Fourth World Journal

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Honoring Dr. Kiaux

INSIDE THIS ISSUE

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Photo of Dr. Kiaux
Provided by Maxine Janis, Heritage University, Toppenish, WA

Lukanka

Lukanka is a Miskito word for "thoughts"

RUDOLPH C. RŸSER
Editor in Chief
Fourth World Journal

The Center for World Indigenous Studies is dedicated to the application of Fourth World systems of knowledge to research, education, and public policy. Too frequently researchers who advocate "traditional knowledge" tend to mistake their own bias in favor of a particular approach to scientific inquiry over methods of inquiry that tend to be more nuanced depending on dreams, intuition, and simply waiting.

Using the English language tends to distort the systems of knowledge born in Fourth World cultures. The basic question is how does one perceive reality and explain reality? What is reality when one approaches perception and explanation? What is the nature of Truth? The English language has its roots in northern Europe where ideas of "providentialism" and "progressivism" arose out of the minds of Europe's thinkers. "Providence," supposed that the "wealthy" and the "good" were guaranteed a place in heaven (clearly a Roman Catholic idea) and that the "poor" and "evil" were to be confined to "hell and damnation." As a fundamental and undergirding principle of thought "providentialism" rather confined thought to a fairly narrow path based in "good" and "evil." "Progressivism," on the other hand supposed that there exists an inevitable path from the "ungood" to the "good"… thus there will always be improvement if one pursues the "good." This approach is also rather confining since it doesn't explain why the "good" can collapse into "evil" – clearly that is not progress.

Scientific theory as practiced worldwide does presuppose the inevitability of "good" coming from progress. This explains why it is such a popular idea that "innovation" and "technology" will solve all problems such as the adverse effects of climate change. Clearly dealing with climate change is far more complicated than inventing new tools. The Scientific Method offered by the "Age of Enlightenment" or "Age of Reason" from the 18th century dominates thinking and the practice of investigation and inquiry. Self-evident proofs are insufficient, though too often faulty proofs are accepted since there may be no other explanation for something.

I go into all of this to highlight the importance of different methods of inquiry that may all produce evidence of something, but not necessarily truth. Fourth World systems of knowledge whether from peoples in Southern Africa, México, Samiland, or Tibet may vary, but they all contribute to human knowledge and must stand as part of the great body of human knowledge systems. In other words, there is not merely one system, but many. What I have come to call the Anahuac Knowledge System of the Toltecs in ancient México provided the western Hemisphere with the concept of "zero" that permitted calcu-

lations of a five thousand year calendar and the 25,000 year path of Earth's solar system circling around the galaxy's center. How was this "zero" conceived of since it is the equal of "nothing?" A different knowledge system conceived of this idea with profound global implications.

In this issue of the Fourth World Journal we exhibit the fruits of Fourth World knowledge practitioners whose different methods of inquiry as well as "mixed methods" of inquiry reveal new knowledge.

In my article **"Dr. Kiaux, Yakama Knowledge Scholar, Cultural Guardian"** I celebrate the CWIS Board Secretary, Senior Fellow, Associate Scholar and former member of the Yakama Nation Council and his contributions to Yakama knowledge and the application of the Yakama Knowledge System to explaining and revealing the adverse effects of nuclear radiation emanating from the US government-created plutonium reactor and nuclear waste dump called the Hanford Nuclear Site. During 35 years Kiaux dedicated his life to explaining the "science" of nuclear contamination, in his language (Sahaptian), English, and nuclear science jargon, to his own people and to hundreds of meetings of American Indians, people in Europe, and elsewhere in the world. A Yakama scholar who deliberately chose to begin with the Yakama knowledge system changed how we all think and understand risks to human life as a result of exposure to nuclear radiation. He was honored with a Doctorate in June 2017.

Dr. Joyce Frey at the Chicago School of Professional Psychology in **"A Toroidal Representation of Intelligence from a Plains Cree Lens"** examines human intelligence from the perspective of Cree elders in Saskatchewan, Canada. In this peer reviewed article Dr. Frey examines human intelligence as conceived in the minds of Cree people applying phenomenology and a Cree system of thought to produce results that unify them into a single Toroidal Indigenous Intelligence. Frequently combining so-called "western methods" with Fourth World knowledge methods simply reflects how human minds from different cultures are in some ways "wired" the same way.

In **"Muckleshoot Foods and Culture: Pre-20th Century Stkamish, Skopamish, Smulkamish, and Allied Longhouses"** FWJ Managing Editor **Heidi G. Bruce**, MA, paints a clear and unvarnished picture of food uses and choices by the ancestral longhouses peoples along the White River southeast of what is now Seattle, Washington. Noting the dominant role that wild plants and wild animal life plays in the longhouses of more than 100 years ago, Bruce reflects on the present day Muckleshoot successors and their food choices and needs.

India is one of the most human populated states in the world and as such with more than one billion people the very existence of hundreds of millions of indigenous peoples is frequently ignored. **Professor Rajendra Prasad Joshi**, Emeritus Professor at Central University of Rajasthan and the former Professor of Political Science at M.D.S. University in Ajmer, has contributed an epic article reporting his research findings in the peer reviewed article **"India's Approach to Tribal Self-Government."** Many states' governments claim they are advancing self-government by indigenous communities and India joined in as a measure of its commitment to the UN Declaration on the Rights of Indigenous Peoples. Professor Joshi's article digs deep to examine the actual meaning and results of India's Constitutional experiment.

Dr. Mohammed Enaikele, a rural sociologist and Chief lecturer and Deputy Provost at Federal College of Fisheries and Marine

Technology at Victoria Island Lagos, Nigeria and his colleague **Adeniyi Taofeeq Adeleke**, a senior instructor at the same institution have contributed a peer reviewed article entitled "**Ethnographic Study of the Dying Culture of Facial Mark Incisions among the Yorubas of South-Western Nigeria."** Their research reveals the cultural significance of facial marking incisions as well as how these marking apply to identity, heritage, and lineage. Dr. Enaikele and Mr. Adeleke conducted what they describe as an "exploratory" study that is "less structured and considerably flexible." These appear to be attributes strengthening the study in ways that the reader will come to appreciate.

I had the privilege of reading and reviewing **Roxanne Dunbar-Ortiz** and **Dina Gilio-Whitaker**'s encyclopedic history of misplaced ideas about American Indians in **"All the Real Indians Died Off, and 20 other Myths about Native Americans."** This book of 208 pages is a handy reminder of how bias and bigotry distort the popular mind about North America's original peoples. The book has been out since last year and is gaining greater visibility for the excellent writing and quality commentary.

The Center for Traditional Medicine Clinical Director **Dr. Leslie E. Korn** released a useful "food and mood" booklet reviewed by FWJ contributor **Wilson Manyfingers**. **"Eat Right, Feel Right"** describes the proscriptive book of recipes and health advice as a quick and handy guide to dealing with depression, insomnia, and other mood conditions especially beneficial to Fourth World peoples.

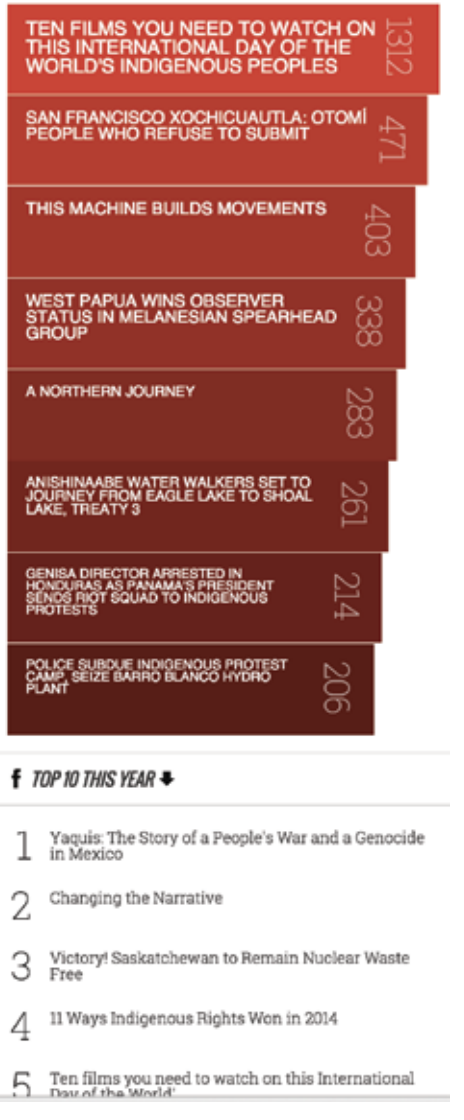
In her book review of **"Waves of Knowing: A Seascape Epistemology"** CWIS Policy Director and Associate Scholar **Dina Gilio-Whitaker**, MA, digs into **Karen Amimoto Ingersoll**'s tome on decolonizing indigenous research methods. She describes how the open seas around Hawaii constitute literally a knowledge base for the "Kãānaka Maoli way of know the world." Demonstrating the breadth of Fourth World knowledge systems, Gilio-Whitaker's description brings this book to life.

