economic and cultural variables; is locally rooted and inspired by their existing social and cultural mores; is context specific with a historical evolution within the societal structure; its methodology is custom-based or informal and process-oriented; and it is rather a non-state or pre-state process not enshrined or controlled by state procedures- legal or political (Planta, 2016).

The Kebang and the traditional village council operates as the initial and primary institution of conflict resolution and bears the four characteristics inherent to indigenous methods of conflict resolution, namely being; (i) consensus concerning the mediating authorities, (ii) open meeting where everyone is heard, (iii) compensation for the loss created by the conflict and (iv) a cleansing ritual which serves to integrate the errant member back into the community. However, the Kebang and the traditional village council differ in certain aspects with the most striking being the selection of their

traditional leaders and their relevance and changes in contemporary times. The Kebang is a democratically elected body while the leaders within the Dongria Kondhs traditional village council is hereditary. Also the Kebang has not gone through much change and maintains its democratic structure and is still relevant amongst the Adis as the primary institution of conflict resolution. On the other hand, the traditional village council of the Dongria Kondhs has witnessed considerable change and declining relevance with the infusion of democratic values and the emergence of the NSS as an alternative body of conflict resolution as will be ascertained in the following pages.

5.5.1 The Adi Kebang in Arunachal Pradesh

In an Adi village, the Kebang is the supreme authority which is a collective body constituted with elected members. The Adis are independent, democratic republics in spirit and aspirations (Danggen, 2003) and their administrative structure reflects this essentially democratic republic ethos. Verrier Elwin (1957 [2006]) notes that the Adi Kebang is the most highly developed and effective of all the tribal councils and *"may well become a model for the whole of NEFA"* (2006:156). Amongst the Adis, autocracy in any form has not been known and in the absence of a distinct class of nobility; oligarchy has also remained equally unknown (Roy, 1960). The Kebang represents this democratic republican form of governance that regulates the daily indigenous lives of the Adis. It is responsible for the welfare of the village society and maintains peace and harmony amongst the members of the village. There are some variations in the use of the term 'Kebang' amongst the sub-tribes of the Adis but the structure and functions remain the same for all (Nath,2000).

The term Kebang has a dual connotation; first, it denotes the head of a family, a village or a group of villages. Second, it refers to their democratically constituted indigenous institution of governance and conflict resolution. At the micro level, the male head of a family is the Kebang-Abu of that particular family. Similarly, at the village level many Kebang Abus chosen on the basis of their personal charisma, influence and knowledge of the traditional Adi customary laws, lifestyle and cosmology constitute the members of the Kebang. Normally, the Kebang- Abus are usually the Gams (headman) of the clans of a village and there may be many Kebang Abus depending upon the number of clans living

in a village (Nath, 2000). The appointment of Kebang-Abus and Gams is not hereditary and based on merit and even a younger person with good oratory skills and well versed in the traditional customary laws may be appointed as one. Hence, Kebang as a system of indigenous governance and conflict resolution includes the Gams or clans' headmen and people who are well versed in the traditional Adi customs and values.

According to Adi mythology, the Adi Kebang preceded the arrival of human beings and has been in existence since times immemorial. Kebang was already established prior to the arrival of human beings and when the earth was without a form (Danggen, 2003). It was present before *"the terminology of love, friendship, kindness and liberty was yet to be known.....(and) the voice of freedom and fraternity was yet to be heard"* (Danggen, 2003:45). It was present amongst the Adis before they migrated from Mimat (Tibet) into present day Siang valley (Danggen, 2003) and the term 'Kebang' in Adi dialect has a broad connotation and socio-ethical significance (Nath, 2000). Kebang essentially denotes an intelligent, wise man well-versed in history, tradition, knowledge – mundane and spiritual. It is an impartial body of wise, intelligent men with socio-ethical purpose to maintain order and harmony in the society (Modi, 2003).

The Kebang is a three tiered system and operates at the village level, inter-village level and at the amalgamation of the entire Adi villages. At the village level it is called Dolung Kebang, the inter-village level is called the Banggo Kebang and the Bogum Bokang Kebang constitutes the parliament of the entire tribe (Tai, 1993; Danggen, 2003). Prior to the introduction of the Panchayati Raj Institution in Arunachal Pradesh, the Kebang performed administrative, developmental and judicial functions (Modi, 2003). The administrative and developmental functions of the Kebang included matters related to construction of community halls, bridges, tracts, water pipes, community fencing; the clearing of jungles for *jhum* (shifting) cultivation; community hunting and fishing; celebration of community festivals such as *Solung, Etor, Aran, Mopin, Diri, Potor Nyoyom* (Tai,1993; Modi, 2003).

The Kebang was also concerned with the observation of taboos in the village; shifting of the village to a new site and establishment of new settlements; granting of settlements to newcomers or migrants in the village; arrangement of inter-village relief and help in the

times of emergencies like fire or other natural calamities; maintenance of law and order and peace in the village; adoption of measures for the defence of the village; summoning the people of the village to meet and resist any threat or aggression from outsiders; offensive and defensive measures; peace negotiations (*dapo*) and so forth (Tai, 1993; Modi, 2003).

In the present age, the administrative and developmental functions of the Kebang have been diluted by the introduction of the Panchayati Raj Institutions which oversees these functions. However a fine balance has been maintained between the members of the Panchayat and the Kebang with respect to administrative and developmental affairs. Nevertheless, Kebang continues with its judicial function and serves as the court of the people and interprets their laws and customs. It is the primary authority entrusted with resolution of conflicts and serving justice. The judicial aspect of the Kebang can be divided into four units, namely being; Erang/ Opin Kebang, Dolung Kebang, Banngo Kebang and Bogum Bokang Kebang as depicted in figure 5.2 below:

Figure 5.2: Indigenous Conflict Resolution Mechanisms of the Adis
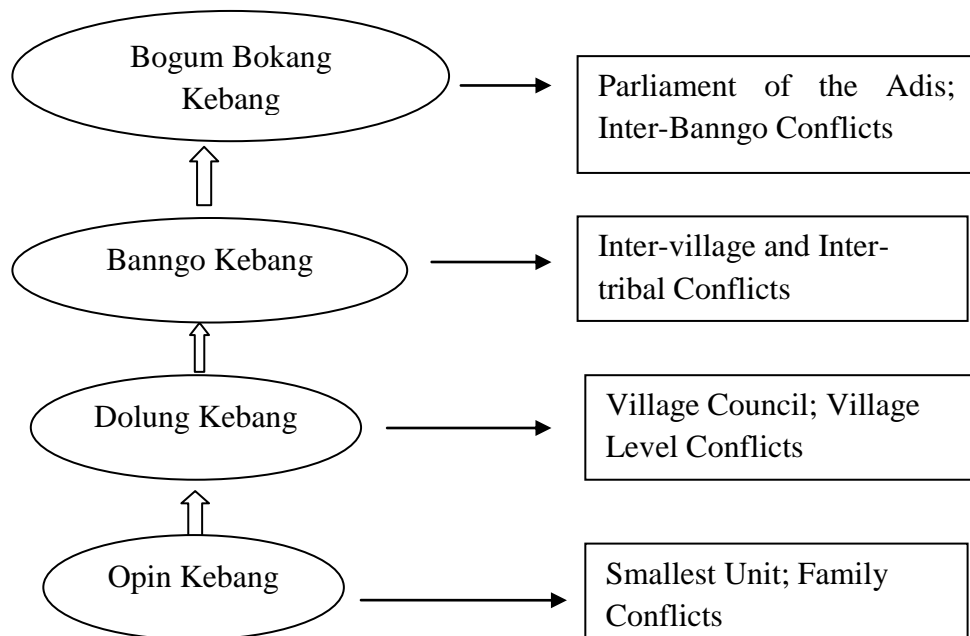
Source: Author (2017).

The Erang or Opin Kebang is the smallest unit and disputes/conflicts within the family are settled by their respective heads. The failure to settle such disputes are forwarded to

the Dolung or the village level Kebang. The Dolung Kebang is the most effective body of the Adi society and has powers to trial and conduct civil and criminal cases of the village. It is the village level judicial authority or the village council. The Banngo Kebang is above the village council which is composed of an area of three or more villages as per geographical location according to ethnicity and affinity (Nyori, 1993). All the Gams within the jurisdiction of the same group and few other influential villagers constitute a Banngo Council for the resolution of inter-village and inter-tribal conflicts (Roy, 1960). Inter- Banngo or serious cases involving inter-village, inter-tribal or inter-district conflicts are dealt by the Bogum Bokang Kebang. It is a form of Parliament of the entire Adi population and is more organised than the village Kebang for it has a secretary and maintains funds (Modi, 2003).

When any issue is brought to the notice of the Kebang, a date is fixed for its deliberation and the *Mushup* boys of the village go around announcing the dates throughout the village. The proceedings of the Kebang are held at the *Mushup* or boys dormitory and is initiated only after all the important Kebang Abus have been seated. The Kebang Abus guide the proceedings in which everyone that have an involvement or interest in the matter are given the chance to speak. Every speaker begins their speech with a preamble or an *abe* narrating their ancient history and glory and exhorting on the judges to uphold their traditional laws and provide an impartial judgement. The introductory speech or an *abe* is usually cited along the following lines:

"Oh, villagers and brethren, let us strengthen our customs and Kebang, let us improve our regulations; let us make the laws straight and equal for all. Let the leader who can speak best stand up and speak out for our betterment; let them speak out in bold voice unabashed and undaunted like a cock crowing. Let our law be uniform; let our customs be the same for all" (Nyori, 1993:135).

The Kebang-abus give a patient hearing to each speaker and the deliberation continue for an extended period till everyone has voiced their concerns and arrive at an agreeable decision or is adjourned for the next session. The deliberations over serious and complicated issues can continue for days with the Kebang-abus noting down the points raised by all concerned. The contending parties and their supporters appearing before the

Kebang try to convince the justness of their actions through long speeches in traditional form and in loud voices with bold gesticulations (Nyori, 1993). The deliberations in similar fashion are carried out for every speaker who wishes to speak and continues till the disputants arrive at a consensus. The aim of the Kebang is not to deliver judgement but to enable the parties in a conflict to arrive at a solution through consensus.

In instances where the guilt cannot be proved through deliberations or when the allegations are denied, then the help of supernatural oaths and ordeals are taken. The ordeals are in the nature of physical and psychological tests of innocence or guilt. The oaths are taken in the name of *Donyi-Polo* (Sun- Moon God) and are considered to be the most sacred and binding. However, if both parties take the oaths and no guilt can be proven then ordeals are resorted to which may include taking out boiling egg from water or pouring molten lead onto the palm and so on. The traditional Adi society believes that it is *Donyi-Polo* who is actually giving the supreme verdict through these tests of innocence and the Kebang or the human agent cannot act against it (Nyori, 1993; Modi, 2003).

The confirmation of guilt of the accused results in compensation amount to be paid to the aggrieved party and the verdict or the result of the Kebang proceedings is announced throughout the village. Although there is no provision for capital punishment or life imprisonment in the modern sense of the term, but severe punishments were meted out to serious offences such as incest, adultery or murder (Nath, 2000). Examples of such punishments included ostracism (*minpaknam*), enslavement (*pagbomonam*), drowning (*isiliknam*), throwing down a steep hill (*budipalonam*), locking in stocks (*lepaliknam*), etc (Danggen, 2003). Though the form of justice and conflict resolution methods are based upon consensus amongst the participants, the Kebang is equally sympathetic to both the parties. It tries to bring the warring factions together and reconcile future relationships rather than being a stern dispenser of justice which the parties would fear and avoid. Its method is conciliatory rather than coercive and tries to bring about a compromise that is acceptable to both the conflicting parties.

The Kebang as an effective institution of governance and conflict resolution is aptly described by Sachin Roy as:

Though humane, they are effective because the offender is made to feel the weight of the wrong done by him without suffering moral degradation which gives rise to criminal class. Therefore, though formless and elastic, the customary laws are well suited for the maintenance of order in society and enable its members to lead their lives in peace and tranquility" (Roy, 1960:123).

The Adi Kebang is practical and simple and serves in maintaining and establishing the traditional concepts of justice and equity. The system of resolving conflicts through the intervention of experienced wise elders provides legitimacy and social sanction. Since the verdict has to be acceptable to both the conflicting parties it manages to reconcile future relationships and maintain social harmony. The process is simple yet practical and free from the complications and arduousness of formal mechanisms of the judiciary and conflict resolution. It not only resolves conflicts and brings the conflicting parties together but also develops and maintains a code for an acceptable social behaviour and harmonious existence. The role of the Kebang has declined in recent times due to introduction of the Panchayati Raj Institutions, regional politics, monetization and global market forces. The developmental and administrative functions of the Kebang is now administered through the PRI's and its members. However, its role and relevance as the primary institution of conflict resolution and as the peoples' judiciary is still intact and functioning.

5.5.2 Kebang and Natural Resource Conflict Resolution – Perceptions from the Field

The Adi Kebang continues to play an important role in maintaining social harmony and peace and as a significant institution in the resolution of disputes and conflicts. The primary causes of conflicts/disputes in quotidian Adi lives ranges from petty family quarrels and squabbles to disputes over land and resources. Figure 5.3 illustrates the primary causes of conflicts and disputes in contemporary Adi society.

**Figure 5.3: Types of Conflicts in Contemporary Adi Society**
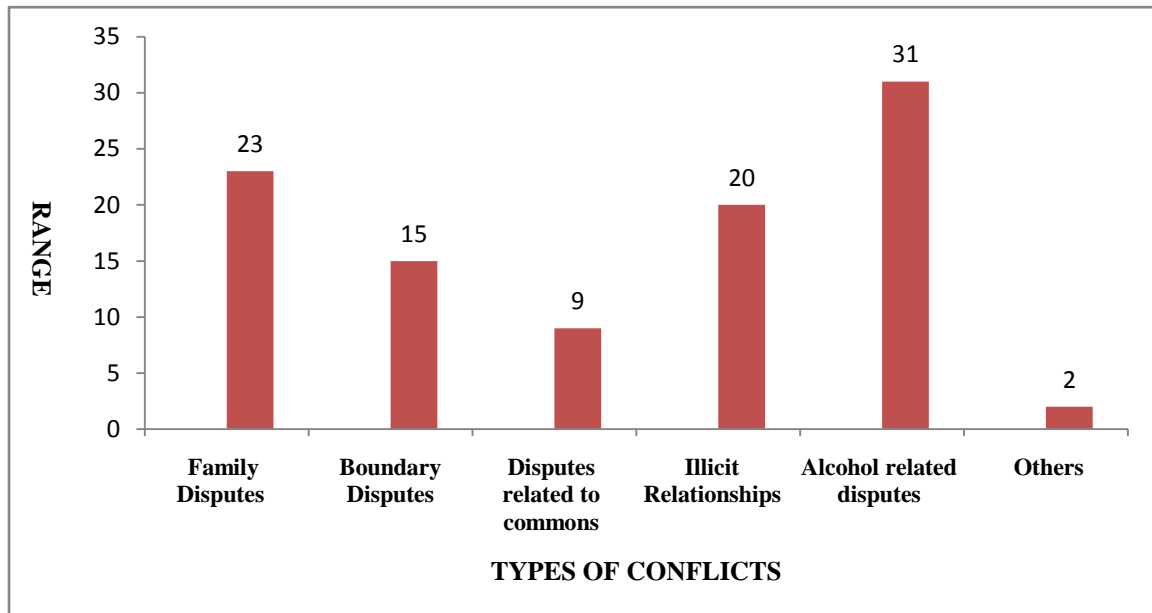
Source: Field Work 2014-2016.

As can be ascertained from the above figure, major conflicts comprise of alcohol related disputes followed by family disputes. Major crimes like rapes and murders were often attributed to alcohol consumption (31 percent) and hence it was reported as the major cause and type of conflicts. Alcohol consumption was cited as the primary cause of conflicts which had the potential to lead to enmity and animosity within the people from the same clan or village. Moreover the easy availability of alcohol at low prices has made alcohol one of the major social evils in contemporary Adi society. The high instances of family disputes (23 percent) along with illicit relationships (20 percent) also account for a majority of conflicts and disputes. Interestingly, alcohol consumption was blamed as the culprit in these cases too.

