When I relayed Survival International's appeal for support of the Andamanese indigenous group, the Jarawa, I was acting simply as a channel of communication. I lacked any special knowledge or expertise about the Jarawa, the Andamans, or for that matter India. I was not prepared to undertake the researching of another documented report (our family is about to leave for a sabbatical year in France, and our schedule is very full with preparations for the trip). Nevertheless, when you all bounced the preparation of the letter back to me, I decided to take it on out of a sense of generic responsibility for the Jarawas, yet another indigenous group threatened with involuntary resettlement and forcible assimilation. I have done my best to check up on the background of the case, through email and telephone conversations with Indian activists in the Andamans, India and the US who are currently involved with support for Indian tribal groups, two of them with the Jarawa and other Andamanese indigenous groups (the Onge and Great Andamanese). I have also read the few available reports and documents (or, in the case of the crucial petition on the Jarawa now before the High Court in Calcutta, talked with people who have read the text). I think I have been able to form a reasonably adequate understanding of the case, independent of Survival's documentation. I have found that the situation is more complex than the Survival International bulletin and letter that I circulated with my original letter implied, but the need for action by the CFHR and Association is no less urgent, rather even more so, than first appeared.

Briefly, the Jarawa are an indigenous hunting and foraging society who currently number about 250. They live on Middle Andaman Island, in territory they have inhabited since immemorial times. A reserve of 700 sq km was established in 1957, surrounded by police posts manned by 400 police—the idea was partly to protect the Jarawas from incursions but more to confine the Jarawas to the bounded area (they had previously ranged over the whole island). The Jarawas were, and have remained at least until the past year, hostile to outsiders. There has been no stable or continuous contact with the national society, and neither group possesses speakers of the other's language(s). No anthropological work has been done on the Jarawas and virtually nothing is known about their culture or social organization.

Government actions and policies have steadily increased pressure on the Jarawa and their territory. The local administration has encouraged settlement of immigrants from the mainland, encouraged the local timber industry that has nearly exhausted viable stands of timber outside reserve land, and built a road 340 km. long, the Andaman Trunk Road, right through the reserve. The Jarawa fiercely resisted the construction of this road, attacked the construction parties and killed a number of road workers. The rapidly increasing settler population now surrounds the reserve, and there have been many incidents of illegal hunting and poaching of forest resources (honey and timber) by settlers.

The present crisis was precipitated by an odd chain of events beginning in 1997. In that year, a youth who had apparently been part of a Jarawa raiding party fractured his foot while outside the reserve, and was left behind by his comrades. He was rescued and cared for by local settlers, and after his recovery
returned to the reserve. He then began to lead small groups of Jarawa out of the reserve to seek similar hospitality from the surrounding settler population. Groups of Jarawa as small as a half-dozen but sometimes as large as 60 are now coming out with increasing frequency to receive food and other commodities from settlers and government officials. These expeditions are becoming increasingly tense: the Jarawas are often treated with impatience and roughness by police and settlers, and respond in kind. This uncontrolled contact, in short, poses the threat of violent incidents, already endemic in response to the incursions of poachers in the reserve, not to mention medical dangers. As an Indian activist who has worked for years in the Andamans, Pankaj Sekhsaria, writes,

Administration officials admit in private that they are unable to do anything to ease the tension between the tribal communities and the settlers. The two groups are locked in a tussle over land rights, and the atmosphere has been vitiated by some administrative policies of the past. The Jarawas, as the original inhabitants, have the first right over this land, but not many people are willing to concede this. The tension can be eased if the settlements of the outsiders are removed from in and around the Jarawa territory. But this requires tremendous political will and understanding, which is absent.

If anything, the weight of political support is on the side of the settlers, as is evident from a statement made in the Lok Sabha in 1990 by the Congress(I) member of Parliament from the islands, Manoranjan Bhakta. He said: "... Job- seekers (settlers) who have come (to) the island are now serious contenders for allotment of house sites and agricultural land."

Since the political system goes with the number, no political party is in a position to contradict their demands. "The numbers, clearly, are working against the Jarawas. After all, 250 individuals do not count for much in the political system. For the Jarawas, however, this battle is not about political power; for them it is literally a struggle for survival and against extinction. And if their land rights and other needs are not respected, they might very soon go down as another of the lost races of humankind." (Sekhsaria 1998, from Frontline 15:14 July 17 1998).

On Feb. 26 of this year, the bodies of two Onge tribesmen were found floating in a stream near where they had been hunting, and foul play by poaching settlers was suspected. Although the case did not directly involve Jarawa, it contributed to the mounting tension over settler-Jarawa relations.

In this situation, a lawyer who had been working in the Andamans for seven years, a Ms. Shyamali Ganguli, decided to take action on behalf of the Jarawa. She made a brief visit of a few days to a Jarawa area, and filed a thirty-page petition to the High Court of Calcutta (which includes a circuit in the Andamans) calling for extensive government intervention to settle the Jarawa under government supervision as had been done with the Onge and Great Andamanese groups, institute the teaching of agriculture, and provide other forms of assistance, including food and medical aid. (Ganguli: Petition WP 48 1999) Ganguli appears to be a well-intentioned person with no ties to timber or settler interests, but also with no knowledge of the Jarawa or the needs, problems and history of indigenous policy in the Andamans or elsewhere in India. The benevolent paternalism of the measures she is asking the Court to direct the Island administration to adopt is similar to the approaches of the British colonial regime and earlier Post-Independence Indian governments, which produced the demographic collapse of the groups to which they were applied. Meanwhile, local environmentalist activists, mostly members of the Society for Andaman and Nicobar Ecology (SANE) had been preparing petitions to the same court on behalf of both the Jarawa and the other two groups, calling for a different approach: the enforcement of the prohibition of entry by non-indigenous persons into reserve areas, the termination of dependency-inducing gifts of food and presents by the government, the recognition and encouragement of
indigenous communal autonomy, including the right of the Jarawas to continue their hunting-and-foraging way of life.