As always we are grateful to the contributors in this issue for their extraordinary insights and explorations of cultural knowledge. They demonstrate the strength and power of that knowledge as essential to obtaining a full appreciation and understanding of the importance of all Fourth World knowledge systems.■

Intercontinental Cry Magazine

intercontinentalcry.org

IC Magazine keeps an ear to the ground and a finger on the pulse of the indigenous people



IC Magazine

We are dedicated to providing you with cutting-edge news and analysis concerning the rights, needs, interests, bio-cultural legazies and the contemporary struggles of the world's 6000 Indigenous Peoples and Nations.

Dr. Kiaux (Russell Jim), Yakama Knowledge Scholar and Cultural Guardian

By Rudolph Ryser

On Monday, June 5, 2017 – at the Heritage University Campus in Toppenish, Yakama Nation (on Treaty Day for the Yakama Nation) – University President John Bassett, tribal government officials, community members, other public officials and university faculty honored Dr. Kiaux for his scholarly, cultural, and leadership contributions to the body of human knowledge.

Kiaux (or Kii'ahl – the name his mother gave him) was born in 1935. English speakers know him as Russell Jim. He recently received an Honorary Doctoral Degree in recognition of his life long contributions as a Traditional Knowledge Scholar, Cultural Guardian, Guide, and Mentor; Teacher, and Protector of the Living Environment.

Dr. Kiaux (Russell Jim), Yakama Nation

The conferral of a doctoral degree by the university is an important recognition by scholars. The ceremony in June, however, served as a public affirmation of that which was already known: Kiaux's deep knowledge of Yakama culture, systems thinking, scholarship, and contributions to human knowledge. He is a profound world-class thinker comparable to Lau Tzu – the 6th century Daoist philosopher in China, Rabindranath Tagore (1861-1941) – the great Bengali scholar, and the Toltecs of pre-Hispanic México. His contributions to knowledge measured in this way explain the insightful influence Kiaux has had on generations of Yakama's, native peoples in North America, and in countries as far reaching as the former Yugoslavia, Ireland, Peru, Taiwan, and Sweden.

Bobbie Jim is Kiaux's devoted spouse, Longhouse guide, healer, and gatherer of plant medicines, preparer of dried salmon, mother and teacher of traditional ways to their children and grandchildren, and Kiaux's ceremonial partner and leader among men and women. Bobbie is a spiritual partner as well as a strong protector of her family. She is respected for her deep knowledge of cultural practices in the Yakama as well as the Wenatchee (her childhood people). She is always bearing gifts for those in need as well as those whom she wishes to honor. She travels with Kiaux to cultural gatherings, assists with burial ceremonies, and gives tender instruction to young ones in Longhouse as well as at home. All will agree that they are deeply enriched merely to be in Bobbie Jim's presence.

Kiaux has for more than fifty years been a leader in many public and private capacities reflecting on Yakama knowledge and culture – urging and instructing to advance understanding and appreciation of the influence of ancient Yakama knowledge systems on present day events as well as solutions for human problems. He is the Sunday Services ceremonial leader at the White Swan Community Center where he leads the first foods feast in the Washat services (seven drums), guiding Longhouse attendants in offering gratitude to the Creator by naming foods and

Dr. Kiaux with wife Bobbie Jim, joined by Dr. Rudolph Rÿser on May 21, 2017.

medicines gathered from the land, and singing traditional songs, telling stories, and sharing Yakama knowledge. For more than 37-years Kiaux has served as the Director the Yakama Environmental Restoration and Hazardous Waste Management program. The title of the program seems somehow limiting of the breadth and extent of Kiaux and his professional staff's reach to prevent further injury to Yakama natural medicines and animals, land, water, and people caused by the United States government's Hanford plutonium reactor and nuclear waste dump facility located on Yakama ceded lands. It was Kiaux who stepped forward as a Yakama Councilman to demand that the United States government recognize the Yakama Indian Nation as an "affected tribe" under the 1982 Nuclear Waste Policy Act. It was this act that the American government enacted to implement "a comprehensive national program for the safe, permanent disposal of highly radioactive wastes."

Kiaux recognized what had been contaminating Yakama people since 1945 and informed the Yakama Tribal Council that the US government could not contain the plutonium and other nuclear waste buried and held in containers near the Yakama Reservation. Indeed, Kiaux was correct and essentially forced the creation of the Yakama Environmental Restoration and Hazardous Waste Program into existence as an effort to contain the damages and protect the Yakama and other peoples from further damage caused by the American nuclear disaster called Hanford. Kiaux sought out the most talented and committed scientists with whom he would work to blend traditional Yakama sciences (that he would call holistic Environmental Management so it would be more understandable to his colleagues) and conventional sciences to seek out and implement Yakama solutions to the giant threat to life.

While Kiaux is well known for his work combatting the adverse threats to life from the risks and affects of nuclear waste he also has a long record of organizational and political engagement. He has served as Secretary to the Center for World Indigenous Studies Board of Directors for more than 35 years, as Senior Fellow for Holistic Environmental Management, and an Associate Scholar at the Center. Kiaux is also a former Regional Vice President at the National Congress of American Indians and former President of the Affiliated Tribes of Northwest Indians.

Kiaux is the recipient of the Beeson Peace Award for "his tireless work for public and environmental health" by the Washington Physician's for Social Responsibility—joined by tribal officials and now former Congressman Dennis Kucinich and Congressman Jim McDermott of the US House of Representatives. Other recipients of the Peace Award include Governor of the State of Washington Mike Lowery, Professor Giovanni Costigan, Seattle Mayor Norman Rice, Congressman Jim McDermott, and environmental political activists and environmental leaders Ms. Hazel Wolf and Betty Tabbutt.

The Columbia River Keepers of Portland, Oregon awarded "River Person of the Year" recognition to Kiaux. In addition, he served as a member of the Washington State Commission for the Humanities and also served on the High Level Nuclear Waste Advisory Council. He served as a North American representative to the World Council of Indigenous Peoples and presented as an invited speaker at the United Nations North/South Economic and Environmental Conference and at the "World Conference on Violence and Human Coexistence" – a joint endeavor of the Center for World Indigenous Studies and University College of Dublin, Ireland.

We all have much to thank Dr. Kiaux for—his friendship, collegial engagement, teachings, counsel, and scholarship. We are grateful to Dr. Kiaux for his various roles with the Center as Board Secretary, Senior Fellow for Holistic Environmental Management, and as an Associate Scholar. The Center for World Indigenous Studies Board of Directors and the organization as a whole has been enriched by his continuing commitment to the application of traditional knowledge solving indigenous peoples' problems through education, research and public policy. We are proud to be in your presence Kiaux! ■

About the Author

Dr. Rudolph Rÿser is the Chairman of the Center for World Indigenous Studies. He served as Senior Advisor to the President George Manuel of the World Council of Indigenous Peoples, Advisor and Speechwriter to Quinault President Joe DeLaCruz, a former Acting Executive Director of the National Congress of American Indians, and a former staff member of the American Indian Policy Review Commission. He holds a doctorate in international relations,and teaches Fourth World Geopolitics through the CWIS Certificate Program (www.cwis.org). He is the author of "Indigenous Nations and Modern States" published by Routledge in 2012. ■

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A Toroidal Representation of Intelligence from a Plains Cree Lens: A Bridge Toward Enlightenment

By Dr. Joyce Frey

ABSTRACT

An indigenous cultural perspective relating to the perceptions, insights, and concepts of human intelligence was revealed through the voices of 13 participating Elders representing nine bands of Plains Cree First Nations in a study located in Saskatchewan, Canada (Frey, 2016). The ideologies of human intelligence have historically been primarily predominated by Western academic research. In general, the ideas of indigenous groups regarding their concepts of intelligence remain much less mainstream, with most research lacking indigenous epistemology, axiology, and indigenous research methodologies (Chilisa, 2012). In an effort to generate a broader more inclusive perspective of human intelligence by introducing Plains Cree concepts, this study utilized an integrated methodology consisting of Western phenomenology and indigenous research methods. The integrated design provided a unique scaffolding that served to enrich both Western academic and indigenous standards (Frey, 2016). Its purpose was and continues to be understanding.