The disputes over common resources (9 percent) like the forests and *Jhum* fields were comparatively lower since each village had their separate common resources. Also since the population density is very low and the resources abundant the instance of conflicts over commons was significantly low. Similarly, the conflicts over personal property and boundary (15 percent) were also among the lower indices of conflict. A majority of these conflicts were discernable at the town of Pasighat and villages nearer to the town. This can also be attributed to lower population density along with an egalitarian style of living.

Nevertheless, the conflicts that exist in contemporary Adi society is usually resolved at the village level through the Kebang. The Kebang plays a major role in the resolution of these conflicts with 46 percent of the sample population referring the Kebang as the primary agency for conflict resolution. Apart from the Kebang, disputes/ conflicts were also reported to the police and local administration (31 percent). The cases referred to the police mostly involved cases involving major crimes like rapes and murder. The local political leaders (11 percent) and the Panchayats (9 percent) were also cited as agencies of conflict resolution though most of the cases referred to them were by people who expected a favourable verdict from either the local politicians or Panchayat leaders. Very few of the sample population (3 percent) favoured litigation and visiting the courts as it was viewed as a cumbersome and expensive process.

Figure 5.4: Modes of Conflict Resolution in Contemporary Adi Society
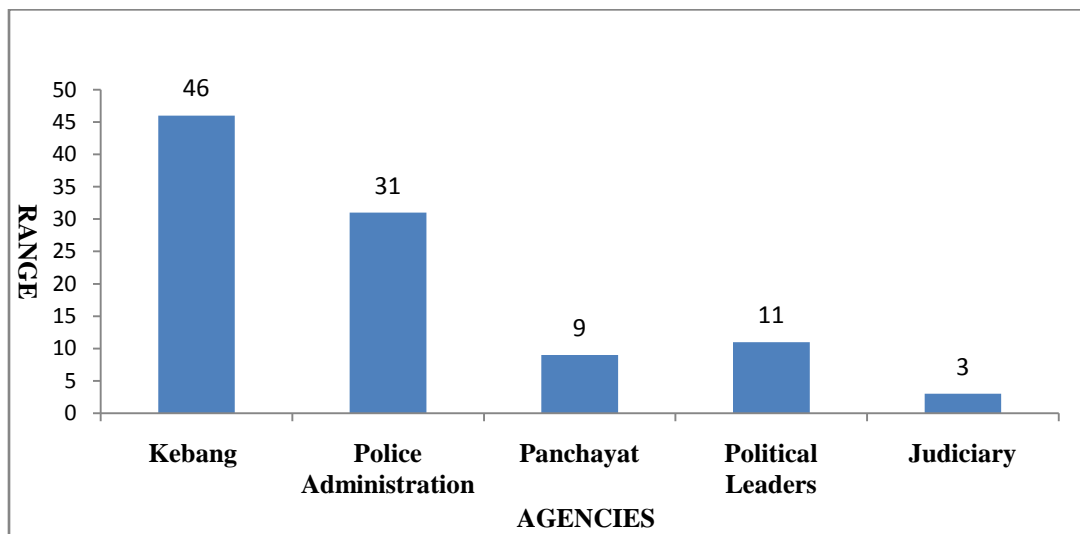
Source: Field Work 2014-2016.

Hence, at the local level the Kebang is the most effective institution for the resolution of conflicts and disputes. One of the primary reasons for this is the familiarity with the mechanisms of the Kebang that has been carried along till date. The Gams still have considerable respect and influence within Adi society and the social sanctions imposed by the Kebang acts as a deterrent in future conflicts as well as reconciling conflicting behaviour and attitudes.

However, with regard to resolution of the conflict over the LSHEP, the field data revealed that the Judiciary was believed to be the authority that could resolve it effectively. 31 percent of the sample population had faith upon the Courts and the Judiciary to resolve the conflict since it involved larger stakes with many parties involved in it.

Figure 5.5: Modes of Resolution of the Conflict over the LSHEP
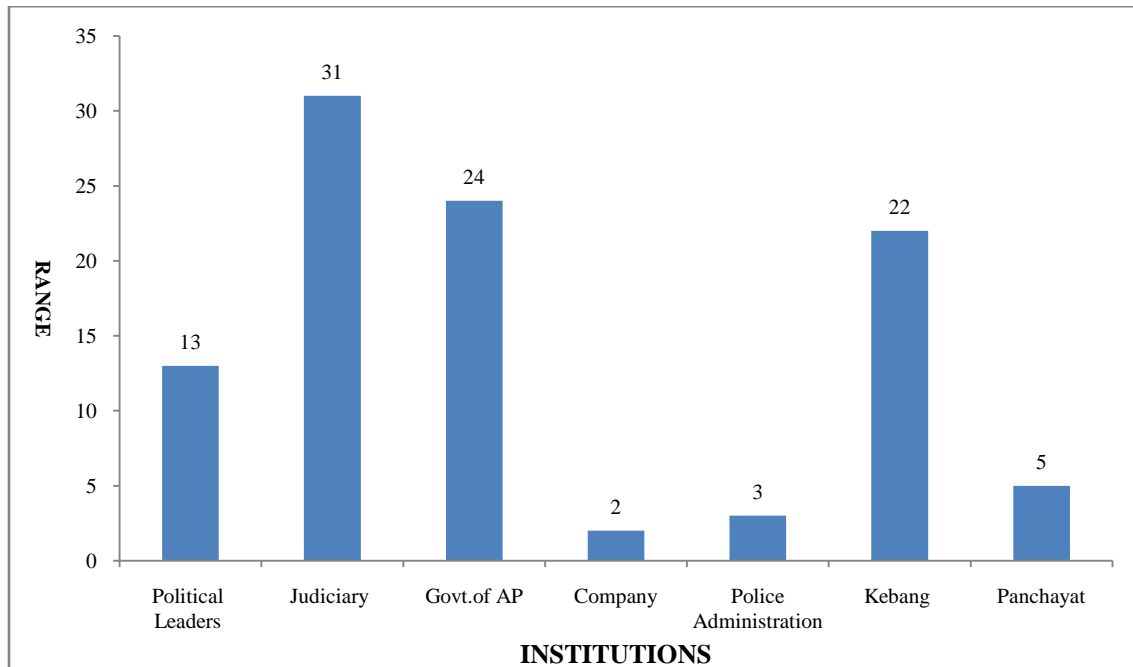
Source: Field Work 2014-2016.

Though the Kebang plays an important role in conflict resolution at the local level, the people's perception indicated that the Courts rather than the Kebang were more effective in resolution of this conflict. This is largely due to the fact that the Kebang has only been utilized to resolve conflicts at the local level involving the Adi people. Interestingly, the state government (24 percent) was also believed to be more effectual in resolving this conflict than the Kebang. It was argued that since the Government of Arunachal Pradesh had invited the companies to dam the rivers, it was within the state's power to cancel these agreements. The role of the Kebang in resolving the conflict was mostly restricted to the united opposition to the project by the Bogum Bokang Kebang. Though 22 percent of the sample population placed their faith upon the Kebang in resolving this issue, it is however related to the Kebang's opposition to the project. Moreover, it was the sample

population's contention that any decision to dam the Siang had to be first discussed within the Kebang. Hence, with regard to the resolution of conflict over the LSHEP, the state apparatus in the form of the Judiciary as well as the ruling dispensation at the state level were believed to be better placed at resolving the issue.

5.5.3 The Traditional Village Council of the Dongria Kondhs in Odisha

The Dongria Kondhs like all indigenous populations have a structured system of governance that maintains the day to day life and functions as an institution of conflict resolution. The Dongria Kondhs are known to have been a feuding society (both intra clans as well as inter clans) with conflicts over land, territory and women often taking violent forms (Nayak, 1989). The whole Dongria population is stratified according to clans and sub-clans with particular clans having a higher status than others. Also, the basis of relationship and communication between these clans are differentiated into two clear cut categories: brother clans (*taibai*) and affinal clans (*samdingota*). The affinal clans are potential enemy clans with whom hostilities cropped up anytime, anywhere, notwithstanding the fact that there is no other way of acquiring wives except from the affinal/enemy clans (Nayak, 1989). Hence, cooperation and conflict between clans is a significant dimension of the social structure of the Dongria Kondhs.

The processes of conflict, conflict resolution and co-operation amongst the members is regulated by the traditional village councils in which the village forms an important socio-political unit in the Dongria world (Aparajita, 1994). Each village has a traditional village council and law and order is maintained by a few village elders in consultation with the adult male members (Aparajita, 1993). The office bearers of the traditional village council act as the chief administrative functionaries in regulating the socio-political, economic and religious life of the people and enforce the customary and un-codified norms and usages of the community (Behera and Sahu, 1970).

Having said that, it must be noted that there are a number of villages within an area but none are homogenous with respect to its clan composition. Each village has a dominant clan which is believed to be the first settler in the village and families from other clans co-settle with them (Jena (et.al), 2002). Within the dominant clan, there are four sub-clans known as *punja* and is composed of a few lineages. Further each *punja* is divided

into senior sub-clan (*kajapunja*) and junior sub-clan (*ichapunja*) (Nayak, 1989). Usually, the *punjas* of the main clan form the core body of the village council which constitutes the *Jani, Pujari, Mandal and Bismajhi.* Even among these four functionaries, there is stratification at the normative level according to the distribution of functions amongst them. The *Jani and Pujari* are the senior and junior level religious functionaries while the *Mandal and Bismajhi* are the senior and junior level secular functionaries respectively (Nayak, 1989). Hence, the office bearers of the traditional village council consist of the *Jani, Pujari, Mandal and Bismajhi.*

The *Jani* is the religious head of the village and the formal headman of the traditional village council. He is the most important socio-religious functionary and during feudal times he was appointed by the King of Bissamcuttack in consultation with the *Mandal* (Jena (et.al), 2002). However, gradually the post has become hereditary with the son becoming the *Jani* after the father's death. The various religious rites, hymns and incantations recited are memorized by the *Jani* from childhood. There are no written manuscripts or books in this regard and it is learned orally (Aparajita, 1993). A *Jani* trains his son well before his death in the tradition, heritage and lore of the tribe, thus handling down the religious knowledge from one generation to the next. The appointment of a Jani is always declared before the traditional village council though there is no elaborate initiation ceremony. A *Jani* does not receive any remuneration for the duties and functions he performs but in any important festival or religious ceremony he receives the better and larger share of the distributive articles (Behera and Sahu, 1970).

The *Pujari* is second to the Jani in status and an important socio-religious functionary. He assists the *Jani* in ritual performances and cooks in rituals and other ceremonial occasions. He is an important functionary during the Meria festival and supervises the communal feast and distributes food among the villagers (Nayak, 1989). The *Mandal* is the secular and the political head and maintains the political organisation at the *mutha* level and was appointed selected by the Thatraja of Bissamcuttack. At the village level he was selected from amongst the *Mandal Punja* and amongst the *Mandals* of the *mutha* villages one *Mandal* was selected as the political headman at the *mutha* level (Behera and Sahu, 1970). The *Mandals* were given special power of arbitration in communal disputes and conflicts and also had the role of incorporating out-casted deviant individuals back

into the community (Nayak, 1989). The *Bismajhi* like the *Jani* was earlier appointed by the King of Bissamcuttack but now his post has also become hereditary. His nature of duties is the collection of revenue from the villagers and fixing the rate of participation at different festivals and communal feasts. He also assists the *Jani* in determining the rate of compensation for offences committed (Aparajita, 1993). Apart from these four functionaries, the traditional village council also has a *Barika* who is the messenger of the village and informs the villagers about the sitting of the village council. The *Barika* is a *Domb* (Scheduled Caste) by caste and also acts as a liaison between the Dongria Kondhs and the outside world since he can speak both Kui and Oriya. He is employed by the villagers and is generally paid in kind and also collects food from each household during harvest time (Jena (et.al), 2002).

The indigenous institution of the Dongria Kondhs used to operate at two different levels; (i) at the village level and (ii) and mutha level. At the village level the traditional village council operated as the primary institution of governance and conflict resolution. Beyond the village, the entire Niyamgiri hills had five Muthas (Khajuri, Bondeli, Koliaripata, Bhairabgadh and Duargada) each with a Mutha head known as the Mandal (Aparajita, 1994). The Mandal was hence a superior functionary deriving his authority not through socio- religious sanction but from the decree of the ruler of Bissamcuttack. Inter-village, inter-clan matters and serious conflicts were referred to the Mandal and the Mutha council. Though the post continued to be important even after the abolition of Zamindary post-Independence, it became defunct after the introduction of the new system of decentralized political organisation in 1968 (Nayak, 1989).

In the past, especially before Independence, the traditional village council, though functioning at the village level, was connected with the largest political body of the state in a very systematic manner as represented in Figure 5.6 below.