The strategy of SANE and the other activists and NGOs allied with it had been to present such a petition first on behalf of the Onge, where the legal and administrative situation clearly favored their appeal, and then proceed to present a second petition on behalf of the Jarawa, with the confidently expected favorable decision on the Onge petition serving as a precedent to strengthen their case. Ganguli's individual action in presenting her petition, however, disrupted this timetable, and SANE and the other activists allied with it (now including Survival International) found themselves obliged to present a counter-petition to prevent court approval of the Ganguli petition, which they felt would mean a disastrous repetition of the same governmental policies that had reduced the Onge and Great Andamanese to near-extinction. In addition to the counter-petition on the Jarawa, they have decided to go ahead with their petition on behalf of policy changes in relation to the Onge, which calls for similar measures and will, they believe, reinforce their call for a new approach to administrative policy toward the indigenous peoples of the Andamans. This is the context of the current appeal by the SANE activists and Survival for support in the effort to defeat the Ganguli petition and support the alternative approach, emphasizing communal autonomy and cultural self-determination, that they advocate in their petitions.

These debates over appropriate governmental policies are taking place in a near-total vacuum of anthropologically informed understanding of the indigenous people that are their ostensible objects of concern. The knowledge and skills essential to collaborative dialogue with the Jarawa, the promotion of Jarawa self-determination, and the development of mutual understanding by both Jarawa and settlers of each other's cultural and social mores, is almost totally lacking. The same can be said of the lack of input from the Jarawa themselves (thus the new policies Ms. Ganguli's petition calls for include no provision for Jarawa participation in planning or carrying them out). This state of ignorance of, and non-communication with, the Jarawa is to a considerable extent the result of governmental opposition to anthropological research among the native populations. Although a very few foreign and Indian anthropologists have been able to work in the Andamans since independence, the government has made it virtually impossible for non-Indian nationals to obtain research permits, and even Indian nationals have had difficulty. The studies by Cipriani (an Italian) and Pandya (an Indian citizen) of the same Onge community remain virtually the only serious anthropological studies of any Andamanese indigenous group carried out since Independence; there are no studies of the Jarawa. Under these conditions of anthropological ignorance, it is almost impossible for even the most well intentioned indigenous supporters, acting unilaterally, to formulate programs of assistance that can avoid creating dependency and undermining, rather than reinforcing, Jarawa autonomy.

Appropriate action in the recent complex situation must proceed from respect for the rights of the Jarawa as a tribal minority within the Indian State. This must begin with correction of abuses of those rights by both government and private agents. The road illegally built through the reserve, for example, should be closed and an alternative route constructed outside the reserve. Illegal hunting and poaching by settlers in the Jarawa area must be stopped by the police. These actions, however, should be taken with the full knowledge, consent and participation of the Jarawa themselves.

Above all, there must be no resettlement of the Jarawa on different land, and no attempt to force them to settle at a fixed site in their own territory, rather than continue their nomadic hunting-and-foraging existence. Government policy and settlers interactions with the Jarawa alike must be governed by respect for the fundamental right of the indigenous people to lead the life they choose on the land that
is rightfully theirs. As against the paternalistic program advocated by the Ganguli petition, it must be recognized that the state has no right to attempt to force a tribal people to abandon its culture or take on an alien mode of production, whether in the name of progress, modernization or assimilation into the local or national society. This not only violates general human rights principles, but is in specific contradiction of the guarantees of communal autonomy set out in the Indian Panchayat [extension to scheduled areas] Act of Dec. 1996. A just and viable solution to the problems of the local administration and settler society with the Jarawa must begin with enforcement of the rights guaranteed to the Jarawa by this admirably progressive and enlightened Act, not with an attempt to force a radically new and different way of life upon them, as recommended by Ms. Ganguli's petition before the High Court.

To translate respect for communal rights and autonomy into practical terms that can become the basis of a genuine and productive inter-cultural understanding, however, anthropological research is urgently needed. Encouragement of such research among both the Jarawa and the local Indian population, oriented towards the facilitation of understanding by each groups of the other and the creation of continuing channels of communication and cooperation between them, should be a top priority of national and local government. What is needed is a three-stage program of research. First, a team of competent social science researchers should be brought in to survey the present situation and provide some rough guidelines for immediate governmental action (or, perhaps more importantly in some areas, inaction). Secondly, a qualified researcher or researchers should be set to formulating a program of intercultural information and communication. This would be concerned as much to inform the settlers about the Jarawa as to teach the Jarawa about the surrounding regional and national society. The practical purpose would be to set up channels of mediation between the two. Thirdly, there should be a full anthropological study of Jarawa social organization and culture, which could serve governmental planners and non-governmental activists alike as a basis for mutual interaction with the Jarawa. This is clearly a case where anthropological research and human rights concerns converge in the need to construct a viable and mutually empowering inter-cultural modus vivendi for the indigenous minority and settlers alike.

I attach a draft of a letter for the Committee's consideration/action. May I remind you all that the petition is currently being heard by the High Court at Calcutta, so the sooner this gets sent off, with whatever changes, the better.

In struggle,
Terry