The topic of human intelligence has garnered interest that has waxed and waned over the course of history, producing a variety of theories depending on the era and Zeitgeist of the times. The study of human intelligence, typically viewed from a Western perspective, has evolved from early quantitative/psychometric approaches (Spearman, 1904) toward more qualitative ones such as multiple intelligences (Gardner, 1983, 2006, 2011), emotional intelligence (Goleman, 1995, 2011), and spiritual intelligence (Sisk, 2015). Although significant research has been conducted with indigenous groups on the topic of intelligence (Grigorenko et al, 2004), the research designs have primarily been led by Western approaches. With that in mind, this study employed an integrated methodology to meet the criteria of Western qualitative designs and also to meet the requirements of authentic processes and protocols of indigenous methodology (Frey, 2016). The integration provided enhancement to the credibility and dependability of both approaches. The intent of the study was to produce findings of the highest relevance to the Western academy and at the same time be equally relevant and significant to the community of investigation. Needless to say this union provided many challenges, but also offered a unique platform of cooperation, a bridge as it were, between Western and indigenous science.

The purpose of the study and this composition is understanding. It has its foundation in the discipline of international psychology, using a critical lens and concentrating on cultural integrity. In keeping with indigenous methodology, the aspects of storytelling are mutually incorporated through the experience of the participants and the researcher (Lambert, 2014). The process of incorporating 1,345 statements from participant interviews into the mathematical/geometrical concept of a torus provides a visual representation that illustrates the Plains Cree concepts and unifies them into a singular paradigm of Toroidal Indigenous

Intelligence (TII). Interviews with the 13 participants in the study provided rich dialogue for exploring and sharing their ideas of human intelligence. The involvement of the researcher was also a part of the study as indigenous research dictates (Chilisa, 2012). That story is interwoven and provided partially in the first person so that a full picture of the processes and protocols involved in discovering and relating the findings can be captured and its relevance appreciated from both Western and indigenous perspectives.

The journey leading to and culminating in the findings of this study was a long and often naive process. It involved many years, decades in fact, of assimilating random bits of knowledge, appearing serendipitous on the surface, but ultimately comprehended and appreciated as synchronistic regarding the indigenous peoples of North America. It was born from the depths of emotion and empathy, growing and developing eventually into an intellectual and academic pursuit subsequently culminating in a dissertation for a Ph.D. in International Psychology. It was indeed an evolution of a single life that revealed there is no such thing as singularity, and that all life is a deeply integrated process.

There are no other cultures that so profoundly live by that revelation than do the indigenous communities of the world. As representatives of an indigenous community, the People of the Plains Cree First Nations in Saskatchewan, Canada, most generously, albeit cautiously, allowed the research to take place on their home ground in the historic region known as "The Battlefords". The 13 participants in the study represented nine bands of Plains Cree First Nations. They included: (a) Thunderchild, (b) Ahtahtakoop, (c) Little Pine, (d) Red Pheasant, (e) Beardy's, (f) Siksika Blackfoot, (g) Moosomin, (h) Mosquitio, and the (i) Sweetgrass. All the participants were esteemed as respected Elders. There were 8 males and 5 females, ranging in age from 47 to 86 years, representing a collective wisdom of 848 years (Frey, 2016).

The Elders reflected their own special stories and personalities, which were evidenced throughout. They were gracious, articulate, and awe-inspiring, as some of their quotes shared herein illustrate. Their insight, humor, and respect for all things of the earth and the cosmos illuminated a people and a culture of amazing resilience and a way of understanding the human mind and its capacity for intelligence as no others do. Although all the participants were English speakers, to help ensure the clear understanding of questions and responses, as well as to make certain proper protocol was followed, a husband and wife team from the Red Pheasant band served as translators and protocol managers during the interviews. Each participant was given the opportunity to conduct a smudge ceremony, and offered the traditional tobacco and cloth as reciprocity and respect for the sharing of their wisdom before each interview began. Smudging is a ceremonial burning of sage or other vegetation that accompanies prayer to ask the Ancestors for their blessing, and to ensure the integrity of intentions in the procedures (W. Fine Day, personal communication, May 31, 2014).

The cultural and academic integration principles of the study and this article continue to be of note for readers. As a woman from the United States, who is from European heritage, I write from my own limitations of comprehension into another culture. I cannot and would never assume to understand the Plains Cree culture fully as a member of that society. However, the immediate journey from inception to completion of this study, spanning more than three years, allowed me the privilege of some cultural immersion experi-

ences that made it possible for me to comprehend and internalize some of the indigenous perspectives from much more than merely an outsider's perspective.

Western science hails objectivity; the indigenous reveres subjectivity. There was a coming together of those two aspects in the study, in this article, and in my life as the lines between researcher and participant became interwoven. I write as two women, the Western academic and the spiritual being known in Cree as *Tcha Tchak Astim Iskewew*, which means Spotted Horse Woman. My Spirit name came to me from a shaman who mentored and educated me in the correct protocol and processes of the Plains Cree culture. The name exemplifies and pays homage to my lifelong love for the Appaloosa horse of the Nez Perce in the American Northwest. It was from my interest and breeding of these exceptional horses that I began to learn the tragic realities of the history of indigenous peoples, which set me on a journey I wasn't even aware of until decades later. From this objective and subjective dual perspective came the integrated purpose and desire to present the rich, robust flavor of the epistemology, axiology, and ontology of the Plains Cree people's vision of human intelligence.

Integrated Methodology

Integrated methodologies used in this study reflect a progressive research approach between mainstream practices and indigenous methods. The Western academic methodology of interpretive phenomenological analysis (IPA; Pietkiewicz & Smith, 2012), and the indigenous method of relational indigenous research paradigm (RIRP; Chilisa, 2012) were chosen as the best vehicles to produce the highest credibility and dependability of findings.

Although Western phenomenology and indigenous methodology are similar and compatible in many ways, it is inherently evident that they contain areas of fundamental epistemological difference (Kovach, 2012). It should also be noted that the mainstream Western academy has exhibited a resistance to acknowledging the indigenous approaches to research. Likewise, another aspect that cannot be overlooked is the complications implicitly found in a 500-year history of colonization with all its negative influences and residuals (Smith, 2012). However, even with those obstacles to overcome the impetus of this study revolved around the positive qualities involved, with concentration placed on compatible similarities. It was a conscious effort toward bridge-building between colonized and colonizers, indigenous and mainstream. Each plank in the bridge was laid with optimism and hope for closing the gaps of alienation and misunderstanding. This study and the stories of all involved in its making constitute many such planks that contribute to extending the bridge leading to enlightenment.

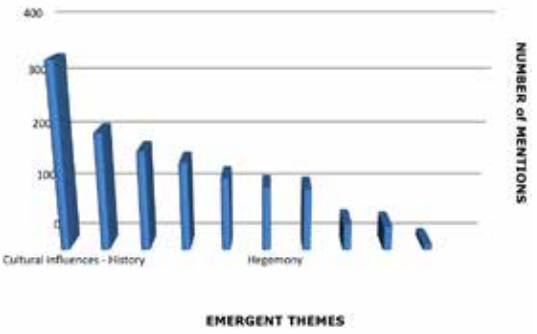
One of the most significant similarities between Western phenomenology and indigenous methodologies is the practice of telling a story. Each story constitutes a thread that is then woven into a single tapestry depicting a collective story. There are multitudes of such tapestries depicting the diversity of human existence decorating our Mother Earth. The weaving of such tapestries are clearly multifaceted and complex creations. Included in each tapestry are elements signifying the importance of place, or more specifically its relationship to those involved. It is also important to include the vitality of the personal relationship between researcher and participants. Adherence to cultural norms, the ability to maintain flexibility, and of course mutual respect and reciprocity are also all of

imminent importance in depicting an accurate and comprehensive view.