Figure 5.6: Traditional Political Organisation of the Dongria Kondhs

```
        Maharaja of Jeypore ───── State

        Thatraja of           ───── Feudal
        Bissamcuttack               Chief

        Office of the Thataraja

              Dewan, Amin
              and Paika

   Non-Tribal                    Kondh Chiefs
   Chiefs
                    Mandala      ─── Number of
                                     Muthas

                    Santa        ─── Mutha level
                                     head

                    Jani         ─── Village level head

   Bismajhi                          Pujari

                    Barika
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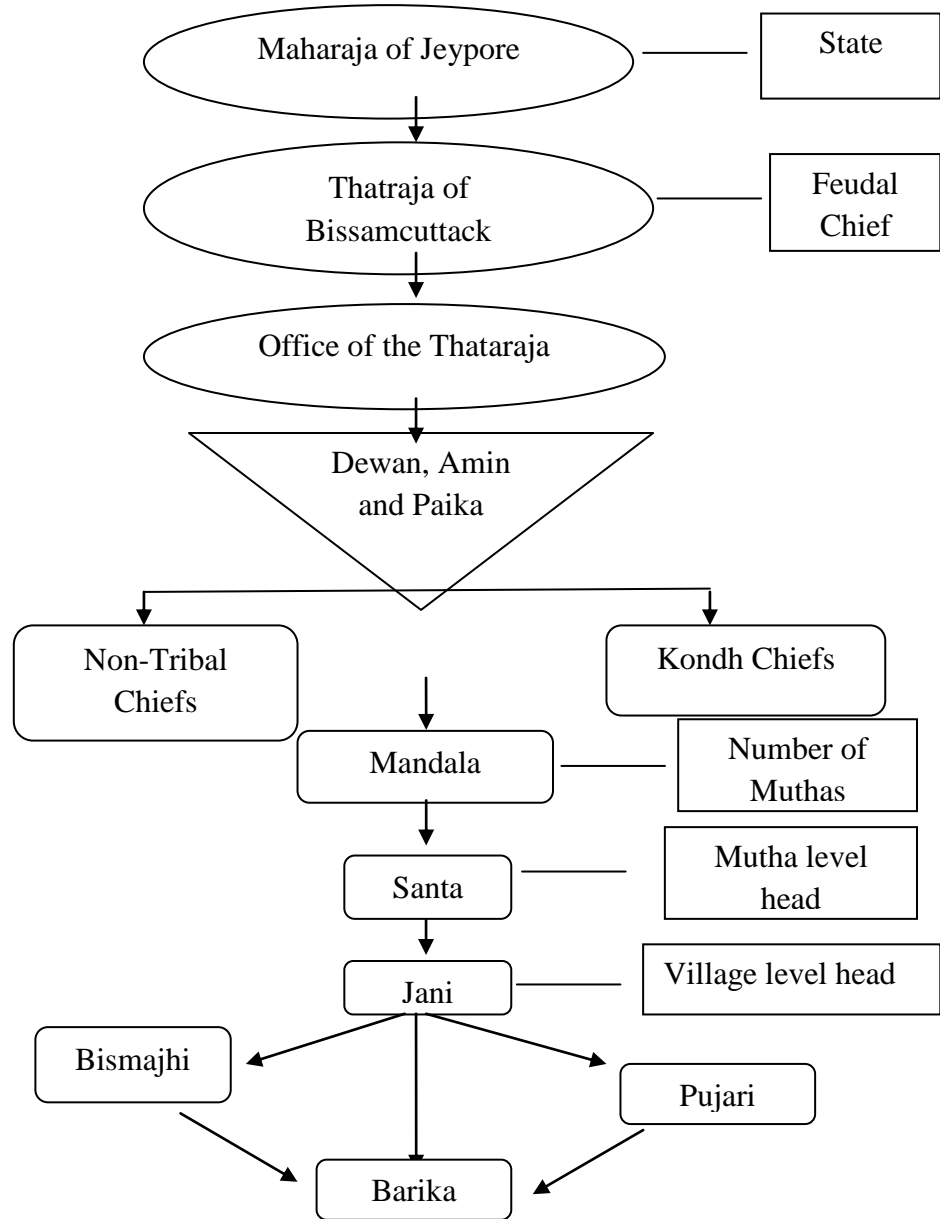
Source: Jena, M. (et.al) (Eds.). (2002). *Forest Tribes of Orissa (Volume 1): The Dongaria Kondh*. New Delhi: D.K. Printworld (P) Ltd.

Violent inter-clan feuds were resolved by the *paiks* (soldiers cum peons) and *amins* (revenue collectors) working under the *Thatraja* of Bissamcuttack. Serious cases of inter-clan feuds which could not be resolved either through the traditional village council or the *Mutha* system were brought before the *paiks* and *amins* for mediation and arbitration.

The resolution of these feuds by these authorities was effective since each contending parties were more or less equally punished or rewarded. However, intra-clan conflicts and feuds were not referred to these feudal authorities and were resolved by the traditional village council through the rites of reconciliation (Jena (et.al), 2002).

Post-Independence, many of these institutions has become defunct except the traditional Dongria Kondh village council which is largely socio-religious in character. The village council decides almost all socio-religious matters such as marriages and funerary rites along with determining the dates of festivals and religious rituals. It is also the ultimate institution of conflict resolution and the arbiter of ensuring peace and justice (Aparajita, 1994). The village council decides all matters within the village related to land disputes, murder, theft, adultery, illicit love affairs, witchcraft, breach of traditional taboos, defiance of authority of the council, etc. While matters confined to persons or families in a village are settled by the village council, matters concerning two or more village are similarly settled by calling a meeting of the elders of each concerned village. After detailed and often heated discussions wherein everyone present has a right to participate and the contesting parties are given the benefit of a full hearing, the case is almost always amicably settled (Jena (et.al), 2002).

The proceedings of the village council are held at the *kudi*, the divine residence of the earth goddess which is used as a community house. The summoning of the villagers for the village council is done by the *Barika* and the proceedings usually start early in the morning. The meeting starts with the attendance of the *kazarus* (lineage leaders) and other prominent men. Everyone involved or with an interest in the matter is given a chance to speak at the proceedings and efforts are made to bring about *aspa* (mutual understanding) between the disputing parties (Nayak, 1989; Aparajita, 1993). In instances where the guilt cannot be proved through deliberations or when the allegations are denied, then the help of supernatural oaths and ordeals are taken.

The oaths are administered in the name of Niyamraja and *Dharani Penu* (Earth Goddess) and are considered the most sacred and binding (Patnaik and Patnaik, 1990). The ordeals are in the nature of physical and psychological tests of innocence and usually include eating a concoction prepared by the *Pejuni* (shaman) (Das Patnaik, 1972). The guilty

party is usually made to compensate and pay fines (*tapu*) for their actions through payments in kind which may include liquor, fowls, goats, buffalos, etc depending upon the nature and severity of the offence. At times, the village council may decide to ostracize (*elka*) the defaulter and he is disassociated from any communal activities for a certain period of time. In cases involving adultery, the accused is usually driven out of the village and outcasted (*jati-pihpa*) but may be reincorporated after paying a heavy fine as decided by the village council (Nayak, 1989).

In the present day, the traditional village council and the Dongria world has gone through many significant changes. The advent of liberal democratic values has diminished the status hierarchy of the sub-clans but there is an emerging dominance of religious roles and the retreat of secular roles. The conventional roles of *Bismajhi* and *Mandal* are overlooked and without their consent and guidance the *Jani* and *Pujari* are carrying on with their ritual practices, which are compulsory for each household and for all the villagers (Nayak, 1989). The introduction of the Panchayati Raj System has limited the functions of the traditional village council in matters related to developmental activities of the village (Jena (et.al), 2002). The Panchayat leaders often come from among the traditional village leaders by a process of role-transformation and role-combination (Aparajita, 1994). These two institutions of governance often operate as parallel units. The Panchayat functions within the political and economic sphere while the traditional village council oversees the socio-religious and ritual sphere and as the prime arbiter of justice and conflict resolution.

The decade long struggle over mining the Niyamgiri hills has also brought in changes within the traditional political organisation of the Dongria Kondhs. The Niyamgiri Surakha Samiti (NSS) which spearheads the movement against mining the Niyamgiri hills has emerged as an alternative structure regulating both ritual practices as well as maintaining peace and harmony amongst the Dongria people. The NSS headed by five prominent Dongria Kondh leaders apart from being a symbol of resistance has also taken up the role of ensuing peace and rooting out certain evil practices within the society. The NSS has taken up the mantle of selecting functionaries at the Gram Sabha and Panchayat levels and decides matters related to regional political. They have also started organizing the yearly ritual worshipping of Niyamraja at the top of the hill which is attended by all

Dongria Kondhs which is a testament to the NSS's authority and relevance in the present day. Hence, the Dongria Kondh political organisation and IMCR has gone through significant changes through the passage of time. From being a feudally appointed form of rule and hereditary chieftaincy it has now evolved into a more democratic and merit based institution in the form of the NSS. The incessant clan feuds and stratification amongst the sub-clans has significantly diminished with the whole Dongria Kondh population standing together as one cohesive group. The traditional leaders such as *Jani* and *Pujari*are still accorded a high status alongside the traditional specialists and shamans like the *Dishari* and *Pejuni*. Lastly the Dongria Kondhs and their institutions has been able to change according to the circumstances and been able to adapt and adopt institutions that have a firm organic indigenous base.

5.5.4 Traditional Village Council and Natural Resource Conflict Resolution – Perceptions from the Field

The traditional village council of the Dongria Kondhs still holds much socio-religious significance in everyday lives due to its sacral polity. The Jani and other traditional functionaries are still given their due respect and consulted on matters related to the conduct of festivals and other important events. During the course of the field work, it was revealed that alcohol induced conflicts (34 percent) was one of the primary types of conflicts in contemporary Dongria Kondh society. Many of the intra-clan as well as inter-clan feuds were attributed to the habit of the Dongria men indulging in drinking traditional *Salpa* wine or local liquor available at market places in Lanjigarh or Muniguda. Though the traditional clan feuds within Dongria society has been controlled effectively, petty feuds and conflicts are still prevalent as can be discerned from figure 5.7 below.

**Figure 5.7: Types of Conflicts in Contemporary Dongria Kondh Society**
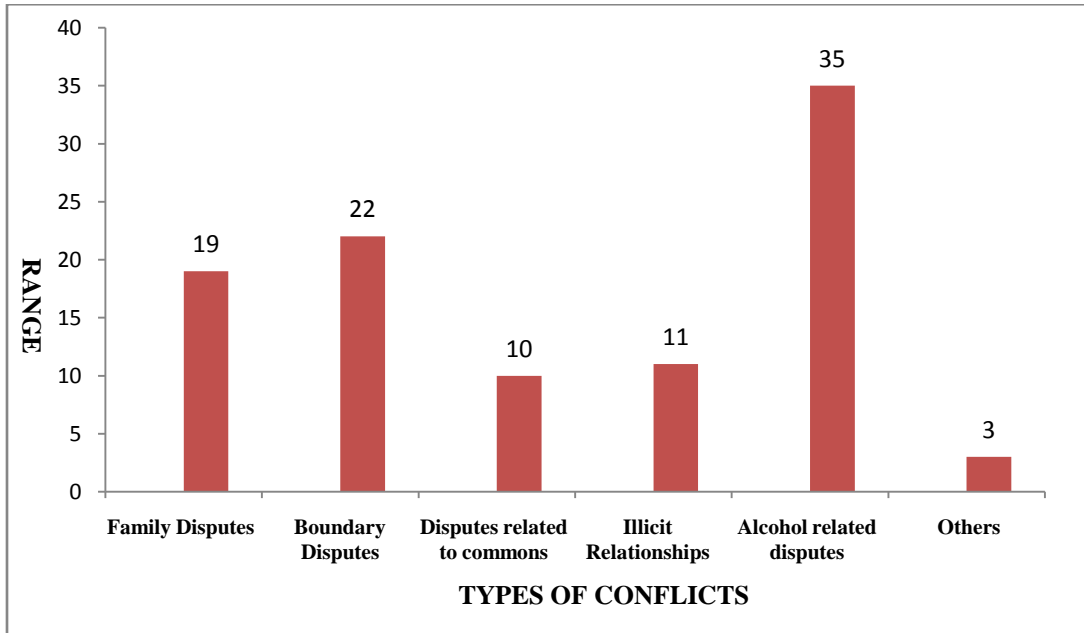
Source: Field Work 2014-2016.

The disputes over private property and boundary disputes (22 percent) were also reported during the course of the fieldwork, along with family disputes (19 percent) between husband and wives or between brothers. The disputes related to commons (10 percent) were on the lower index as well as conflicts due to illicit relationships (11 percent).

The different types of conflict prevalent among the Dongria Kondhs is usually resolved at the village level. In contemporary Dongria Kondh society, the traditional village councils have witnessed significant changes with regard to its authority and relevance due to the emergence of the Niyamgiri conflict. The Niyamgiri Suraksha Samiti (NSS) which spearheads the movement against Vedanta's mining proposal has emerged as a viable agency of conflict resolution amongst the local Dongria Kondh populace. 36 percent of the sample population cited NSS as playing a crucial role in controlling conflicts within the Dongria society. Nevertheless, the role of the traditional village council in conflict resolution is still relevant as 41 percent of the sample population vindicated its relevance in resolving contemporary conflicts at the local level as can be discerned through figure (5.8) below:

Figure 5.8: Modes of Conflict Resolution in Contemporary Dongria Kondh Society
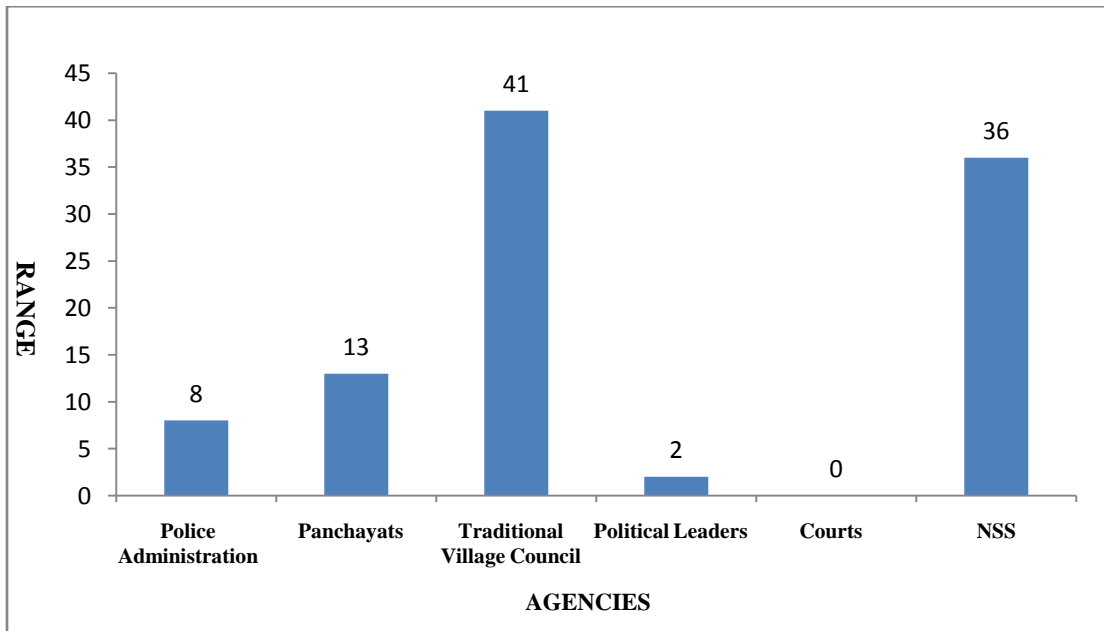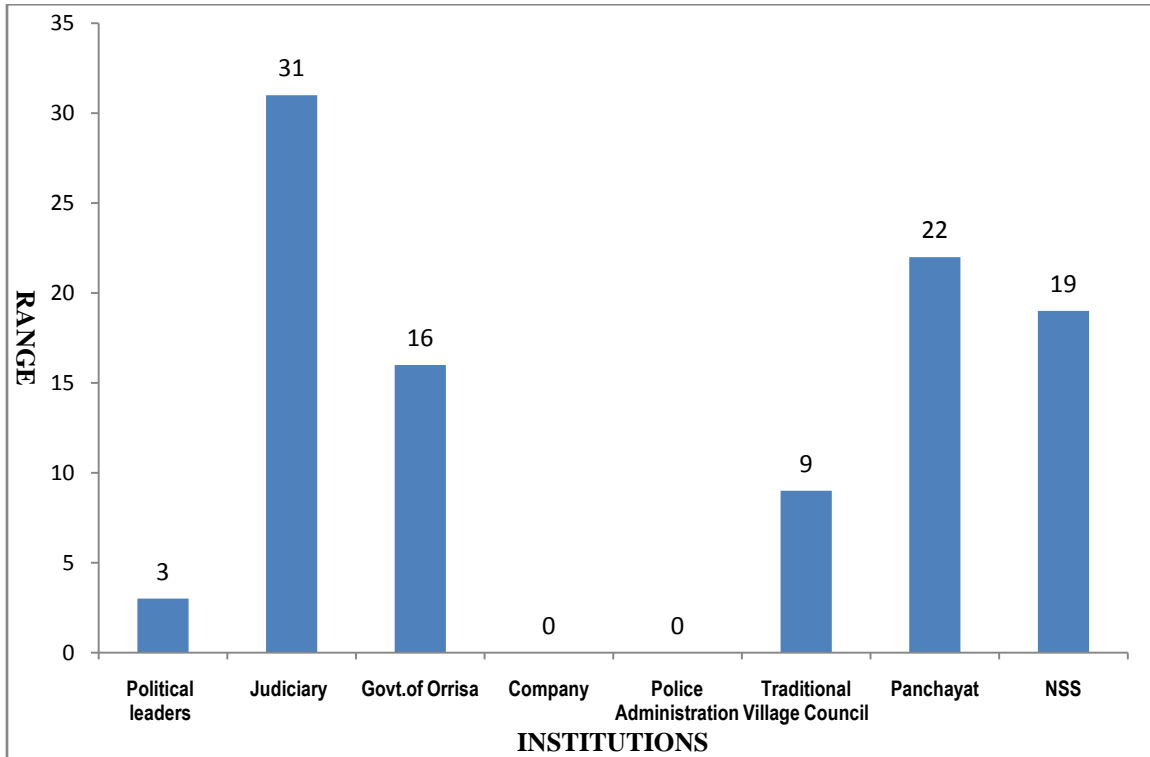

Source: Field Work 2014-2016.

The Dongrias have managed to keep themselves isolated from the mechanisms of the state as can be discerned by their reluctance to approach either the Judiciary or very few instances of approaching the local police administration. In fact the local police administration along with other vestiges of the state are viewed as an alien system incongruent with the values and ethos of Dongria society. Similarly, the Panchayats along with the local politicians were also seen as an alien institution with mostly the sample population from the villages at Lanjigarh referring matters to them. Hence, at the local level, both the traditional village council and the NSS has emerged as the preferred and effective institutions of conflict resolution.

However, with regard to the resolution of the Niyamgiri conflict (Figure 5.9), a majority of the sample population (31 percent) believed that the Judiciary was the most effective institution in resolving the Niyamgiri conflict. This belief in the judiciary can be attributed to the Supreme Court ordered Palli Sabhas (Panchayats) which had rejected Vedanta's mining proposal in 2013.

Figure 5.9: Modes of Resolution of the Niyamgiri Conflict

Source: Field Work 2014-2016

In a similar vein, the reliance on the local Gram Panchayats (Palli Sabhas) (22 percent) to resolve the issue can also be discerned to be the remnants of the Supreme Court ordered referendum process. Apart from these two institutions, the NSS (19 percent) along with the Government of Orissa (16 percent) also emerged as viable institutions for the resolution of the Niyamgiri conflict. Interestingly, the effectiveness of the traditional village council in resolving the Niyamgiri conflict was at a lower index (9 percent) indicating a change and transformation in the role of traditional structures of conflict resolution. Hence, it can be argued that the NSS is likely to emerge as an alternative to the traditional village councils reminiscent of the process of hybridity as well as the changing nature of cultures and traditions.

5.6 Revisiting the Conflicts in Arunachal Pradesh and Orissa

The conflict over the Lower Siang Hydro- Electric Project (LSHEP) in Arunachal Pradesh and the Niyamgiri struggle in Orissa are both variants of the quintessential conflicts over natural resources in the Indian context. These conflicts with local and

regional roots over localized issues of land, forests and water often take on national and even global dimensions and represent the conflict between 'two India'- one with an economic and super-power ambitions and the other with sustenance and livelihood concerns. The central theme in these conflicts invariably involves the nature of development (Shah, 2004) and its effects on the people and communities dependent upon the natural resource base. Conflicts arise when developmental projects seek to alter or change the traditional economic and livelihood base of communities dependent upon a particular natural resource.

It represents the opposing strands of belief in which two contending perspectives are pitted against each other. The first perspective represents the state's vision of the rationality of economic growth through industrialisation. The latter represents the concerns of adivasis, dalits and other marginalised sections of the society whose lives are intertwined with the natural resource base and who stands to lose the most. The magnitude of the gulf between the two perspectives in which fundamental self-interests are at stake makes the possibility of mutual comprehension and the ability to appreciate the rationality of the other side increasingly difficult (Chakravorty, 2013).

5.6.1 Sources of the Conflict: The sources of these conflicts at the macro level can be attributed to the predatory nature of development that seeks to threaten the sustenance and livelihood base of both the Adis and the Dongria Kondhs. However, at the micro level, these conflicts differ significantly with respect to the issues, interests and values at stake. The conflict over the LSHEP primarily revolves around the issues of demographic change, loss of agricultural lands and farmsteads, the un-participatory nature of development along with environmental concerns and downstream impacts. These are issues that revolve around the interests of the local Adi population who perceive the project to be detrimental to their future well-being. The conflict in Niyamgiri is primarily focused on protecting their God in the form of Niyamgiri hill and preserving the age old culture, religion and tradition of the Dongria Kondhs. Hence, the issues at stake revolve around sacrosanct values and ethos of the community which is on the path of being obliterated.

5.6.2 Parties to the Conflict: The parties represent the contending forces that are at odds with each other's interests and goals. In both these conflicts the Indian state, the respective state governments and private corporations (Jaypee Pvt. Ltd and Vedanta Plc) represent one section of the parties to the conflict. The other section involves the indigenous population of the Adis and the Dongria Kondhs. While the Adis have floated numerous groups and civil society organisations to lend credence and support to their cause, the struggle over the Niyamgiri hills is primarily being spearheaded by the Niyamgiri Suraksha Samiti.

5.6.3 Tactics and Behaviour of the Conflicting Parties: In essence, both these conflicts are asymmetric conflicts since the proponents of these development projects wield enormous power and capabilities. The use of violence, force and coercion through the apparatus of the state has manifested itself many times over the course of the conflict. The opponents to these projects have nevertheless withstood these onslaughts upon their basic human rights and managed to provide a united and large scale movement against the designs of the state and private corporations. The tactics and behaviour of both parties to the conflict have refrained from overt use of violence that could eventually lead to violent armed conflicts. Instead the state has relied on subtle and calculated use of intimidation tactics while the indigenous groups have bellied this behaviour through peaceful resistance with only stray incidents of violence and arson.

5.6.4 Changes and Development of the Conflict over Time: The conflict over the LSHEP is still at an uneasy latent phase where any action initiated by the project proponent will result in escalation of protests by the Adi groups opposed to the project. Both the parties to the conflict have adopted a wait and watch strategy and the development of the conflict is contingent upon the future plan of action of the dam proponents. In Niyamgiri, the historic Supreme Court ordered referendum process should have put an end to the conflict but the billions of dollars of bounty underneath the hill has all the potentials of negating the hard earned victory of the Dongria Kondhs. The matter has again been brought before the court and is *sub judice*. Moreover, the existing aluminium refinery and its related complex in the valley of Lanjigarh will always pose a threat to the Niyamgiri hills and the Dongria Kondhs. Hence, it is not hard to imagine that

the conflict will resume again and seek to threaten the life processes of the Dongria Kondhs.

5.6.5 Conflict Handling Approaches: The approaches and processes to handling both these conflicts is complex and involve high stakes for all the parties concerned. The attempts at resolution of the conflict by the proponents of these development projects have mainly relied on affecting the course of the conflict through the use of the apparatus of the state. These attempts are characteristics of settlements imposed by stronger parties over their weaker counterparts rather than attempts at conflict resolution. The use of the state machinery as well as the agents of the private corporations to influence the opponents amongst the Adis and the Dongria Kondhs has been a recurrent theme throughout the life cycle of the conflict. The possible approaches to handling the conflict can be better illustrated with the help of the diagram (5.10) below:

Figure 5.10: Conflict Handling Approaches
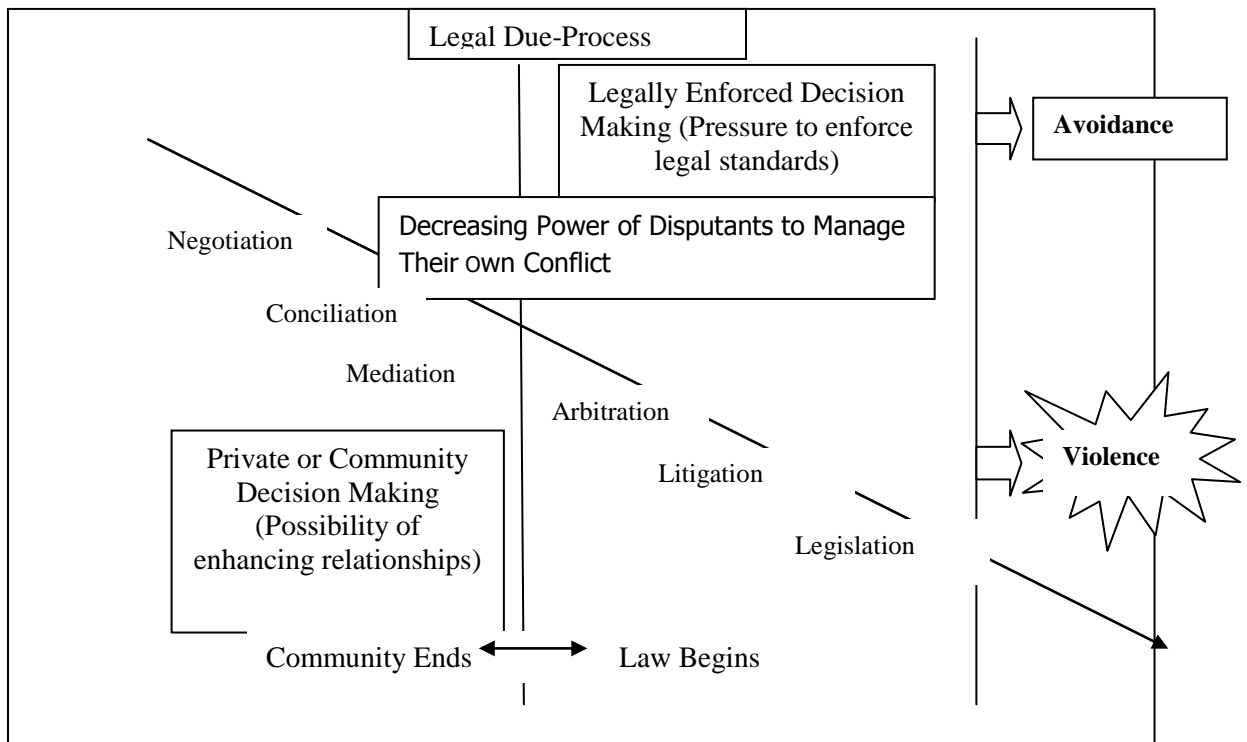
Source: Fisher, S. (et.al). (2000). *Working with Conflict – Skill and Strategies for Action*. New York: Zed Books.

From the above diagram we can infer that the conflicts in issue here are either at the first quadrant or the second one. The conflict over the LSHEP is at the negotiations phase since the highest governing body of the Adis, the Bogum Bokang Kebang, is mulling over the issue. Both the parties to the conflict have at their disposal the flexibility and opportunity to reach a mutually agreeable resolution to the conflict. The conflict is also open to private or community decision making processes facilitating the possibility of enhancing relationships for a successful resolution. Though previous attempts at negotiations have failed to materialise, other non-coercive methods of conciliation and mediation could well prove fruitful for the resolution of the conflict.

The Niyamgiri struggle is at the second quadrant where litigation has been sought to resolve the issue. It must be noted that litigation had succeeded in providing victory to the Dongria Kondhs in 2013 but the matter is yet again *sub-judice*. The second quadrant represents the phase where the parties to the conflict have little control over the outcome or final result. It is largely a legally enforced conflict resolution phase and the outcome will determine whether the conflict shifts to either the first or the third quadrant. The phase of initial negotiations, conciliations and mediations has been largely unsuccessful in the case of the Niyamgiri conflict and the possibility of enhancing relationships through private or community decision making processes was never been explored. Hence, the conflict could be resolved through negotiations and mediations at the community level or it could spill over into the third quadrant where either avoidance or violent behaviour could manifest.

5.7 A Framework for Synthesis of Conflict Resolution Approaches

Recent developments in the field of peace and conflict studies have consistently argued that effective conflict resolution cannot be confined to formal state institutions. There is an urgent need to involve non-state actors and informal institutions in evolving a holistic framework for successful management and resolution of conflicts and broader peace-building strategies. This view is also reiterated by international organisations such as the United Nations, World Bank and USAID (Adam (et.al), 2014). This line of thought and its consequent development can be categorised into three broad streams.

Firstly, it is now acknowledged that mechanisms of conflict management and resolution have a restricted reach within the formal state since they are only limited to the elites through power-sharing mechanisms. John Paul Lederach (1995; 1997; 2003) one of the best known proponents of this argument, stresses that traditional statist diplomacy is a faulty and short term initiative which rather than addressing the root causes of the conflict papers over it. He also argues for the need to abandon the prescriptive approach of conflict resolution which is rooted in external sources of knowledge and ideas and instead proposes to adopt an elicitive approach. The elicitive approach is grounded and firmly rooted within the non-state actors and institutions of the society. This approach seeks to transform attitudes, beliefs and relationships by relying on these organic institutions to arrive at a sustainable conflict resolution and peace building paradigm.

In tandem with Lederach's argument, the second stream also stresses the limited capacity of formal state mechanisms in delivering sustainable conflict resolution in conflict-stricken regions. It proposes the creation of hybrid mechanisms involving both the formal 'weak' state institutions and traditional and informal institutions and argues that it has, despite some shortcomings, resulted in remarkable achievements in public security and conflict management (Menkhaus, 2008). The third line of argument states that informal mechanisms of conflict resolution are more socially embedded and more flexible and easier to implement compared to formal state led institutions. Hence, it is more cost effective and prudent to focus on these informal socially embedded mechanisms instead of investing in formal institutions that are more time consuming and costly (Menkhaus, 2006). These informal mechanisms include a variety of local religious, customary, traditional, cultural and indigenous practices of conflict resolution and reconciliation. Notwithstanding the diversity of these arguments, one common theme that emerges out of them is that there is a huge potential in incorporating non-state mechanisms and institutions into a broader approach for sustainable resolution of conflicts.

This is no different from our conflicts in Arunachal Pradesh and Orissa where the approaches to handling the conflict have been largely a top-down process. Moreover, in both conflict scenario there exists an indigenous structure that still plays a significant role in resolving conflicts within the local scenario. It must also be noted that the Adi Kebang and the NSS are both symbols of resistance as well as the institutions of conflict

resolution. Hence, it is vital that we generate knowledge about the patterns of coexistence between different conflict resolution mechanisms and the impact of the *"simultaneous existence of distinct normative systems"* (Van Cott and Donna Lee, 2000: 209). The ideas of conflict resolution that is significant to our framework emanates from the works of Johan Galtung, John Burton, Edward Azar and Herbert Kelman primarily due to two reasons. First, these scholars apart from being pioneers in the field of peace and conflict studies have also laid the basis for a relatively holistic approach to the ideas of conflict, conflict resolution and peace. Secondly, most of the contemporary ideas of conflict resolution are based on the premise of a one-size-fits-all approach. This approach, epitomized by Fisher and Ury (1981) in their negotiation manual *Getting to Yes,* rather than acknowledging the dynamics and changing nature and role of conflicts undervalues the role of culture, context and underlying situation in conflicts. In effect, it makes the venture of conflict resolution "commercially attractive" by applying the win-win discourse which is really not what genuine conflict resolution entails.

5.7.1 Galtung's Forms of Violence and Positive Peace

Johan Galtung is one of the founders of peace studies and his contributions to the meanings of violence and peace has been seminal. During the decades of the sixties, Galtung proposed six dimensions of violence, namely being; distinction between physical and psychological violence, its negative and positive influences, the existence of non-existence of an object that is hurt, the existence or non-existence of a subject that acts, distinction between intended and unintended violence, and the distinction between manifest and latent violence (Galtung,1969). The fourth dimension, according to Lawler (1995) is the most significant because it introduces the difference between personal (direct) and structural violence. Individuals can be killed or hurt in both instances but while direct violence is caused by specific actors, in the latter case there may be no clear perpetrators since the violence is built into the social structures (Lawler, 1995).

Galtung defines structural violence as *"the cause of the difference between the potential and the actual, between what could have been and what is"* (Galtung, 1969: 168) or in other words it is the difference between the potential level of realization and the actual level of realization. For example, if resources are dominated by a group or class and

others are deprived of it, an incompatibility emerges between the potential and the actual, resulting in structural violence. Hence, unequal or unjust accesses to resources, political participation, decision making, health care, education and other forms of social injustice are forms of structural violence. It is a permanent state of violence that is embedded within the social, political and economic structures of the society. The mechanisms and forms of structural violence, according to Galtung (1969) are exploitation, penetration, segmentation, marginalisation and fragmentation.

Exploitation represents the main part of the archetypical structure of violence and is based on unjust economic and social relations. Simply stated, it is a situation of 'unequal exchange' within an established structure in which the top-dogs or the elite prosper at the expense of the underdogs. Penetration is the process whereby harmony of interests between the elites and the underdogs is created through implantation of agents of the elites within the collectives of the underdogs. It is a form of establishing hegemony by making the underdogs believe in the ideology of the elites or the top-dogs. Segmentation, as the word suggests, is the process of providing only a limited view of reality to the underdogs and obscuring the true nature of relationship between the elites and the underdogs. Marginalisation and fragmentation serves to create a rift between the under-dogs collectivity and helps to preserve the interests of the elites (Galtung, 1969).

Galtung expanded his distinction between forms of direct and structural violence to constitute his ideas on negative and positive peace. He argues that if peace can be defined as the absence of violence then both direct and structural forms of violence must be addressed. Negative peace only represents the absence of direct violence whereas positive peace entails social justice and the absence of structural violence (Galtung, 1975). Galtung further notes that structural violence is immanent within the social structure-between human beings, between sets of human beings and between sets of societies in the world (Galtung, 1996). Hence, the goal of peace research should not be limited to just the study of preventing war but rather to expand into studying the conditions for peaceful and just relationships between the dominant and the oppressed, rulers and ruled, western and non-western cultures, men and women, man and nature (Ramsbotham (et.al.), 2005).

5.7.2 Burton's Basic Human Needs Theory and Analytic Problem Solving

Besides Galtung, John Burton is also one of the most prominent figures in the arena of peace and conflict studies because without him the field of conflict resolution would still be greatly underdeveloped. Burton's basic human needs theory- refined and developed from American psychologist Abraham Maslow and sociologist Paul Sites- stresses that there a certain categories of human needs that cannot be compromised and which are the basis for protracted conflicts. For Burton, the basic human needs which are most essential for individuals and societies are those of identity, recognition, security and development. These basic needs are universal motivations amongst all individuals and societies and they will be pursued by all means and if these needs are not met then conflicts will arise (Burton, 1990b).

Burton further made a distinction between needs, values and interests according to their negotiable character. Needs are non-negotiable since they are primordial drives for survival and development. Values relate to ideas, habits, customs and beliefs which are unique but acquired and differ from needs since they are universal, inherent and genetic. In conditions of oppression or discrimination, the defense of values become critical similar to the needs of personal security and identity. Hence, values can also be non-negotiable since they impinge on needs. Interests, on the other hand are negotiable since they are aspirations of social, economic or political nature within a social system and are competitive with a win-lose component (Burton, 1990b).

Burton argued that protracted conflicts were mainly over non-negotiable needs and distinction was to be made between resolution, which deals with the issues that are sources of the conflict, and suppression or settlement through coercion or bargaining/negotiations in which relative power decided the outcome. He insisted that traditional approaches to resolution focused on interests that are visible on the surface and ignored basic needs which are the roots of the conflict thereby unnecessarily prolonging the conflict (Burton, 1986). Hence, any sustainable resolution of conflict had to first analyse how to satisfy the basic needs of the parties to the conflict.

Burton defined conflict resolution as "*terminating conflict by methods that are analytical and that get to the root of the problem*" (Burton, 1991: 72) and propagated conflict

resolution through analytic problem-solving which concerns itself with tackling the fundamental causes that create conflict. The approach of conflict resolution through problem-solving had to be analytical in order to uncover the nature and the sources of the conflict and was premised on the theory of conflicts as a universal reaction to unfulfilled human needs (Burton, 1990b).

According to Burton, analytic problem-solving provided many opportunities and advantages for the parties:

"to analyze relationships to generate an accurate definition of the problem in terms of motivations and human needs; to cost their goals and policies once they are fully informed of all aspects of the conflict, including the motivations and values of the adversary; and to discover the possible options that may be available once there has been a full analysis of the conflict in its elements" (Burton, 1991: 86).

Burton further proposed that since parties in a conflict are most likely unaware of the sources of their conflict situation or how to effectively resolve them, the help of a skilled and knowledgeable third party is required (Burton, 1990a). Burton's third party apart from being highly skilled and knowledgeable, their roles also differed from the traditional negotiators, mediators or arbitrators who have the power to determine the results. The analytic problem-solving involves examining the patterns of the conflicting parties' overt behaviour through an intimate and analytical interaction in which the role of the third party is to observe and guide rather than persuade, judge or verify the arguments or the accuracy of the statements made by the conflicting parties (Burton, 1990a).

5.7.3 Azar's Protracted Social Conflicts and Problem-Solving Forums

Protracted social conflict (PSC) is *"the prolonged and often violent struggle by communal groups for such needs as security, recognition and acceptance, fair access to political institutions, and economic participation"* (Azar, 1991: 93). It results through the denial and pursuance of the elements essential for the development of all people and societies (Azar, 1986). Azar's concept of PSC while adopting Burton's theory of basic human needs to conflict resolution goes a step further by analysing the structural roots of the denial of basic human needs that cause and prolong conflicts (Fisher, 1997).

For Azar the genesis of PSC's is found in a set of four clusters of variables that work to transform a non-conflictual situation into a conflictual one: communal content; human needs; governance and the role of the state; and international linkages (Fisher,1997). The communal content of a society constitutes the first variable of a PSC in which the key actor is the communal group represented through religion, race, culture, etc. In underdeveloped countries, the society will be divided along communal lines since the communal group tends to be more responsive to the basic needs of its members than the national government (Azar, 1991). The second variable is the deprivation of basic human needs which is considered as the root cause of PSC's. However, in Azar's case of PSC's, the communal group is the basic unit and people will seek to achieve their basic developmental needs through their communal groups. Conversely, the denial and deprivation of basic needs are rooted in the refusal to acknowledge the communal identity of another group (Azar, 1990).

The state through its power to govern and legitimize violence forms the third variable of PSC. The extent of satisfaction or deprivation of needs is governed by the intervention and mediating role of the state. In a country with PSC, the political authority is generally controlled by one group or a coalition of a few groups which use the state as a tool to maximize their interests without fulfilling the needs of others (Azar, 1990). The fourth variable of international linkages plays an important role through both economic dependency and political/ military client relationships. The economic dependency of states within the international economic system limits the autonomy of states by altering the pattern of economic development which hampers the fulfillment of security needs. A political and military client relationship with strong states also limits the autonomy of these states making them pursue policies that may be contradictory to the needs of the public (Fisher, 1997).

In addition to the above preconditions, the process dynamics on which the activation of PSC depends are on three additional cluster variables of (i) communal actions and strategies, (ii) state actions and strategies and (iii) built-in mechanisms of conflict. A small triggering event may mark a turning point in which individual victimization leads to collective protests which is met by state repression and suppression (Azar, 1990). State repression leads to proliferation of issues around security, acceptance and access needs

(Fisher, 1997) which is met with collective coercive repression from the state. Thirdly, conflicts that have a communal identity in the form of fear of marginalisation or loss of identity are inclined to create a hostile and lasting set of perceptions between and among communal groups and the state. Mutual distrust and antagonisms increases in such a situation which perpetuates communal hatred, solidifies PSC and deepens the deprivation of basic needs (Azar, 1990).

For Azar, the resolution of PSC's must first start with examining the interdependent structural nexus of under-development, structural deprivation and communal cleavages (Azar and Moon, 1986). He stresses upon both problem-solving approaches (Track II diplomacy) as well as the promotion of a balanced socio-economic and political development as the ingredients to resolution. The process involves bringing the representatives of the conflicting parties together to engage in honest, face-to-face, analytical discussions about their grievances, issues, interests and possible solutions. Within this setting the parties can analyse and explore their perceptions of the origin and nature of PSG and realize that they are seeking similar human needs but through adversarial tactics (Azar, 1991). However, the efforts at resolution should not be limited to only problem-solving forums but must be augmented with structural development.

Political and economic development can rectify communal grievances and fulfill identity needs but Azar insists that the traditional notion of development does not match the concept of development in the case of PSC's. Azar argues that *"the goals and objectives of national economic development need to be redefined from the perspective of the basic needs of contending communal groups, especially those which have been previously marginalized"* (Azar, 1991: 102). Moreover, the state should not be taken as the sole actor that determines the nature and direction of development but inputs must be taken from the grass-roots level to decentralize the process of political power and decision making (Azar, 1991).

5.7.4 Kelman's Social Psychological Approach and Interactive Problem Solving

The field of social psychology examines intergroup relations and how people in different groups are affected and influence each other. The basic premise of a social conflict is the presence of at least two groups of people and the concomitant social interaction amongst