What the Elders Said – Arriving at Emergent Themes/Tori

As interview statements were transcribed and read, each of the statements was analyzed for content and placed into similar categories. Each of the ten themes, or tori, is represented according to the number of statements made by participants falling into each category. A name for each one of the ten was assigned that best denoted and summarized the unity of all the statements into a single concept. A total of ten themes or tori emerged and are shown according to frequency of mention in the chart of Figure 1.

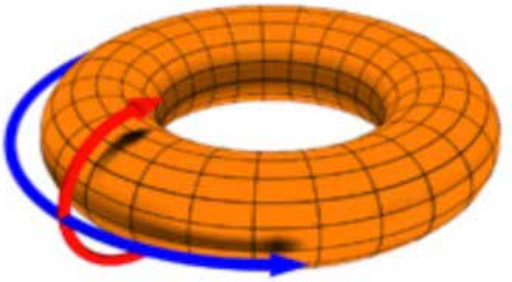
Figure 1: Emergent Themes/Tori



A Toroidal Holistic View

The findings that exemplify the wisdom, resilience, and spirit of the Plains Cree peoples can be visualized by looking at a mathematical/geometrical representation of a torus. When they are combined or woven together they provide an overall view of how the concepts of human intelligence are integrated in one toroidal holistic view, another tapestry as it were, designed and woven by the Plains Cree represented in this study.

Figure 2. Torus Shape



This figure represents the mathematical/geometrical figure of a torus shape. The red vertical arrow denotes the multiple vertical poloidal segments incorporated into the horizontal toroidal shape shown by the blue arrow. The poloidal segments represent the 1,345 individual statements taken from the interviews of the participants in the study. The blue toroidal concept is an overall categorization of similar or like-meaning statements into individual themes; therefore, each torus represents a key concept of intelligence as expressed by the participants.

To afford a larger, overall visual, Figure 3 (top right) illustrates the integration of each category or individual torus of intelligence into a unified paradigm representing a comprehensive concept and perspective of the Plains Cree perceptions of human intelligence. The larger of the tori shows the theme with the most statements indicating the areas that are most frequently mentioned in the Plains Cree concepts. Each subsequent torus becomes smaller as it indicates fewer related statements. Each torus overlaps the others forming a collection of related tori illustrating the connectivity and interrelatedness of the views of the Plains Cree involved in their concepts of human intelligence.

Figure 3

The diagram depicts a paradigm that is dynamic and resilient. It is an animating representation of the energy encapsulated by the stories, ideas, and beliefs of the participants of the study, the Elders. Each theme/torus is further expanded on, and quotes from participants are included to exemplify the meaning and reinforce the distinct Plains Cree concepts offered in the statements made during interviews.

Cultural Influences / History – 335 Mentions

This torus/theme elicited close to one quarter of the statements made by participants, clearly demonstrating their high regard for their culture, its history, and their current role in it as it relates to the concept of human intelligence. It illuminates the cultural values inherent in the Plains Cree Peoples that are distinctive from the mainstream Euro-western culture such as their concepts of time, gender roles, life-span development, education, and consideration of elders in the communities (Frey, 2016).

An interesting and significant aspect of statements made by participants in this torus/theme was the considerable elaboration on the roles of Elders in the community. I had assumed that all Elders were held in high esteem, however there was a clear designation made as to which Elders were authentic and which were considered not up to cultural expectations of that role. The fact that there is some separation of "respected and not respected" reflects the importance that is placed on the wisdom and intelligence of Elders. As an addition to this dichotomy there was shared information from the translators/protocol managers of the study that the "fake" elders were never challenged directly, but just allowed to conduct themselves to their own choosing with the understanding that they would merely be ignored or not taken seriously by the community. The following quotes are examples of the way Elders and concepts of intelligence are considered and how they inter-relate. Please note that all participants used pseudonyms of their own choosing for the study. There may also be some slight corrections in language without altering meaning to aid in clarification for the reader.

> *I guess I look to Elders I've worked with and when I see a very quiet, confident, respectful way of dealing with people . . . I know and been told by some Elders, they are not the ones but are simply a conveyor, a messenger to the Creator. From my experiences it tends to give you comfort in your situation. . . the Elders are more spiritual, and they have lessons, many lessons. (Cree Foot)*

> *There's a lot of fake ceremonial Elders out there. . . And as an individual you*

know who's accomplished at certain levels and has respect from you. But we know the true, honest, humble Elders out there. We know who they are; we have a connection to their personal integrity and accomplishments already. We also know the ones that are pretending to represent those things. . . But each community has a process of understanding the true meaningful, respectful, humble Elders that are true to their word and live by their word and are honest in all the things that they do. (Wapiska)

I think what comes to mind immediately is when Elders are passing on information. They often say don't get angry at me because I'm only telling the truth. Passing on information that some of the things I say you might not like, but it's my duty as an Elder to do it. And they would say that Creator has given you a mind to think with. Although you can experience and learn from your surroundings and what you hear, what talk is around, but also with respect to cultural knowledge . . . that has to come from the Elders. And I think I will say right from the outset there are some cultural issues or matters that are in the public domain, everybody can talk about them, but there is a domain of information, sacred cultural information that is not given out, and it's private information. It can only be passed on from the Elder either to their children or their siblings, in the family. Or they could go through an intellectual property acquisition through sacred protocols to gain the information from an Elder that you want to know. Or you can quest for it, in certain ways. Some people quest for it . . . perhaps fasting and the other ways of self-sacrifice usually under the guidance of an Elder, and support from an Elder. Elders are our teachers. So I guess my perception of intelligence is pretty much that. (Louis)

The aspects of childhood development and education in regard to pedagogy were also a significant portion of the Plains Cree understanding of human intelligence, as these quotes bear out:

We have four stages of life, which is the infant, we start off as a baby, you grow into a teen, and then an adult, and back to an Elder. And we believe that our Elders return to the baby stage at the end of the life cycle on this earth as they prepare for a life in their next phase, which is the spirit world. (Eagle Woman)

So the way we were raised as children by our parents, helps us build our intelligence, and a lot of that old raising was very spiritual in nature, so the spirituality, our high belief in the spirit world, is built on our intelligence. (Knodukwew)

The White Western ideology of education is becoming a concern for us First Nations people. We have to and we want to, push our children and grandchildren to that because it's required now to be able to survive financially in this world. So we have to be able to somehow, and we have been able to manage those, and collaborate those beliefs to understand the Indian intelligence of our spiritual belief system along with the Western belief system. It's a complicated answer. (Little Thunder)

In addition, the concepts of *Indian time* offered a unique understanding of cultural specifics in this theme as seen in the

following statements.

> *We are governed by prayer, the Medicine Wheel; and the one with that intelligence knows the calculations of when the heavens are open, or he opens them. Then he knows what part of the day it is. That's how come they keep track of the medicine, you know, cause they keep track, counting sticks and stuff, he's keeping track of time, Indian time. (Kantunak)*

Some participants spoke to the examples of respect for the cultural processes and protocols along with gender roles and how they relate to intelligence for them. For example, "So when I talk to people if they follow cultural protocols then they have that cultural intelligence." (Chub Chub).

> *When we were born a woman we were born with a lot of things that we need to be prepared for. Because a woman was gifted and blessed to give birth to life. and responsibility to take care of that life. The male person was also equally gifted with many talents, and many ways of knowing and protecting. He was the provider, the protector, the King. And whether you like it or not the big responsibility of giving birth to life and responsibility to take care of that little life, you have a team member to share that same responsibility. (Kokum)*

The deep-rooted history of "The Battlefords" as a geographic area where battles were fought, won and lost, clearly play a vital role as part of the relationship of place that the participants have embraced and assimilated into their existence. They are the people born from a turbulent transitional period in time and history in the late 17th century. Their way of life as centuries of a hunting culture was very rapidly altered and they found themselves, despite resistance and opposition, ultimately unable to overcome the tidal wave that engulfed their existence. The change from freedom to wards of the state, and from hunting to agriculture was no doubt humiliating and terrifying (Radison, 2013). But also despite efforts to annihilate a race of people as the colonization swept across the Great Plains, the stalwart Cree managed to survive the pestilence, war, and oppression. Their progeny live today as proof of that resilience and tenacity in keeping their culture alive. There is no doubt why this theme of Cultural Influences and History have such an abundant and significant impact on their perceptions of human intelligence.