them. A general feature of social interaction is that the participants take into consideration not only mutual behaviour but also each other's intentions and perceptions and the structural constraints within which they are constructed (Kelman and Cohen, 1979). The social psychological approach to conflict resolution, hence, focuses on interaction amongst groups with an analytic view of conflicts, and analyses how parties to a conflict perceive themselves and each other (Kelman and Cohen, 1979). Interactive problem solving is based on the premise that creative possibilities for conflict resolution can emerge when parties to the conflict treat the conflict as a shared problem that requires some mutual effort for its resolution (Kelman and Cohen, 1979).

The problem-solving workshop is a unique social psychological approach to conflict resolution since social interaction, which is at the heart of the evolution and resolution of conflicts, is the central focus and a unique level of analysis of social psychology (Fisher, 1997). According to Kelman, interactive problem-solving is *"an unofficial, academically based, third-party approach to the analysis and resolution of international and ethnic conflicts, anchored in social-psychological principles"* (Kelman, 1996: 501). Interactive problem solving involves a small-group discussion, supported and facilitated by an impartial academically based third party, between or among the representatives of the parties to the conflict.

Its prime objective is to bring changes amongst the participants themselves in the form of more differentiated images of the other side, greater insight into the dynamics of the conflict and new ideas for resolving the conflict and for overcoming the barriers to a negotiated solution (Kelman, 1996). In effect, the change in attitude and perceptions of the individual participants become the vehicle for change at the policy level. Apart from bringing in individual changes to be fed back at the policy level, interactive problem solving workshops also aim to propagate the new insights, information and proposals elaborated at the workshop into the political debate and the decision-making processes (Kelman, 1996).

The achievement of these twin aims is contingent upon the selection of potentially influential individuals from the parties to the conflict. According to Kelman and Cohen, participants should be *"individuals who are generally influential within their respective*

societies, who speak for some significant segment of opinion, and who have potential access to political leaders" (Kelman and Cohen, 1976: 84). The participants are individuals who can make a difference at the policy level and should ideally be able to change individual perceptions, attitudes and formulations of problems and solutions (Kelman and Cohen, 1976).

The role of the academically based third party is also crucial to the success of interactive problem-solving workshops. The third party has to be strictly facilitative and should promote learning but never give or impose an answer. According to Kelman (1991b), one of the fundamental principles of interactive problem solving workshops is that the ideas that have emerged from the interaction between the conflictual parties is the most constructive concepts for the resolution of the conflict. The onus of creating novel ideas for resolution and their introduction into the larger conflict processes is of the participants.

However, most conflicts are products of incompatibilities of values, interests and ideologies and structural commitments to the perpetuation of conflicts rather than simply the outcomes of misperceptions and misunderstandings (Kelman and Cohen, 1979). Hence, interactive problem-solving workshop is an endeavour of action research that integrates efforts at conflict resolution with opportunities to observe, learn and propagate (Fisher, 1997). It is not a substitute to official diplomatic or political negotiations but a supplement to or preparation for negotiations and the roadmap for processes of meaningful conflict resolution.

5.7.5 Synthesis in an Arcadian World

Let us imagine a scenario wherein governments and indigenous populations work together in good faith to develop a system in which both sides are truly equal and willing to make concessions to arrive at developmental goals benefitting both equally. Let us also imagine a condition wherein indigenous groups and nation-states sit down together to pursue ecologically sound developmental policies and natural resource stewardship. Also imagine a society in which all knowledge systems are respected, and the insights from each system are applied for the benefit of all. Imagine too, a system where rights are preserved and protected with the aim of benefitting both the weak and the strong and

226

duties are performed in the spirit of moral virtues. The world we imagine and conjure is an ideal world, a utopia; it is enticing to wallow up such imaginations; to dream of theoretical possibilities of a perfect system, a Perfect World.

However in reality, the gulf between an imagined world and lived realities are poles apart. The world today represents a dystopia of varied proportions and in this dystopic world indigenous populations around the world are one of the most marginalised and subjugated peoples. The revoking of the Arcadian World is inspired by Walter Benjamin (1999) and intends to unveil the spaces which hold the possibilities of a better future. In his *The Arcades Project*, Benjamin explores the 'residues of a dream world' which is an index of freedom in which our social dreams indicate our social utopias (Leslie, 2000). It represents the conditions from which the working class could develop a class consciousness that was true to its real-life conditions and enable to break away from nineteenth-century hegemonic conceptions of history. Benjamin emphasized that such residues of a dream world were important fields of struggle in revolutionary practice (Shah, 2010).

The synthesis proceeds to unveil the Arcadian spaces that would allow the Adis and Dongria Kondhs to have control over their "life chances". It is not simply the spaces of utopia or imagined projections of ideal models of society but the avenues that hold the key to realizing the remnants of their dream world. The synthesis of conflict resolution processes, based on the premise of the Arcadian World, is hence the possible approaches to the application of contemporary western ideas of conflict resolution within our indigenous setting. It is not the prescription of a generic model of conflict resolution but is rather an effort to ameliorate the current nature of conflict resolution. The synthesis is a utopian vision that could be amenable for resolution of the conflicts over natural resources in quotidian Adi and Dongria Kondh lives.

Hence, Galtung's idea of forms of violence and more specifically structural violence is intrinsic to any efforts at resolution of natural resource conflicts in Arunachal Pradesh and Orissa. While it can definitely be argued that millions of the Indian population face forms of violence including structural violence but it is definitely worthwhile to try and address this violence from the social space of these two indigenous communities. The

227

difference between the potential and the actual that summarizes structural violence can be diminished through an egalitarian approach that places the indigenous groups and their systems of governance and institutions of conflict resolution as the focal point of any initiative geared towards them. Though these groups claim to be self-sufficient amidst their co-existence with nature, basic facilities like healthcare, education (in their native tongue) and schemes that reflect the expertise of these groups will reduce the forms of violence and usher in greater peace. The resolution of conflict over natural resources at the heart of the problem should be first preceded by these measures to make the indigenous groups self-reliant and capable of making informed choices regarding the nature of development and the utilisation of natural resources. Galtung's vision of positive peace as the absence of both direct and structural violence can only be realized when steps are taken to root out the conditions that impede the well-being and development of the Adis and Dongria Kondhs.

Burton's basic human needs approach is useful in distinguishing between needs, values and interests that sustain these conflicts. The Adis' reluctance to be a part of the hydro power development is a culmination of several factors which are intrinsic to the overall interests and well-being of the Adi population. These interests must first be discussed within the mechanisms of the Kebang to find a leeway that is acceptable to all concerned. A top-down approach to development usually marginalizes the already deprived sections of the society. A better initiative could be listening to the concerns voiced in the Kebang and work on the possible avenues of co-operation and collaboration. An analytic problem solving approach within the Adi indigenous setting would tackle the fundamental causes that sustain the conflict. Also important is to do away with 'blackmail development strategies' wherein the local populace are made to feel that only through the completion of these projects that development in the form of better infrastructure, healthcare and education will take place.

In a similar vein, the Dongria Kondhs resistance to mining is based on sacrosanct religious values and needs that are hard to refute. These religious values forms a core of the basic human needs and cannot be compromised. The traditional village council and the NSS though unfaltering in their efforts to save the Niyamgiri hills will always be in danger of being swept away by the forces of corporatization and capitalism. Firstly, the

verdict served through the referendum process must be legislated to prevent any further transgressions into their sacred hill. Secondly, a co-management system must be developed that places the Dongria Kondhs' knowledge systems at par with other scientific knowledge to arrive at an ecologically beneficial way of development. The Dongrias must be given the power to decide the fate of any mining venture within their sacred hill and the asymmetric nature of power relations in Niyamgiri conflict must be addressed.

Azar's variables of protracted social conflicts include communal content, human needs, governance and role of the state and international linkages. The conflicts over the LSHEP and Niyamgiri has ingredients of communal content in the form of indigenous grouping, the denial of basic human needs and the failure of the state in recognizing legitimate indigenous voices. The problem solving approach stressed by Azar examines the interdependent structural nexus of under-development, structural deprivation and communal cleavages. His process of conflict resolution involves bringing the representatives of the conflicting parties together to engage in honest, face-to-face, analytical discussions about their grievances, issues, interests and possible solutions. Though this process conducted within the spaces of the Kebang and Traditional Village Council/NSS would help in exploring the perceptions of the parties to the conflict, but it must be understood that the state is a major factor for the initiation of the conflict. Hence, the state's machinery should be geared towards structural development and serving the interests of these indigenous groups rather than the elites and powerful of the society.

The social psychology approach and interactive problem solving assumes creative possibilities for conflict resolution when the parties treat their conflicts as a shared dilemma that requires some common effort for its resolution. While Kelman's interactive-problem solving is an unofficial academically based third party approach to conflict resolution, the conflicts in Arunachal Pradesh and Orissa require the integration of the indigenous modes of conflict resolution within this problem solving approach. The integration can be started initially through an unbiased discussion of the problem within the indigenous structure involving all the parties to the conflict. This will help in the reduction of animosities that exist between the two groups and also give space to vent their views. However, it is important that this process is constituted within an indigenous

setting because of its familiarity and ease within the indigenous population. The discussions must seek to produce changes within the parties as well as being informative of the barriers to an effective resolution.

Though these four measures of conflict resolution synthesized within an indigenous structure could help in addressing the underlying issues and causes of the conflict and provide lasting resolution to the conflict but it is sadly a utopian vision. The synthesis of the western and indigenous approaches and its application to real world settings (in our case the LSHEP and Niyamgiri conflict) has many structural barriers. The asymmetric relationship between the conflicting parties and the suitability of IMCR at only the local level creates difficulties in its effective application. Further, there is a moral dilemma over whether we should first address the asymmetric nature of the conflict or only seek to resolve it. While these are constraints related to the procedures and applicability of these conflict resolution techniques, the most important barrier to effective resolution of the conflict is the will and volition of the state and project proponents to seek an effective resolution of these conflicts.

The process of managing conflicts by the state and its partners has usually been through coercion and force. The voice of the weak and the marginalized are just voices to be silenced and trampled upon. Further these conflicts would not have arisen in the first place if the state and project proponents had considered the voices and issues of these indigenous groups. The greed to exploit natural resources for profit and depriving the indigenous communities access to their life-sustaining resources has become the norm rather than an exception. A sincere application of suitable conflict resolution mechanisms to resolve the conflicts is essentially an "idealists' dream". The reality is suppression of the conflict by employing the carrot and stick approach.

Having said that, any effort at conflict resolution must entail that resolution is not the end goal but transformation of the social structures that impede the well-being and development of these indigenous groups. Environmental and natural resource stewardship along with protection of their rights will be powerful frames in their quest for respect and a fulfilling life. It is also important to remember that rather than resolving the conflict to produce win-win outcomes, it is sometimes better to be on the side of justice. In our case,

justice can only be guaranteed when indigenous voices and concerns are given equal precedence with respect to increasing economic growth and GDP. Hence, any negotiations for resolution of the conflict must entail the well-being of the Adi and Dongria Kondh population and prevent it from becoming a Faustian bargain.

CHAPTER 6

CONCLUSION

The research proceeded in the backdrop of two fundamental questions. Does the ever expanding conflicts over natural resources beg an inquiry into the efficacy of the present modes of conflict resolution? Can indigenous methods of conflict resolution lead to a more nuanced application of techniques for resolution of natural resource conflicts? The underlying hypothesis proposing that natural resource conflicts could be effectively resolved with a synthesis and eclectic mix of indigenous methods of conflict resolution and contemporary western conflict resolution techniques. In order to address these questions, a comparative study of natural resource conflicts and indigenous methods of conflict resolution was conducted in Arunachal Pradesh and Orissa.

The study analysed the causes, dynamics and evolution of natural resource conflicts in the two Indian states of Arunachal Pradesh and Odisha. In Arunachal Pradesh the research examined the conflict over the Lower Siang Hydro Electric Project (LSHEP) and its opposition by the indigenous Adi population. In Odisha it analysed the conflict over bauxite mining in the Niyamgiri hills and protests by the indigenous Dongria Kondh population. The study in its ideation was an attempt to analyse the nature of natural resource conflicts in these two states and explore the possibilities of addressing these conflicts through indigenous mechanisms of conflict resolution and contemporary ideas of conflict resolution. The focus of the study was at gathering qualitative experiences of actors involved in the conflict and analyse the range of possible approaches to resolve such conflicts.

The comparative study was conducted in the two Indian states of Arunachal Pradesh and Odisha primarily because Odisha has been at the forefront of anti-mining and anti-extractive industries and received large academic and media attention while the issue of dams in Arunachal Pradesh has received scant treatment both in academic literature and national media. Moreover, the location and strategic importance of both these states

232

(Odisha in the interior and a Maoist affected region and Arunachal Pradesh in the geographically isolated periphery bordering China) made it an interesting mode of inquiry into the nature of the conflict, modes of protest and the conflict management techniques adopted by the state machinery.

Nonetheless, the variance in the traditional knowledge systems between the indigenous population of Arunachal Pradesh and Odisha and their continuity and relevance in an age of globalisation and democratisation formed the bedrock of arriving at a mechanism of conflict resolution. The comparative study was also important in acknowledging the existence of many diverse propositions to the meanings attached to natural resources, conflict resolution and the effective synthesis of both global and indigenous voices in the arena of natural resource conflicts.

The indigenous methods of conflict resolution of the Adis in Arunachal Pradesh and the Dongria Kondhs in Odisha was specifically chosen because both these indigenous methods are comparatively well established and intact. Furthermore, both these mechanisms also fulfils the criteria for traditional/indigenous methods of conflict resolution as they have continued to exist since a considerable period of time; have adapted and existed within the changing social, economic and cultural variables; is locally rooted and inspired by their existing social and cultural mores; is context specific with a historical evolution within the societal structure; its methodology is custom-based or informal and process-oriented; and is rather a non-state or pre-state process not enshrined or controlled by state procedures- legal or political (Planta, 2016).

The study undertook an exploratory and qualitative approach to analyse the conflict through case study method supplemented by non-participant observation, focus group discussions and in-depth interviews with semi-structured questionnaires. Pilot studies were undertaken before the commencement of field studies at both Pasighat and Niyamgiri to gain an understanding of the issues involved and aid in the construction of relevant and appropriate questionnaires. The field work was carried out for different lengths of time between February 2014 and January 2016. The field study was carried out amongst a sample population of 180 and 125 selected through purposive and snowball sampling method in Arunachal Pradesh and Odisha respectively.