Cognitive Processes – 211 Mentions

This theme/torus has the second highest number of mentions, 211, not quite as many as the first torus revealed, but nonetheless a significant amount. It clearly speaks to the high value participants place on the thinking processes regarding human intelligence. It revolves around the basic ideas of how people think, their capacity for thinking, and how that is conveyed through language. It is essential to make note that there is no exact word for the English word "intelligence" as Western concepts understand it found in the Cree language. The closest it comes is articulated by the following quote: "There's a word, you know, for intelligence. *Eenesewin* is intelligence, but it encompasses the two you know, the spiritual intelligence and the human experience of intelligence" (Louis). It is also necessary to recognize that different bands of the Plains Cree may not all hold the exact same understanding, and that cognitive processes involved in the term "intelligence" may

have variations accordingly as exemplified by the following quote:

> *Intelligence is a measure of your knowledge within your familiar surroundings, and that's simply all that is. And it's different for the Cree, it's different for the Blackfoot, it's different for the Assiniboine, it's different for the Sioux, it's different for the Navajo, you know, we all have our own level of intelligence within our surrounding. (Cree Foot)*

A common aspect of the Western ideas involved in intelligence is the way it is structured into different levels, or categories of abilities. Most people in Western cultures in general are familiar with how intelligence is measured by certain types of psychometric tests that place people in specific categories or levels of intellectual ability, i.e. the Stanford Binet and Weschler I.Q. tests (Spates, 2012). The Plains Cree participants have a much different perspective as the following statements bear out:

> *In regards to our measure of intelligence, when an infant is born, the umbilical cord they call it . . . a sacred part of the body that the grandmothers would prepare their granddaughters who were giving birth to not lose that and to keep it. After the infant is born the grandmothers take that infant and hold that infant here, a newborn for the first time, and the infant can communicate with the grandparents on what gifts that child is going to have, and that grandmother knows right away, she will prophesize . . . oh my you are going to be good at this, and good at that. (Little Thunder)*

> *More so in the spiritual aspect than the regular day-to-day life kind of intelligence. But that intelligence is because they have a better understanding of spirituality and therefore their intelligence level is more visible than a person who never pursues that part of life. (Louis)*

> *For me growing up the way I did, and having come this far in life, I don't believe there's a hierarchy to knowledge. Hierarchy of intelligence in people, we are all intelligent in our own way, and we're equal to each other, not at a hierarchy at all. (Josephine)*

The concept of humor is related to the ways the participants think about intelligence. The strategy of thinking that produces humor includes wit and irony, and is very specifically related to the culture…for example what people in the United States may find humorous depends on their own cultural norms, and people in other countries or even within the same country but from different areas may not "get the joke". These quotes are very helpful in understanding the Plains Cree appreciation of humor and how it relates to intelligence. I can also state from my personal experience and acquaintances with the Cree that I found them to have a very lively, vivid, and joyful expression of humor.

> *I was looking at those Elders, men sitting there. I started thinking how much power, and how much spirituality, and how much wealth of, just they looked so powerful sitting there, but they were sitting in different forms, they sat different, they looked different, but I could just sense the power and the spirituality, and the way they were talking to each other, and they had a sense of humor. (Gwajin)*

> *The intelligence I guess is based on the*

amount of knowledge that a person has, but the type of knowledge and how they use that knowledge too, and it could be knowledge that's related to telling jokes . . . they come in at the right time to tell a joke to relieve the stress if there's stress happening or things like that, that intelligence is recognized as a gift. (Chub Chub)

My late Uncle once told me that there's a perception before the coming of the White man that all First Nations individuals understood all of the spirituality, but that's not true he says. Only about maybe as a guess, about ten percent really understood the spirituality that was handed down. The rest were just Indians (laughter). (Louis)

Of course, cognitive processes are comprised of many other qualities including: decision making, comprehension, logic and reasoning, and speed of thought. The following quotes lend insight to the way the Plains Cree incorporate those concepts into their views of human intelligence:

"They know how to get out of a problem, or a multitask or problem-solver is what I base my intelligence on, somebody that can come make ways, understand ways, and figure things out very quickly" (Eight). "To speak English more fluently and more clearly. Not only to just to be able to repeat words but to be able to understand them and apply them" (Chub Chub). "[Cree] People that are intelligent, the way I recognize them, is an individual who knows how to think things out. Someone who thinks before he talks or speaks" (Eight).

Historically speaking, from the white settlers/colonizers point of view, the indigenous people they encountered were believed to be "ignorant savages", devoid of any intelligence (Muntone, 2012), a premise that persisted well into the era of the residential schools of the mid-20th century (Hanson, 2009b). The idea that they could engage in cognitive processes was dismissed. This belief may seem nonsensical in the early 21st century, but even so some of the prejudice and discrimination continue in many ways in the neo-colonial culture that continues to marginalize the indigenous peoples of First Nations (Battiste, 2010). The theme/torus of cognitive processes belies such a prejudicial tenet and gives credence to the Plains Cree people's ability to not only engage in higher cognitive functions, but also to their own recognition of its importance in comprehending the human intellectual process.

Divinity – 179 Mentions

This theme/torus was based in 179 statements relating to the participant's expressions of the way spirituality, the idea of a Creator or Higher Power, and prayer relate to their ideas of human intelligence. The following quotes express the substantial and profound impact that the participants attribute to such matters:

I think they are one and the same, intelligence and spirituality. Maybe I can do the spirituality when I was talking about each animal having their own spiritual caretaker I guess . . . like the Buffalo, there's a Buffalo spirit that oversees all the Buffalo, there's a Buffalo Spirit Guide that protects and oversees . . . there's different types of Spirits like that for each animal from what I've been taught and believe and in religion as well. I think all religion is the same, we all believe in one Creator, we

all believe in one higher power and we all pray in the same manner. Other than that there is small differences in practice and small differences in our concept of heaven or even to talk about a place like hell., There's differences there but generally I see it as being all the same and we believe in angels as well, and in the Bible it talks about the angels right from Genesis right through like in Cree. What I was taught is that we have angels that we call (Cree word) and they are our spiritual guides that come to us in our time of need for certain things. So intelligence is being able to identify that spiritual essence in your life and that spiritual gift of knowledge to be able to use that spirituality and be able to learn and understand the use of that spirituality in your daily life. (Chub Chub)

And there's the other form of intelligence that is more spiritual, and that's what I have said earlier . . . that is pretty guarded information. And I have to draw a line somewhere, where I have to try to determine what information I can give you is of the public domain, and what information is sacred. I appreciate that you are giving me a cigarette, that gives me a little bit of freedom, but not totally. Why is that? First of all, the Elders say what we know, the intelligence arrived from spiritual sources has been going on for tens of thousands of years. (Louis)

I think we got do our prayer first before we do anything with us Indian people. That's what we do, first thing in the morning when we wake up you smudge and then you pray for what you going to do that day. And that is what I usually do, smudge and pray in the morning, and then my day's really good after that. (Little Thunder)

Well every being on this earth has a spirit, even a rock. So obviously on a day-to-day life you know you see grass, you see trees, you see dirt, you see sky and clouds and nature around you. You know many days go by without really thinking about the spiritual aspect of those beings. It's usually brought to the attention at these prayer ceremonies. And Elders will give you the importance and significance of the spirit community in relation to various beings . . . There are certain protocols when you pray, even the direction you face. Ideally you take opportunity to go to the prayer lodges, prayer assemblies, but you can pray anywhere, anytime. (Louis)

The theme/torus of Divinity is one that appears deeply embedded in all areas of the participant's daily existence and is expressly tied to their ideas of human intelligence. The fact that prayer through the ceremonial rite of smudging was included in the process of the interviews for the study spoke clearly to the participant's routine practices in demonstration of their deeply held spirituality and belief in a higher power. It is appears to be a prevalent belief held by them that human intelligence is a special gift given to mankind from outside humanity itself.

Terrestrial and Cosmological – 159 Mentions

At first glance this theme/torus may seem to be made up of two separate things, our planet earth and the universe exterior to it. However, careful reflection and analysis of the 159 statements involved brought me to the conclusion that they were inextricably intertwined into one unified concept…the

earth, and its existence and place in the grand unfathomable cosmos are one and the same. To discuss that concept, the aspects of the natural environment, the metaphysical and sacred information, hidden knowledge, and the medicine wheel, are all taken into consideration, developing into a profoundly holistic and compelling perspective of human intelligence. The following quotes are excellent examples of the extent to which the participants expressed these somewhat ethereal concepts in relation to human intelligence. To start with, the idea of the natural environment is most succinctly expressed by this brief statement: "Nature is the classroom" (Chub Chub). More extensive quotes epitomize the way the Plains Cree feel about this aspect of human intelligence:

> *There is an interconnection between the land, the people, and the environment we live in and it's all rooted in surviving as a people . . . We live off the land which is dependent on seasons, we know when to plant, we know when to harvest, we know when animals are plentiful, we know when to hunt them when not to hunt them, when not to eat them, so it's a matter of co-existing. . . it's an all-encompassing co-existence. What I would say is our environment influences our intelligence. (Cree Foot)*

> *Well I live off the land, and if you're caught in a blizzard you've only got 20 minutes to live so you have to know what you're doing. Even if your matches are wet you've got to know how to make a fire with no matches. And, there is prophesies of what's coming, we got to prepare for it but nobody's prepared for it. (Kantunak)*

> *The environment [is] going crazy. We don't have any more people, maybe here and there that'll bless Mother Earth in ceremony. Either they got killed off, or shunned off. You have to go find them way out in the bush. These people that know the ceremony, sacred ceremony, to bless Mother Earth. And songs. (Kantunak)*

> *Everything in the universe is related. Fire, water, wind, earth are the main key elements to sustain life. We have four seasons, that life just kind of evolves over, and there are reasons for the four seasons, for renewal of growth and stuff like that, resting, you know there's a whole process and each is tied to the other. (Eagle Women)*

> *I think intelligence is to respect nature, because you can be intelligent, and a very gifted old man, but if you have no respect for nature you're not complete, that's the way I look at it, that's the way intelligence, it's got to complete you. (Gwajin)*

> *What we're doing now is gathering herbs and telling them what Mother Earth has, and again there is a protocol in gathering herbs as well, and showing them and for me that's the Plains Cree perception retaining intelligence is to continue these cultural camps where the youth are taught the proper ways of doing stuff. (Wapiska)*

> *I was praying this morning…, and I was praying, feeling very sad for the animals in that fire. The birds, the baby birds, you know. Those were created ahead of us. But man, man the "intelligent" one destroys everything. You know man destroys everything not honoring the gift of life, not respecting the ways. (Kokum)*

That Eagle that flies shows us equality. When it spreads its wings, how many feet across…they're not one behind the other one, they're both equal. We have a teacher, Mother Earth, and why do we call her Mother Earth? (Kokum)

And perhaps if a person is lucky he might get a vision, where certain intelligence is passed on to him, or his mind opens up for a particular understanding of sacred information. And a person can and quest and quest and nothing will happen (laughter)… that is not a guarantee if you gonna quest but some people still do it. (Louis)

The time I spent in the Battleford's region among some of the First Nations Peoples raised my own awareness of the fragility and interconnectedness of every single thing on this small planet spinning around in a huge, indefinable, perhaps even infinite universe. The manner in which the Cree respect all things, even the "non-living" ones such as the earth and rocks made me pause to consider what it means to be "living". The concept of our planet as a living breathing entity with rights and needs of its own is one that bears consideration, and demonstrates an environmental intelligence. Would that it not be confined to First Nations is a deep held hope for the continued survival of all humankind. We of non-indigenous cultures do seriously need to take heed of this model and component of their concept of intelligence.

Demonstrative/Declarative Communication – 131 Mentions

This theme/torus, with 131 mentions, focuses on how the Plains Cree express themselves in word and deed, and how those expressions may reflect human intelligence. It covers such things as how people are observed to behave, how they articulate their ideas, and also includes interpersonal relationships. It is the opposite of the concepts articulating cognitive processes, which are solely mental activities. An interesting quote from Sternberg (1990), "Thus, intelligence begins not inside the head, but in the relations between people" (p. 243), speaks in particular to the strong sense of relationship held by the Cree.

Physical actions are behaviors that express thoughts outwardly. The following quotes speak to the participant's ideas on how the "outside" reflects the "inside". Gwajin stated, "Always one of the most powerful things to me, that come to me when I look at intelligence, or when I see somebody, it's how they move, it's how they handle it," and Grandfather mentioned that "you can pick out those that are really intelligent according to the way they behave themselves, and how they treat other people; that's intelligence—not knowing, not getting 100% every time you take an exam."

Other areas covered in this theme/tori include the ability to listen, how someone uses language, how experienced a person is and what role models are followed. It also includes emotional and kinesthetic processing, as well as expressing empathy and caring for others. Some examples are seen in the following quotes:

We observe them, their body language and if they're cordial, they shake your hand, there are certain ways of introducing yourself to people and some of the things that you start talking about with an individual brings forth that intelligence and understanding what their intelligence is. . . See in my culture, in how I was raised in Cree, listening to the language and learning the language and understanding

the language and how it reflected my life and my association with people around me. (Chub Chub)

An individual who is very intelligent for me is the one that has compassion, who has empathy, that's the word I was looking for, and to be able to recognize the human being as a human being, that there's different forms of character in that individual. To me that guy's intelligent. (Eight)

The ideas expressed in this theme are directly related to what people can perceive empirically through the senses. They are the things that define certain traits in people that may be viewed as examples of intelligence. It depicts the concrete rather than some of the more abstract understanding of how Plains Cree view human intelligence. I found it an interesting balance between some of the other more esoteric, or metaphysical concepts involved with spirituality. It is a great example of the holistic, overlapping qualities involved in their overall concept of human intelligence.

Hegemony – 115 Mentions

This theme/torus includes 115 mentions. It addresses the effects of colonization on Plains Cree peoples. The topic of how the colonizers forced education on the indigenous people is reflected to a great extent in their self-assessments. Many participant's statements reveal the deeply inflicted wounds and disruption to their culture that came from the residential school experiences. For example, Louis stated, "A lot of that flow of intelligence has been tragically interrupted by the Indian Residential School system." There was also a response to the loss of their lands and way of life…dominance and hegemony left its mark as shown from these quotes:

Well first of all I guess, intelligence is a measure of knowledge of your surroundings, and that measure of intelligence I think varies with each group of people, and I will make two distinctions, I will make the distinction that the newcomers or the settlers are the people that came with the idea of taking over our lands, and I will call ourselves the indigenous or original inhabitants. (Cree Foot)

I think when you come to the settler's societies they brought with that a different concept, and that still exists today. The concept is one of, instead of co-existing, it's one of dominance. Dominance over land, dominance over animals, dominance over plants, dominance over each other on racial lines. Colonizing a group of people that's more dominant than you to go and take their lands. (Cree Foot)

I guess one of the things that I go back to is when we think about our treaty. I have two concepts of that: one because of intelligence I'm mad at the old people for selling all my land for one thing. . . I thought that was pretty dumb. But second when I go back and understand how they perceived the worldview at that time of when our land, our territories that we gave for what we have to today . . . when I was travelling here and I looked at all the land, the fertile land that we gave up. But going back to then they had no choice. (Eight)

So intelligence is important for primarily, I guess, survival. . . That's why we've survived, that's why our culture has survived in spite of Christians, in spite of missionaries, Residential Schools, scooping kids, you know, adoptions from the 1960s, that big scoop where they were just picking up

kids. These kids were denied the intelligence they were supposed to have had and would have gained had they stayed in their own communities. So a lot of damage, and yet we still survive. (Louis)

Other statements spoke to how Western belief systems, and the process of testing for and measuring intelligence affected the Cree. Also included were the ways in which the Cree continue to co-exist and function within the larger mainstream culture.