Though the research sought to study the elements of natural resource conflicts and indigenous methods of conflict resolution in Arunachal Pradesh and Orissa within a bounded rationality, it nevertheless was limited in its venture due to certain specific reasons. First was the the barrier of language since the researcher was unversed in both the Adi and Kui (Kuvi) languages. The help of a translator was used to conduct interviews and FGD's but many of the responses could have been lost in translation. Second, the research has a certain bias towards the indigenous voices being included here since access to the field was availed through contacts with the activists and members of the groups in conflict. Further, the sampling method used was purposive and snowball sampling which naturally has given the research a subjective hue towards the actors involved in opposing the projects.

In examining the indigenous methods of conflict resolution (IMCR), a thorough literature review was done before conducting the fieldwork. While the questionnaire method was useful in understanding the current situation of IMCR but the dynamics involved in the changing roles of these institutions could not be researched satisfactorily. While casual conversations and FGD's were also beneficial in understanding the current nature of IMCR, but for a deeper insight and nuanced study into the workings of IMCR, a research solely focusing on IMCR needs to be conducted and an ethnographic research may be the best way out. Furthermore, due to the constraints of time and resources many aspects of the research including a gendered perspective and power structures and hierarchies within indigenous society could not be included within the purview of the research.

The description of the research provided in chapter one was followed by establishing a conceptual framework of natural resource conflicts in chapter two. The chapter, divided into two sections, argued that the efforts to establish linkages between natural resources and conflicts have had a significant growth in the last decades of the 20th century. It has materialized over the increasing intensity and extent of conflicts over natural resources and its concomitant effects not only over the human population but the environment as a whole. The efforts to link conflicts and natural resources were ascertained to have gained prominence through two interlinked phases. The first strand grew through the expansion of the field of security to include environmental issues and establish a link between environment and security while the second strand sought to establish links between

natural resources and conflicts through an economic view point or what has been termed as the 'economics of conflict' approach.

The second chapter made a critical examination of both the schools of thought proposing either resource scarcity or resource abundance as the causes of natural resource conflicts. It also stated the arguments against these schools of thought and argued that both the resource scarcity and abundance approach had failed to explain why the scarcity or abundance of valuable resources is not a necessary condition of conflicts as they had failed to take into account the socially constructed nature of natural resources. Further, the relationship between natural resources and conflict had been developed by the rich Global North for the analysis of the poorer South due to security concerns in the neo-realist perspective and consequently it presupposes environmental determinism and ethno-centrism and assumed that conflict produces a net negative sum.

The second section of the chapter provided the theoretical background to natural resource conflicts and environmental movements in the Indian context. It postulated that the nature of natural resource conflicts in India has the strands of both resource scarcity and abundance along with environmental and ecological concerns but the primary factor is the motif of industrial development and the growth of per capita income. Thus, while land as a resource has become a scarce commodity with conflicts over its acquisition being common, the abundance of river waters and its harnessing for hydro-electric and irrigation projects has witnessed intense protests and long drawn conflicts. At the same time, ecological and environmental concerns over the use and abuse of natural resources and its concomitant effects on the present and future generations supplement both cases of resource scarcity and abundance.

Hence, natural resource conflicts in India represents opposing strands of belief in which two contending perspectives are pitted against each other. The first perspective represents the state's vision of the rationality of economic growth through industrialisation. The latter represents the concerns of adivasis, dalits and other marginalised sections of the society whose lives are intertwined with the natural resource base and who stands to lose the most. The magnitude of the gulf between the two perspectives in which fundamental self-interests are at stake makes the possibility of mutual comprehension and the ability

to appreciate the rationality of the other side increasingly difficult. Conflict between these two opposing forces becomes inevitable with each party galvanizing support for its cause and belief systems. These conflicts with local and regional roots over localized issues of land, forests and water often take on national and even global dimensions and represent the conflict between 'two India'- one with an economic and super-power ambitions and the other with sustenance and livelihood concerns.

The central theme in these conflicts invariably involves the nature of development (Shah, G, 2004) and its effects on the people and communities dependent upon the natural resource base. Conflicts arise when developmental projects seek to alter or change the traditional economic and livelihood base of communities dependent upon a particular natural resource. The buzz word of development has caught up with everyone but its connotations and relevance to a vast array of diverse group of people and cultures still remains contested. Essentially, natural resource conflicts in India represent the resistance to development in the form of industrialisation, modernization, urbanization, etc. The conflict involves the issue of livelihood and survival of people and communities whose lives are intertwined with the natural resource base.

Developmental projects seek to threaten their self-sustaining culture and way of life. The conflict is reflective of the differing ideologies of growth and development between the state and its elites and the impoverished masses of tribals, dalits and other communities. The capitalistic mode of production believed to bring in development has in turn ravaged natural resources and with it the people dependent upon them for subsistence. The domination of the developmental paradigm has meant that the state and its elites with their power to usurp nature have created material wealth for themselves while dispossessing and marginalizing an already impoverished people. Thus, conflicts over natural resources are intrinsically the assertion of the weak and the powerless to have control over their lives and resources. It is *"not a rearguard action-the dying wail of a class about to drop down the trapdoor of history- but a potent challenge which strikes at the very heart of the process of development."* (Bhaviskar, 1995:47).

The theoretical framework of natural resource conflicts laid down in chapter two was followed by the analysis of natural resource conflicts in Arunachal Pradesh and Orissa in

chapters three and four respectively. In chapter three, natural resource conflicts in the form of hydro-electric projects was analysed with case studies conducted over the opposition to the Lower Siang Hydro Electric Project in East Siang district of Arunachal Pradesh. The chapter commenced with a profile of the state and its people followed by the nature of natural resource conflicts. The chapter argued that the fairly peaceful nature of the state had been recently broken down due to the spate of hydro-power projects proposed to be developed on its river basins. The Central Water Commission (CWC) in its 2001 preliminary ranking had identified about 400 hydro power projects with a total potential of about 1, 07,000 MW out of which Arunachal's potential was estimated at nearly 50,000MW.

The announcement of the 50,000MW initiative in 2003 by the then Prime Minister Atal Bihari Vajpayee, led to the pre-feasibility studies on 162 projects with aggregate capacity of 47,930MW. These projects were to be completed by 2017, and were to be followed by another drive to add at least 67,000MW additional hydropower capacity in the subsequent 10 year period (Baruah, 2012). Arunachal Pradesh was poised to be the "power-house" of the nation and the Government of Arunachal Pradesh (GoAP) went on a spree of signing MoU's with power developing companies. In 2005, a vision document released by the Power Department of Arunachal Pradesh claimed that the state would be floating in "hydro-dollars" if the state's hydropower potential could be harnessed. Consequently, the GoAP entered into as many as 162 MoU's with private and public sector companies between the periods of 2005-2014.

The emergence of the state as a major centre of dam building in India was however not without contestations. Like other dam projects, dams in Arunachal Pradesh were also not devoid of conflicts and protests. Protests and opposition have engulfed every dam proposed to be built on its rivers. Issues regarding adverse ecological impact, displacement and migration challenges, rights of the indigenous people, downstream riparian effects and risks associated with dam building in a very high seismic zone has given much credence to the conflict. On the other hand, the dam proponents have willfully employed the mechanisms that many large projects do: by being politically connected, by quietly becoming too big to fail, and in the end by brazening out public relations. The conflicts over these projects in Arunachal Pradesh was further analysed to

include short case studies of protests at Tawang River Basin, Lohit River Basin, Dibang Multi-Purpose Project and the Lower Subansiri Hydro Power project.

The final segment of the chapter discussed the findings of the case study conducted to study the conflict over the Lower Siang Hydro Electric Project (LSHEP) and its opposition by the indigenous Adi group. A concise profile of the Adis was built and the conflict over the construction of the LSHEP was discussed in detail. The LSHEP is the first and the lower most in a cascade of three dams to be built on the main Siang River, the other two being 6000MW Upper Siang Stage I and 3750 MW Upper Siang Stage II hydro-electric projects. The three dams are proposed to be built on a cascade without any free flowing stretch of river between them and would convert 208.5 km of the Siang River into an artificial reservoir. The 6000MW Upper Siang Stage I and 3750MW Stage II are still in the scoping and investigation stage while the 2700MW LSHEP has been trying to conduct mandatory public hearings to receive clearances from the Ministry of Environment and Forests.

The LSHEP is a 2700 MW hydro-electric project planned on the river Siang between Pongging and Bodak villages, around 1.5 km downstream of the confluence of the rivers Siang and Yamne and 23 kms from Pasighat, the headquarter of East Siang district. The protests against the LSHEP by the local Adi population has scripted a defiant and long drawn conflict for the Adis of the Siang valley. The continued opposition to the project has made it difficult for the dam proponent (Jaypee Arunachal Power Limited) to start any construction work or even conduct public hearings. The groups that are at the forefront of the anti-dam protests includes Forum for Siang Dialogue, Siang People's Forum, Adi Students Union, Siang Bachao Federation, Mebo Area Bachao Committee, Save Arunachal Forum, Lower Siang Project Affected People Action Committee, Dam Affected Peoples' Forum among others.

The case study conducted amongst the sample population reflected an ambivalence and uncertainty about the project allied with the rhetoric of national interest and development. Anti-dam sentiments prevailed in abundance but pro-dam arguments also proffered and within a small population, perceptions were not homogenized and everyone held their individual opinions. Pro-dam sentiments included revenue generation through the sale of

hydro-power; generation of employment opportunities; development of basic infrastructures like hospitals, educational institutions, roads and bridges; liquid cash through compensation for land, etc. The anti-dam stance desired development but not at the cost of their culture and values; displacement and resettlement would seriously jeopardize their lives; damming the Siang would be a disaster in the waiting; and the ecological and environmental loss could not be replaced.

The issues and sentiments involved in the pro and anti-dam positions make the conflict over the LSHEP a seemingly intractable and complex one. The dam is projected as the panacea for the acute need for developing the region but the costs involved has a direct bearing on the lives of those intricately woven with the river Siang. The chapter concludes with the observation that the present calm in the Siang valley is the lull before the storm and it is only a matter of time before full blown protests and counter-strategies are employed. Hence, while dam proponents and anti-dam elements bid their time, it is necessary to explore mechanisms that can address and provide a resolution to the conflict.

Chapter four analysed the conflicts over natural resources in Odisha in general and the conflict over bauxite mining in the Niyamgiri hills in particular. The chapter commenced with a profile of Odisha followed by the nature of natural resource conflicts in the state. The conflicts over natural resources in Odisha has primarily occurred over the issue of displacement and the loss of rights over commons like forests and water due to mega hydro-power and irrigation projects, extractive industries, and other developmental projects. The issue of displacement and rehabilitation has remained the most contentious issue with the state involved in large-scale mega projects since Independence.

The benefits accruing from these developmental projects and its adverse impacts on the local and tribal communities have formed the basis of most of the protests and conflicts. These movements occurring at different levels seek to retain access to life sustaining natural resources, the issues of displacement and rehabilitation and the loss of access to commons, socio-cultural rights and rights of indigenous communities. Invariably, much of these conflicts are seen through the prism of development, hence the people protesting these projects are labelled as anti-development, anti-national or having a Maoist agenda and have to bear the brunt of the state's brute force.

Many events have played their roles in shaping up and determining the conflicts over natural resources in Odisha. While the forces of colonialism laid the foundations for the alienation of the local indigenous populations from life sustaining natural resources, the process came to a full circle under the post liberalisation era initiated during the nineties. The displacement of hundreds of tribals by the Hirakud dam immediately after Independence might have been considered as fait accompli and in the interest of the nation, but subsequent continuous uprooting of peoples along with their cultures and life systems have created a domino effect wherein past experiences come to play a major role in resisting these 'developmental projects'. Consequently, the chapter made an analysis of the different protests movements against large dams and mining/industrialisation projects.

The final segment of the chapter discussed the findings of the case study conducted to analyse the conflict over mining in the Niyamgiri Hills and the sustained resistance by the indigenous Dongria Kondhs. The Dongria Kondhs are one of the Particularly Vulnerable Tribal Groups numbering around 10,000 encysted within the Niyamgiri hills. The Dongrias lead a secluded but sustainable lifestyle drawing all sustenance from the Niyamgiri hills – a redoubt of the tribe's reigning deity Niyam Raja. The conflict between Vedanta Aluminium Ltd (and its subsidiaries) and indigenous tribes and local population of Lanjigarh and Niyamgiri is a decade long conflict, and has marked a watershed in the history of conflict over natural resources and the corresponding environmental and indigenous movement in India.

The sustained opposition to the refinery and mining project against a mighty international corporation hand in glove with the state apparatus brought fruition through the rejection of the mining project by the Supreme Court ordered Palli Sabhas (Gram Sabhas) in 2013. However, the fate has been half sealed for both the multinational corporation and the local and indigenous groups opposing it. While Vedanta's refinery and related complex at Lanjigarh marks the power that corporate entities have over local communities and the environment, the incomplete conveyor belts running up the hill and the undisturbed environs of the surrounding Niyamgiri hills, stands for the resilience and belief of the local population and indigenous communities fighting for what they believe to be rightfully theirs.

The case study focused on the afterlife of the Niyamgiri struggle and observed that the sentiments against the project has been universally crystallized due to sustained mobilisation campaigns by the Niyamgiri Suraksha Samiti (NSS), unfulfilled promises by Vedanta, and environmental and health impacts from the refinery. The NSS has remained vigilant in tracking the activities of OMC and Vedanta and making the local population aware of any future plans. It has equipped itself with the agenda of decommissioning the existing plant and in the process organized padhyatras, meetings and publicity campaigns throughout Niyamgiri and Lanjigarh. People who lost their lands and those affected by the consequent pollution have joined forces with the NSS, exasperated by the false cases and imprisonment they have had to endure whenever they demanded proper compensation and employment as promised by Vedanta.

In the afterlife of the Niyamgiri struggle, the local resistance has certainly swelled up but the designs of Vedanta and the state government works malevolently in nebulous forms. In their bid to terrorise the Dongrias and people opposing the project, the region is under paramilitary occupation for more than eight years now under the pretext of fighting the Maoists. The act of terrorising the resistance at the ground level has been well supplemented by trying to undo the decision of the Supreme Court which recognized the claims made at the referendum. The Odisha government through the OMC has filed a new interlocutory application before the apex court on 25th February, 2016 to challenge the landmark Supreme Court judgement which upheld the statutory powers of the Palli Sabhas (Gram Sabhas) to decide if they wish mining to take place in their traditional forestlands or not. Against these developments, the chapter concluded that the afterlife of the Niyamgiri struggle may now become a precursor to another conflict to save the Dongira Kondhs and their Niyamgiri hills.