Well I just want to emphasize again the issue of IQ which in the settler world or non-indigenous world is intelligence measured by testing, and I suppose school-based testing is again a measure of specific surroundings, and I think unless there's a change in that whole curriculum, which starts incorporating more of our concepts of our way of life. When tests start recognizing that these are important, we may continue to not do as well, you know, in testing as them the settler's kids. (Cree Foot)

I guess contact has evolved us into a situation now where our traditional intelligence no longer applies, that makes us dysfunctional, that's why in European standards we need life skills. Because with our traditional intelligence we got to a place where that's become almost like redundant because now we have to live . . . in the situation we were in, now we're transformed to a different environment, where a lot of our learning skills have become not really applicable. But also in this transformation, our ways of collecting intelligence, our ways of providing intelligence to the people that are collecting intelligence, that world is now completely different and it's separated from our spirituality. That's why we are confused. (Gwajin)

But, today we are living in a really more like technological world and there's things we have to be able to adapt to. (Little Thunder)

I believe that the Europeans that came and colonized us, came with the belief that they could influence our way of life, and I think that was a very wrong assumption. (Cree Foot)

Now it's getting different because contact altered it a lot, and how our life is transformed here, how our traditional intelligence might no longer be here, and that makes us weaker. To connect with the Creator the traditional way, that's another issue we're dealing with. Language is one of them, that really disconnects us from the Creator, because we're no longer amongst, we are kind of living with the Western world, just like no different from other animals. Like gophers, they live amongst the cement here. (Gwajin)

. . . like in our histories as Cree people we have to adapt to all the environments you know, year after year, and an influx of Western societies coming in and contaminating our ways, poisoning us with alcohol and deceitfulness and disease, and assimilating us with their Residential Schools, and we had to think of innovative ways to withstand that constant, you know, change to survive (Eight)

When a drum is sounded, it calls us home, back to our own [Cree] ways. (Eagle Woman)

How the Plains Cree have coped with and survived the ravages of colonization and hegemonic circumstances indicate the amazing resilience and strength of self-identity that prevails despite all the attempts to assimilate them, which of course can be a polite euphemism for annihilation – the ramifications of which are all evident in how they perceive their own intellectuality.

Systems of Expression (Rituals) – 112 Mentions

This theme/torus had 112 mentions. It covers the use of ceremonies and rituals, the importance of following proper protocol, and balance and awareness in one's life. The first quotes represent how ceremony is considered in relation to intelligence.

> *Our sincere belief in the Creator is our driving force to understanding the challenges that we are faced with, that we always try to accomplish them through ceremonies. Ceremonies are a bookmark of how knowledgeable you are in terms of understanding the differences in them and also your earning a certain amount of knowledge and intelligence as you are going along. (Little Thunder)*

> *. . . like the Medicine Wheel, the Sun Dance, and Sweat Lodge, these are the types of rituals that we practice, to be forgiven for our wrongs and to able to exist on Mother Earth with the benefits we get from Mother Earth and intelligence would be one of those aspects. To be granted an intelligence to be able to conduct these types of ceremonies, that's one type of intelligence. (Chub Chub)*

> *Protocols are guidelines for conducting business or managing an event. Their importance is depicted in the following quotes: for example, "there are certain protocols when you pray, even the direction you face." (Louis)*

> *Especially protocol, you know there's certain ways, certain protocol, you have to follow in order to retain all this knowledge . . . say like when we have a feast, there's a certain protocol you have to follow. (Wapiska)*

Smudging is a ritual and is spoken about here as well as how balance between all the systems of expression are integrated:

> *"So balance for me was part of the intelligence that they had, balance with nature, balance with their lives." (Eight)*

> *That's what we do, first thing in the morning when we wake up you smudge and then you pray for what you are going to do that day. And that is what I usually do is smudge and pray in the morning, and then my days really good after that. (Little Thunder)*

Being aware of the use of ceremonies and rituals is a metacognitive process related to intelligence and is addressed astutely in this explanatory statement:

> *Reminds me of one thing. I don't know if anyone specifically talked about it but building intelligence when like you talked about a newborn… the Moss Bag. How we used the Moss Bag to wrap newborns and babies into, and it was to create, to build their own intelligence by creating an awareness of their surroundings. They used their senses to learn different things while they were babies, like sense*

of sound, hearing voices, different sounds in nature and all that kind of stuff. That was used at the very beginning of a child's life, everybody's life. That's how they built their [Cree word]. . . it was making them use their senses to build those up, which would build on their intelligence in the future. (Louis, via the Interpreter)

The use of rituals and ceremonies appear to be very important ways for the Cree to exhibit their beliefs and values and seem to have great influence on their understanding of human intelligence. It provides a framework of processes and protocols that give balance and guidelines for living according to their cultural dictates and norms, reflecting their consideration of intelligence.

Results/Outcomes/Consequences – 48 Mentions

This theme/torus has a frequency of 48 mentions. It expounds on the way the Cree connect survival and their ideas of self-identity to human intelligence as demonstrated by the following quotes:

To me intelligence is survival; it's the concept of knowing exactly where you're at, at that place, and what you need. In our culture, in our way, I heard talk about how there were millions and millions of people in North America. And we all died off, the population dwindled. It was only the people that were very lucky to survive that, that we are here today . . . for me that is intelligence. (Eight)

We respect the natural laws and then we use that intelligence that's given to us to be able to walk through life with that intelligence that's given to us for our survival. (Chub Chub)

. . . intelligence of knowing who you are, where you came from, who you are as a person, your identity, your self-identity. (Eagle Woman)

This theme/torus opens a window to view how the Plains Cree Peoples use their intelligence to overcome negative, demeaning judgments of them and invest instead on the positive energy that comes from their cultural beliefs and values. In essence, it shows how their perception of intelligence leads to how they think of themselves as individuals and as a group.

Oral Traditions – 44 Mentions

The theme/torus of oral traditions had 44 mentions. It includes mythology, storytelling, and symbolism. It also highlights the difference between Western values of the written word juxtaposed to the indigenous values of the spoken word. It was interesting that the term mythology met with some resistance from many of the participants that they seemed to interpret as disrespectful of their beliefs. There is no direct Cree term for mythology, but storytelling, maintaining oral traditions, and using symbols to maintain tribal knowledge was clearly articulated. These quotes are a great example of those feelings:

"Yeah, mythology and symbolism were for children, for them to grow and develop spiritually, not for adults" (Kantunak).

There's really no Cree word for mythology. Again, I think it's a function of the English language, because it that a word our Elders use or would they say (Cree) . . . what is something that is given to us from creator, it's something that's given to us from above . . . the overall concept

of spirituality would override the concept of mythology because I think that's more and more encompassing way of looking at who we are and where we exist. (Cree Foot)

Another very cogent part of this theme/torus was the actual use of stories in answering interview questions as witnessed from these quotes:

I got my Indian traditional intelligence from my grandmother and from who she had heard it from, that's, I consider maybe around early1800s. I heard some things from and through generations, and so as far as information and passing it on it's fairly accurate, and that's how I see us, that way. We were intelligent--it's what you do with it, how you live with it, and how you carry out your life with it. (Gwajin)

To me when I used to hear those Elders telling us those stories, what each character did, I've picked up a lot of information from there to reinforce my life on earth, and to reinforce the connection to the Creator. That's [what] those stories meant to me. And also, what they symbolize like, okay, [Cree word], to me he's not a trickster, [but] people call him trickster. [Cree word], it's a Spirit, something that is extreme; he's that kind of a character, because what I hear about those stories, he did a lot of things to survive, which were out of a[n] extraordinary way he did it. He had powers and he symbolizes things, but that was his way of life. (Gwajin)

Just as a personal observation and commentary on oral traditions, I must add that the ability to maintain accurate information and hand it down over generations is an amazing feat. It requires a high degree of memorization and an ability to relate them in ways that are relevant to new generations. The value of knowledge keepers in indigenous societies is immeasurable.

Applications – 11 Mentions

This last theme/torus refers to how intelligence may be utilized and what advantages or disadvantages may result within the Plains Cree culture. With only 11 mentions it may seem to indicate a lack of importance. However, the way an individual navigates through the myriad of challenges in life is an example of intelligence in motion. It includes situational influences, motivations, observations, and risk taking. This makes sense because intelligence is reflected in the manner in which it is applied to one's life (W. Fine Day, personal communication, May 27, 2014). Gwajin added to this point in his interview when he said, "Yeah, intelligence when you, when I say it completes you, it makes up your life, and it also guides you, and it also motivates you." More quotes support such premises:

So the intelligence itself it's not a measure of degree or . . . it's not how big your brain is or . . . it's not measured by possessions or how much money in your pocket or any of those factors, it's situational to how that person is able to use intelligence to help certain people, their family, brothers and sisters or different types of situations in the community. (Chub Chub)

Intelligence is an understanding or knowing, it's not that one word intelligence, in the Cree language, it's a lot of words. But that's the main thing--it's understanding and knowing, that's the word intelligence.