In chapter five, a critical theoretical overview of the indigenous discourse, meanings of being indigenous, indigenous rights and nature of indigeneity in India was first established. It argued that the history of the subjugation of indigenous peoples, the usurpation of their lands and annihilation of their culture began with the culmination of the history of the modern world beginning in the late 1400's. In the new form of social organisation born in Western Europe, capital accumulation was freed from the constraints imposed by politics and religion; modern nation-states were created on the basis of

mutuality of interests which sought gradual geographical expansion of resources around the world (Taylor, 1996). In the construction of this capitalist world-economy there stood countless indigenous societies who had their own distinct forms of social organization. The encounter between these two opposing forces eventually produced the foundations for the suppression of indigenous ideologies through an imposed and totalizing bureaucratic construct of colonization and capitalism (Ross (et.al), 2011).

Despite hundreds of years of conquest, colonization, and cultural subordination, indigenous peoples never ceased resisting their oppression or reasserting their own indigenous ways of living. Their resilience and belief systems flowed deep within them while they were perpetually excluded from decision making-processes and denied access to their own resources. It was only in the last three decades of the twentieth century that increasing transnational concern about the lack of a universal system of protection for indigenous peoples, indigenous rights and development materialised. This concern gained prominence with the formation of the United Nations Working Group on Indigenous Populations (UNWGIP) in 1982 and culminated with the adoption of the United Nations Declaration on the Rights of Indigenous Peoples on 13 September 2007 by the United Nation General Assembly.

Though the Declaration marked a major milestone in indigenous peoples' struggle for the protection and promotion of their rights (Niezen, 2003), the meanings attached to being indigenous are congruent upon the fulfillment of the demands of indigenous rights movements. However, groups identified as 'indigenous peoples' have become important subjects of concern within the international program to advance human rights. They are indigenous because their ancestral roots are embedded in the lands on which they live, or would like to live, much more deeply than the roots of more powerful sectors of society living on the same lands or in close proximity. They are 'peoples' since they comprise distinct communities with a continuity of existence and identity that links them to the communities, tribes, or nations of their ancestral past (Anaya, 2009).

Notwithstanding the transnational advances of the indigenous discourse and recognition of the rights of indigenous peoples, the official position of the Indian state is that there are no indigenous people in the country (Shah, 2010). The Indian government has

consistently argued that the international concept or the United Nations' categorization of 'indigenous peoples' are not applicable in the Indian context and the constitutionally prescribed term "Scheduled Tribes" or any other category of people cannot be defined or categorised as being indigenous (Karlsson and Subba, 2006). The Indian governments' stand is based on the complex migration history which cannot be compared with other nations like Australia or Canada and hence it is impossible to trace the original inhabitants of a particular region (Shah, 2010). Conversely, it is also argued that the entire Indian population is indigenous.

Notwithstanding the official position of the Indian government, there are many constitutionally mandated provisions exclusively for the category of people known as "Scheduled Tribes". Apart from the Fundamental Rights enshrined in Part III of the Indian Constitution, specific provisions such as the Fifth Schedule and Sixth Schedule guarantee specific rights to the Scheduled Tribes including rights to cultural distinctiveness, identity, autonomy and provisions regarding regulations of transfer of tribal lands. In addition, the Forests Rights Act (2006) and the Panchayat Extension to Scheduled Areas Act (PESA) (1996) guarantee the rights of habitation and occupation in forest land and self-governance through traditional Gram Sabhas or village councils. These apparent contradictions within the official stance and administrative mechanisms of the state has naturally manifested into various debates and academic hair-splitting regarding the nature of indigeneity in India.

Nonetheless, the contestations in using the term 'indigenous'; its sociological and political validity; precise meanings and characteristics within the Indian context, what remains is that the term 'indigenous' is a 'social fact' (Baviskar, 2006). It is already being used by indigenous groups throughout the world and has crucial meanings attached to it. The 'adivasi' or 'tribal' identity that was *"forced upon them from outside precisely to mark out differences from the dominant community has now been internalised by the people themselves. Not only has it become an important mark of social differentiation and identity assertion but also an important tool of articulation for empowerment"* (Xaxa, 1999:3589). Indigeneity has now become a new way of placing oneself and in pursuing a different form of politics (Shah, 2010).

Indigenous groups and peoples who claim to bear the indigenous title are merely following the logic of what Dipesh Chakrabarty (2006) calls 'politics unlimited'. It is the real-life politics of those poor and the oppressed, who in the pursuit of their rights, *"have to adopt every means at hand in order to fight the system that puts them down…it implies a construction of the political that, in principle, has no limits …(and) does not submit itself to the procedures of academic knowledge"* (Chakrabarty, 2006:242).It has become a political concept similar to ethnicity and to deny the ethnic claim or indigenous identity, however unscientific such a claim may be, is unwarranted (Shah, 2010).

A critical overview of the indigenous discourse was followed by a critical analysis of the meanings attached to conflict and its resolution. It was postulated that although conflict is omnipresent and is a part and parcel of human life there are varied meanings and connotations attached to it. The definitions attached to conflict are as numerous as the act itself which is informed primarily through two set of debates. The first set of debates is between the subjectivist and objectivist perspective of conflict while the second is in attributing conflicts as being inherent, contingent or a combination of both. Apart from these two set of debates, theories of conflict are also greatly informed through the functionalists, situationalists and communication interactionists' perspectives. Though no theory or definition can fully claim to comprehend the phenomena of conflict, it nevertheless seeks to delineate many of the complexities inherent in the nature of conflicts which serves as the starting point for the resolution of any conflict scenario.

Conflict resolution generally means the gamut of techniques and methods through which efforts are undertaken to resolve a conflict situation. Conflict resolution is both the theoretical realm of analysing why conflicts occur and how to resolve it as well as the application of conflict resolution techniques in real life settings. The aim is not to prevent conflicts but rather to transform violent conflicts into peaceful and non-violent processes of political and social change (Rogers and Ramsbotham, 1999). It is a comprehensive term that is concerned with addressing and transforming the deep-rooted sources of conflict so that behaviour is no longer violent, attitudes are no longer hostile and the structure of the conflict is transformed. Thus, a resolution entails the transformation of the situation and relationship at a deeper level in such a way as to remove the underlying reasons for conflict (Beckett, 1997).

Though the contemporary field of conflict resolution had its genesis post World War I and has progressed consistently through the decades, it has come under criticism from across the political and intellectual spectrum ranging from the Realists to the Marxists. It is generally argued that contemporary conflict resolution has been framed by mainly Western/ Northern philosophies and values and its approaches are still within the purview of Western views and ideals. The field is at a disproportionate status quo since consciously or unconsciously conflict resolution is examined within a Western philosophical framework (Tanabe, 2010). The assumptions on which the field of conflict resolution essentially rests are largely western and these assumptions are not universally applicable. Moreover, one of the basic weaknesses of the western models of conflict resolution is that it seeks to establish guilt and execute retribution and punishment. These approaches neglect the wider families and future re-incorporation of the offender back in to the community. The emphasis is on justice with very little consideration of post-resolution relationships making the processes largely adversarial (Lanek, 1999).

Nevertheless, the discipline of conflict resolution is a burgeoning field since societies throughout the world have some mechanisms and techniques for the resolution of conflicts. The role of culture in conflict and how do other cultures manage their conflicts is now acknowledged as being pertinent to the field of conflict resolution. Indigenous societies, since the dawn of life, have been engaged in the resolution of conflicts through their traditional time tested mechanisms and techniques. These indigenous techniques have stood the test of time and are largely based on the concept of restorative justice. It seeks to restore the relationships that have been fractured due to conflicts with the aim of maintaining harmony among individuals and society.

Indigenous Methods of Conflict Resolution (IMCR) are the techniques of resolving conflicts and disputes that have been practiced by peoples and communities for centuries and are a precursor to the present day court-system as well as contemporary forms of conflict resolution. It is a nested decision making process aimed at the resolution of conflicts and restoration of relationships and harmony. It includes the social, economic, cultural and religious-spiritual dimensions exclusive to the traditions, customs and worldviews of the people and their society. It comprises a range of processes structured to meet the specific needs of parties in a conflict and the methods used in seeking to

245

resolve the conflict is commensurate with the nature of the conflict in terms of value, complexity and importance to the conflicting parties.

IMCR focuses on the values of empathy, sharing and cooperation in dealing with common problems which underlie the spirit of humanity (Murithi, 2006) and is important in re-establishing the social capital that is damaged as a result of the conflict situation. Furthermore, it is a speedy and cost effective mechanism of resolving conflicts (Fred-Mensah, 2005) while also saving the relationship and minimizing revenge killings (Annette, 2009). An important facet of IMCR is that it analyses and understands conflicts within their social context with the immediate goal of conflict resolution being the mending of broken or damaged relationships, rectification of wrongs and restoration of justice. Its aim is to ensure the full integration of parties into their respective societies and evolve co-operation. Its objective is to refrain from accusations and counter accusations and instead to settle hurt feelings in order to reach a compromise that will help improve future relationships.

IMCR serves a dual purpose of resolving conflicts as well as reintegrating the errant party back into the community and has certain advantages such as restoring social relationships, minimizing costs of resolution and being relatively free from political influences. Its main aim is not to punish the wrong doer but rather to help restore harmonious relationships (Boege, 2007). Though IMCR has its own advantages with regard to the groups and society concerned, it nevertheless has its own weaknesses and disadvantages. Indigenous practices while being rooted within the culture and traditions of the indigenous society may sometimes contravene or be contrary to the universal principles of human rights and norms of democracy. Most IMCR processes exclude women and is mostly male dominated thereby curbing the voices and freedom of its female members. Additionally, the processes of IMCR have limited applicability since it is mostly suitable within an existing societal structure. Also it is open to abuse in the face of rapid modernization and the institutionalisation of materialistic culture thereby corrupting the traditional elders and chiefs who mediate over the proceedings.

The theoretical overview of the concepts of indigeneity, conflict, conflict resolution and IMCR was followed by elaborating upon the IMCR of the Adis and the Dongria Kondhs.

The Kebang of the Adis and the traditional village council of the Dongria Kondhs are organic self-governing systems which play a major role in resolution of conflicts within the society. Both these systems are comparatively well established even though it has undergone certain changes. The Kebang and the traditional village council operates as the initial and primary institution of conflict resolution and bears the four characteristics inherent to indigenous methods of conflict resolution, namely being; (i) consensus concerning the mediating authorities, (ii) open meeting where everyone is heard, (iii) compensation for the loss created by the conflict and (iv) a cleansing ritual which serves to integrate the errant member back into the community.

However, the Kebang and the traditional village council differ in certain aspects with the most striking being the selection of their traditional leaders and their relevance and changes in contemporary times. The Kebang is a democratically elected body while the leaders within the Dongria Kondhs traditional village council is hereditary. Also the Kebang has not gone through much change and maintains its democratic structure and is still relevant amongst the Adis as the primary institution of conflict resolution. On the other hand, the traditional village council of the Dongria Kondhs has witnessed considerable change and declining relevance with the infusion of democratic values and the emergence of the Niyamgiri Surakhya Samiti (NSS) as an alternative body of conflict resolution.

The findings of the field study conducted to analyse the contemporary relevance and effectiveness as an institution of conflict resolution revealed that in the case of the Kebang, it functioned as the primary means of resolution of conflicts in everyday Adi society. On the other hand, the traditional village council of the Dongria Kondhs has gone through some changes and role reversal with the formation of the NSS and both these institutions have taken up the mantle of resolving disputes and conflicts within the society. Interestingly, with regard to the resolution of the corresponding conflicts over natural resource it was ascertained that the judicial system and the courts were better equipped to resolve these conflicts. A concise comparative analysis of the movement against the LSHEP and the Niyamgiri struggle was followed by the final section of the chapter and the thesis.

The final segment sought to propose a framework for the synthesis of contemporary western and indigenous ideas of conflict resolution. The framework utilized the seminal conflict resolution concepts of Johan Galtung's Forms of Violence and Positive Peace, John Burton's Basic Human Needs Theory and Analytic Problem Solving, Edward Azar's Protracted Social Conflicts and Problem-Solving Forums and Herbert Kelman's Social Psychological Approach and Interactive Problem Solving and attempted to infuse them within the concurrent indigenous frames of conflict and conflict resolution.

The synthesis proceeded to unveil the Arcadian spaces that would allow the Adis and Dongria Kondhs to have control over their "life chances". Arguably, it was not simply the spaces of utopia or imagined projections of ideal models of society but the avenues that hold the key to realizing the remnants of their dream world. The synthesis of conflict resolution processes, based on the premise of the Arcadian World, was hence the possible approaches to the application of contemporary western ideas of conflict resolution within our indigenous setting. It is not the prescription of a generic model of conflict resolution but is rather an effort to ameliorate the current nature of conflict resolution. Nevertheless, the synthesis is a utopian vision that could be amenable for resolution of the conflicts over natural resources in quotidian Adi and Dongria Kondh lives.

Hence, Galtung's idea of forms of violence and more specifically structural violence was intrinsic to any efforts at resolution of natural resource conflicts in Arunachal Pradesh and Orissa. The difference between the potential and the actual that summarizes structural violence could be diminished through an egalitarian approach that places the indigenous groups and their systems of governance and institutions of conflict resolution as the focal point of any initiative geared towards them. Galtung's vision of positive peace as the absence of both direct and structural violence can only be realized when steps are taken to root out the conditions that impede the well-being and development of the Adis and Dongria Kondhs.

Burton's basic human needs approach was useful in distinguishing between needs, values and interests that sustain these conflicts. The Adis' reluctance to be a part of the hydro power development was a culmination of several factors intrinsic to the overall interests and well-being of the Adi population. These interests must first be discussed within the

mechanisms of the Kebang to find a leeway that is acceptable to all concerned. An analytic problem solving approach within the Adi indigenous setting would tackle the fundamental causes that sustain the conflict. Similarly, the Dongria Kondhs resistance to mining is based on sacrosanct religious values and needs that are hard to refute. These religious values forms a core of the basic human needs and cannot be compromised. Hence, the verdict served through the referendum process must be legislated to prevent any further transgressions into their sacred hill. Secondly, a co-management system must be developed that places the Dongria Kondhs' knowledge systems at par with other scientific knowledge to arrive at an ecologically beneficial way of development. The Dongrias must be given the power to decide the fate of any mining venture within their sacred hill while the asymmetric nature of power relations in the Niyamgiri conflict must be addressed.

Azar's variables of protracted social conflicts was present in both our conflict scenarios and to diffuse such a situation it was argued that the state and its machinery should be geared towards structural development and serving the interests of these indigenous groups rather than the elites and powerful of the society. Kelman's interactive-problem solving approach required the integration of the indigenous modes of conflict resolution through an unbiased discussion of the conflict within the indigenous structure involving all the parties to the conflict. This would help in the reduction of animosities that exist between the two groups and also give space to vent their views. However, it is important that this process is constituted within an indigenous setting because of its familiarity and ease within the indigenous population. The discussions should seek to produce changes within the parties as well as being informative of the barriers to an effective resolution.

Although the application of these conflict resolution processes could be theoretically possible yet it is essentially a utopian vision. In a real world setting it has many structural barriers with the primary and most important being the will and volition of the state and project proponents in seeking an effective resolution to these conflicts. The process of managing conflicts by the state and its partners has usually been through coercion and force. The voice of the weak and the marginalized are just voices to be silenced and trampled upon. Further these conflicts would not have germinated in the first place if the state and project proponents had considered the voices and issues of these indigenous

groups. A sincere application of suitable conflict resolution mechanisms to resolve the conflicts is essentially an "idealists' dream" while the reality is that these conflicts will be suppressed either through the carrot or the stick.

Hence, though the synthesis could be viable in the resolution of the conflict surrounding the LSHEP and mining the Niyamgiri hills, its application is a herculean task. Conversely, if the resolution of conflicts would have been a simple thing then conflict resolution would have perhaps occurred more often. Moreover, it is essential to remember that the resolution of conflicts to produce win-win outcomes should not be the end task. Rather, its aim should be to align on the side of justice and create opportunities to address the asymmetric nature of relationship between the parties to the conflict. In our case, justice can only be guaranteed when indigenous voices and concerns are given equal precedence with respect to increasing economic growth and GDP. Any negotiations for resolution of the conflict must entail the well-being of the Adi and Dongria Kondh population and prevent it from becoming a Faustian bargain.

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264

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Natural Resource Conflict and Indigenous Methods of
Conflict Resolution:

A Comparative Study of Arunachal Pradesh and Orissa

ABSTRACT

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ABSTRACT

Conflicts over natural resources have a history as long as the existence of mankind and will continue for ages to come. The unbridled exploitation of natural resources began in earnest with the establishment of the industrial and mercantile age which also witnessed the intensification of conflicts and wars over natural resources. The process of colonization was intrinsically linked to the acquisition of new colonies to sustain the need for natural resources. At present wars over oil and other non-renewable resources makes natural resources an important element in the onset and continuation of conflicts with huge stakes hinging on the ability to access and control natural resources.

The efforts to establish linkages between natural resources and conflict have gained considerably in the last few decades. The vast array of literature evolving from different disciplines and scholars has provided contradictory and at times ambiguous opinions and theories. Though armed conflicts over natural resources is believed to have decreased after the Cold War, it has manifested in various other forms in which natural resource forms a crucial ingredient in the likelihood and the continuance of conflicts, particularly in the Global South.

The earliest trend of acknowledging the relationship between natural resources and conflict can be traced back to Malthus who postulated that conflicts over natural resources would arise as a direct consequence of population growth coupled with increasing consumption leading to the scramble for scarce resources. The resultant violence, wars and diseases would act as equilibrium and positive checks to maintain balance. Malthus' theory though criticized for neglecting the role of technological innovations that would increase the carrying capacity of the world nevertheless provided the groundwork for further theoretical considerations regarding natural resource conflicts.

Since then, many theories from various schools of thought have tried to provide justifications for conflicts over natural resources. The divergence of thoughts on the issue is intrinsically linked to the underlying concepts and theories surrounding conflicts as well as the founding principles of a particular discipline. Lately, the linkages postulated

between natural resources and conflicts have come from three major traditions of neo-Malthusianism, neo-classical economics and political ecology. Thus, for some, environmental degradation lays the framework for understanding conflicts either at the macro or micro levels, others focus on the scarcity of resources and subsequent distributive policies. The idea of resource abundance or 'resource curse' and the 'greed grievance' approaches explained through the 'economies of violence' has also provided justifications for the conflicts over natural resources. Still others have tried to adopt a broader livelihood approach and brought in social and cultural contexts into the study of natural resource conflicts while debates on the issue of climate change and its possible role in fueling conflicts in the future have also emerged.

In India, the intensity and range of natural resource conflicts have continuously widened as predatory exploitation of natural resources to feed the process of development has increased in extent and intensity. The nature of natural resource conflicts in India has the strands of both resource scarcity and abundance along with environmental and ecological concerns but the primary factor is the motif of industrial development and the growth of GDP and per capita income. Thus, while land as a resource has become a scarce commodity with conflicts over its acquisition being common, the abundance of river waters and its harnessing for hydro-electric and irrigation projects has witnessed intense protests and long drawn conflicts. At the same time, ecological and environmental concerns over the use and abuse of natural resources and its concomitant effects on the present and future generations supplement both cases of resource scarcity and abundance.

Natural resource conflicts in India represent opposing strands of belief in which two contending perspectives are pitted against each other. The first perspective represents the state's vision of the rationality of economic growth through industrialisation. The latter represents the concerns of adivasis, dalits and other marginalised sections of the society whose lives are intertwined with the natural resource base and who stands to lose the most. The magnitude of the gulf between the two perspectives in which fundamental self-interests are at stake makes the possibility of mutual comprehension and the ability to appreciate the rationality of the other side increasingly difficult. Conflict between these two opposing forces becomes inevitable with each party galvanizing support for its cause

and belief systems. These conflicts with local and regional roots over localized issues of land, forests and water often take on national and even global dimensions and represent the conflict between 'two India'- one with an economic and super-power ambitions and the other with sustenance and livelihood concerns.

This process has been characterised by the massive expansion of energy and resource-intensive industrial activity and major development projects like large dams, mining and energy-intensive agriculture. The resource demand of development has led to the narrowing of the natural resource base for the survival of the economically poor and already marginalised indigenous communities, either by direct transfer of resources or by destruction of the essential ecological processes that ensure renewability of the life-supporting natural resources. This has invariably led to conflicts between indigenous groups and the harbingers of development and economic prosperity. Developmental projects and its subsequent opposition in various forms has become one of the striking features of natural resource conflicts in India.

Against this background, the present study titled *"Natural Resource Conflict and Indigenous Methods of Conflict Resolution: A Comparative Study of Arunachal Pradesh and Orissa"* analyses the causes, dynamics and evolution of natural resource conflicts in the two Indian states of Arunachal Pradesh and Odisha and explores the avenues for resolution of the conflicts through a synthesis of the western and indigenous methods of conflict resolution. In Arunachal Pradesh the research examines the conflict over the Lower Siang Hydro Electric Project (LSHEP) and its opposition by the indigenous Adi population. In Odisha it analyses the conflict over bauxite mining in the Niyamgiri hills and protests by the indigenous Dongria Kondh population. The study in its ideation is an attempt to analyse the nature of natural resource conflicts in these two states and explore the possibilities of addressing these conflicts through indigenous mechanisms of conflict resolution and contemporary western ideas of conflict resolution. The focus of the study is at gathering qualitative experiences of actors involved in the conflict and analyse the range of possible approaches to resolve such conflicts.

The comparative study was conducted in Arunachal Pradesh and Odisha primarily because Odisha has been at the forefront of anti-mining and anti-extractive industries and received large academic and media attention while the issue of dams in Arunachal Pradesh has received scant treatment both in academic literature and national media. Moreover, the location and strategic importance of both these states (Odisha in the interior and a Maoist affected region and Arunachal Pradesh in the geographically isolated periphery bordering China) makes it an interesting mode of inquiry into the nature of the conflict, modes of protest and the conflict management techniques adopted by the state machinery.

Nonetheless, the variance in the traditional knowledge systems between the indigenous population of Arunachal Pradesh and Odisha and their continuity and relevance in an age of globalisation and democratisation forms the bedrock of arriving at a mechanism of conflict resolution. The comparative study is also important in acknowledging the existence of many diverse propositions to the meanings attached to natural resources, conflict and conflict resolution and aid in the effective synthesis of both global and indigenous voices in the arena of natural resource conflicts.

The indigenous methods of conflict resolution of the Adis in Arunachal Pradesh and the Dongria Kondhs in Odishawas specifically chosen because both these indigenous methods are comparatively well established and intact. Furthermore, both these mechanisms also fulfils the criteria for traditional/indigenous methods of conflict resolution as they have continued to exist since a considerable period of time; have adapted and existed within the changing social, economic and cultural variables; is locally rooted and inspired by their existing social and cultural mores; is context specific with a historical evolution within the societal structure; its methodology is custom-based or informal and process-oriented; and is rather a non-state or pre-state process not enshrined or controlled by state procedures- legal or political.

The study undertook an exploratory and qualitative approach to analyse the corresponding natural resource conflicts and indigenous methods of conflict resolution.Case study method supplemented by non-participant observation, focus group

discussions and in-depth interviews with key informants wereused to elicit the necessary information. The analysis of natural resource conflicts in Arunachal Pradesh and Odisha was first informed through extensive survey of secondary literature. Relevant literature has been included within the text of the chapter to provide the background and greater understanding of the case studies. The case studies were conducted through extensive field visits in which observation techniques, interviews with the help of questionnaires and focus group discussions were employed. Pilot studies were undertaken before the commencement of field studies at both Pasighat(Arunachal Pradesh) and Niyamgiri (Odisha) to gain an understanding of the issues involved and aid in the construction of relevant and appropriate questionnaires.

Interviews were conducted with the help of semi-structured questionnaires and the assistance of translator was used to bridge the language gap. The study has used both primary and secondary data. Primary data was acquired through intensive field study in which interviews, focused group discussions and observation techniques were applied. Purposeful and snowball sampling techniques were used to identify the respondents. Government reports and documents, newspaper reports, journals, documentaries and internet sources supplemented the secondary data. Existing literature and historical documents were thoroughly reviewed to enhance the understanding of current realities.

The field work was carried out for different lengths of time between February 2014 and January 2016. In Arunachal Pradesh the field study was carried out amongst a sample population of 180 and in Odisha amongst a sample population of 125 selected through purposive and snowball sampling method. Focused Group Discussions (FGD) and interviews with the help of semi-structured questionnaires were carried out to understand the nature of the conflict and the indigenous methods of conflict resolution. Due to the sensitive nature of the issue, the names were not included in the interview schedule and each respondent was instead given a code. The interviews were recorded with prior permission from the respondents and the recordings were destroyed after the transcripts were produced. In addition, non-participant observation along with casual conversations were carried out to understand the lived experiences of the people involved in the research.

The study is divided into six chapters. The first chapter provides an introduction and background to the study along with the objectives, hypothesis, research methodology and the limitations of the present research. Chapter two provides a theoretical framework for conflicts over natural resources and develops the conceptual framework and the linkages between natural resource and conflict. The chapter is divided into two segments in which the first segment provides the linkages postulated between natural resources and violent armed conflict through the environmental security approach and the economics of conflict approach. The second segment focuses on low intensity conflicts over natural resources in India and the consequent environmental movements. It argues that the current model of resource intensive industrial development is the primary cause of natural resource based conflicts.

The third chapter analyses natural resource conflicts in Arunachal Pradesh. It posits that the issue of hydro-power projects that has swamped the entire region is the fundamental cause for natural resource conflicts in Arunachal Pradesh and provides case studies for conflicts taking place over the state's various rivers and its basins. The primary focus of the chapter is the conflict over the Lower Siang Hydro Electric Project (LSHEP) and its opposition by the indigenous Adi population. The findings of the field study conducted to analyse the issues over the protests against the LSHEP are discussed in the third chapter.

The fourth chapter discusses the nature of natural resource conflicts in Odisha and argues that mining and extractive industries and mega dams have been instrumental in creating the conflicts over natural resources. It discusses the nature of natural resource conflicts in the state and provides concise case studies of movements against mega dams and mining/industrialization projects. The focus of this chapter is the conflict over bauxite mining in the Niyamgiri hills and the resistance by the indigenous Dongria Kondhs. The findings of the field study conducted to analyse the afterlife of the Niyamgiri struggle and the current issues are discussed in the fourth chapter.

In chapter five, a concise and critical theoretical overview of the indigenous discourse, meanings of conflict, contemporary field of conflict resolution and indigenous methods of conflict resolution is presented. This is followed by thefindings of the field study

conducted to understand the contemporary relevance of the Indigenous Methods of Conflict Resolution of the Adis and Dongria Kondhs and their perceptions in ascertaining a viable mode of resolving the corresponding conflicts.The final section of the chapter proposes a framework for the resolution of natural resource conflicts in Arunachal Pradesh and Odisha. The concluding chapter summarizes the thesis, analyses the validity of the hypothesis and recommends further studies in the universe of natural resource conflicts and indigenous methods of conflict resolution.

Lastly, the research does not aim at providing the way out or taking a messianic or moralistic viewpoint and offer readymade solutions to the conflict, rather it aims to bring into focus the conditions that could facilitate the resolution of the conflict and provides the elements intrinsic for the resolution of the conflict. Moreover, the research contends that not all conflicts require a win-win solution and in some conflicts a party will also have to lose for the sake of justice. It further argues that the rights of indigenous groups and the maintenance and preservation of their culture, lifestyles and ethos must form the bedrock of any developmental activities undertaken by the state or its partners.