Medicine Wheel at Sliding Hill on Sweetgrass Reserve, May 2014 (photo submitted by the author)

For the cultural values of the Cree, that's what really, I wouldn't know how to say this, that's what really motivates the Cree people in doing what is right, and understanding what is right and what is wrong. (Grandfather)

Risk-taking could be part of it, because how else can you learn something that brings you intelligence if you don't take a risk of trying certain things, and you learn from those things of taking that risk. That's another form of intelligence. (Chub Chub)

This last theme/torus was an excellent venue for visualizing the every-day uses of the Cree perceptions of intelligence. Although it was not high in mentions it nonetheless exemplified the connection between concepts of intelligence and their actual functionality.

Reminiscent Thoughts and Gratitude

The Plains Cree people I have had the honor of becoming acquainted with personally through this study, have displayed and shared a genuine sense of enlightenment on the topic of human intelligence. The lack of an exactly translatable word in their language equal to the English word "intelligence" makes it an even more amazing display of their ability to create cross-cultural paradigms enabling mutual understanding. As an academic researcher from another culture I am immensely grateful

for the generosity of the participants and all people in the Battleford communities, both indigenous and mainstream.

Particularly significant to me, is the personal and spiritual connections made with Mother Earth on the beautiful sweetgrass. The power of the medicine wheel is a tangible energy. I am charged with that energy, with the bravery, resilience, and intelligence of the Plains Cree people, and with the legacy of the Ancestors. Their stories have become part of my story. ■

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Muckleshoot Foods and Culture: Pre-20th Century Stkamish, Skopamish, Smulkamish, and Allied Longhouses

By Heidi G. Bruce, MA

"Food is a blessing, gratefully and respectfully gathered and prepared, given and received with just as much gratification and respect."
– Coast Salish core value of food [1]

ABSTRACT

Food serves as a lens into the culture of a people. Traditional food systems reveal aspects about past, present, and future social, biocultural, and economic relations of a community. The peoples of *Stkamish*, *Skopamish* and *Smulkamish* longhouses whose descendants now make up the Muckleshoot Indian Nation have, for millennia, depended on a wide variety of food sources through reciprocal relationships between plants, animals, people, the land, and the cosmos. By honoring the cyclical nature of ecological systems and seasonal abundance, the Stkamish, Skopamish and Smulkamish developed food ways that were nourishing to humans and respectful of the environmental niche they inhabited.

While researchers often place marine/mammal resources at the center of the Pacific Northwest indigenous peoples' diet and culture, less attention has been paid to the role that plants and wild game played. This historical food assessment, therefore, seeks to provide a more nuanced food narrative that describes the diversity that characterized the Stkamish, Skopamish and Smulkamish diet.

Keywords: Muckleshoot, Lushootseed, indigenous foodways, archeobotany, ethnobotany

Overview of Muckleshoot Indian Nation

The Muckleshoot (I use Stkamish, Skopamish, Smulkamish, and Muckleshoot interchangeably throughout) are a part of the Southern Coastal Salish Lushootseed [2] peoples whose traditional territory stretched along the Green and White Rivers and into the Cascade Mountain foothills of Washington State. According to Coll Thrush (n.d.), Professor of Indigenous history at the University of British Columbia, Lushootseed is comprised of two words, one meaning "salt water" and the other meaning "language," and refers to the common language, made up of many local dialects, that was spoken throughout the region. As descendants of the Lushootseed, the people who settled along the White River were from the Stkamish, Yilalkoamish, Skopamish, Smulkamish and Tkwakwamish bands (collectively referred to as the Duwamish and Puyallup). They eventually took on the name Muckleshoot, originally pronounced

1 From: http://www.burkemuseum.org/blog/salish-bounty-traditional-native-foods-puget-sound

2 Lushootseed consists of northern and southern dialects. The Muckleshoot speak a sub-dialect of southern Lushootseed called Whulshootseed and Chinook Jargon (Matthes, 2016).

Buklshuhls, which means "from a high point from which you can see" (Davis,1996).

The present-day Muckleshoot Indian Reservation is located southeast of Seattle on a plateau known as the Muckleshoot Prairie. The six square-mile Muckleshoot Reservation, which is laid out diagonally, has 20 miles of boundaries. According to the Muckleshoot Tribal Police Department, the tribe's geographical boundaries lie in three jurisdictions: Pierce County, the City of Auburn, and unincorporated King County (2015). Muckleshoot approximate population is 3,500, making them one of the largest modern Indian tribes in the State of Washington.

The Muckleshoot relied upon complex and far-reaching seasonal food-sourcing rounds that included animals and plants. During winter months they lived in villages along the region's waterways, relying on caches of food and local resources. In the summer, they joined families from other winter villages at summer camps where they shared in fishing, clamming, hunting, and gathering (Matthes, 2016). Thrush (n.d., para. 13) describes this annual cycle:

> *In January, they gathered along riverbanks for the first runs of spring salmon, and took large rakes to the shore to comb herring out of the surf. Early spring saw men carving new canoes for the summer. By May, salmonberry sprouts and other greens complemented last season's dried salmon eggs. Men began hunting deer and elk, while women gathered camas and clams from prairies and beaches owned by important families. In early summer, steelhead appeared in the rivers and berries appeared in the forests, while tiger lilies and wild carrots provided roots from beds passed on from mother to daughter. As summer progressed, runs of dog, silver, and king salmon crowded into the rivers to be caught by the thousands, while tart huckleberries ripened on upland slopes. Fall was the time for snaring ducks in aerial nets stretched between tall poles, for hunting deer and elk, and for catching smelt on Puget Sound. By November, most of the gathering was complete, and if it had been a good year, the people would have enough food to last through the winter.*

The network of kinship was fluid and spanned watersheds from the Salish Sea to the Cascade Mountains. Longhouses were linked together by ties of marriage, joint feasting, ceremonies, and trade (Matthes, 2016). These connections provided the Muckleshoot extended access to resources far outside of the ecological region they traditionally inhabited—far to the north into what is now Canada, to the south into what is now California and into the regions well to the east over the Cascade Mountains.

Muckleshoot Origin Stories

Similar to other Lushootseed origin stories, Muckleshoot stories place the creation of their world far in the past, "when the world was in flux." Their story centers on a figure called the Transformer or Changer, whose actions gave sense to the Lushootseed world. Their stories emphasize resiliency, return, and perseverance, and form the heart of *Huchoosedah,* a term meaning cultural knowledge and knowledge of self, which is an integral part of the Lushootseed spiritual tradition (Thrush, n.d.).

The Southern Lushootseed Epic, *Fly* (See Appendix) offers wisdom on themes of gratitude for the plants within the region and explains that taking the easiest path is not always the most helpful in the long run (Matthes, 2016). This teaching demonstrates the struggle many contemporary indigenous peoples face

when it comes to restoring food ways that once nourished and connected them.

For Lushootseed people, the world is full of innumerable spirits. Even objects and places that seem inanimate, like rocks or the weather, are considered living beings. Each spirit is aligned with a certain facet of life. Career spirit such as the Clam or Duck, for example, help with everyday work, while others support the making of baskets or assist in gambling. Curing spirits like Otter and Kingfisher relate to those destined to become doctors (Thrush, n.d.).

Spirit powers were integral to ceremonies held in winter months, a time when *Huchoosedah* was kept alive through storytelling, feasting, and gift giving. In the longhouses, people performed the Winter Dance, releasing their spirit powers through movement and songs. The Spirit Canoe ceremony, in which doctors from several communities came together to perform a journey to the Land of the Dead to retrieve the souls of ill people, was the most important ritual of all (Thrush, n.d.).

Significance of Longhouse Locations in Relation to Food Access

The Muckleshoot have occupied the Enumclaw plateau since before the Osceola mudflow[3] roughly 5,600 years ago. According to archaeo-botanist, Joyce LeCompte (2014), investigations in the 1970's found nineteen sites on the plateau. The largest and longest occupied of these tended to be located in or near open prairies that were deliberately burned on a regular basis.

In his testimony to the Indian Court of Claims in 1927, Joe Nimrod, a Muckleshoot tribal member noted that the Enumclaw plateau was a cultivated place: "All of the land between the two rivers was good for farming– that is the reason the white people drove the Indians out." In addition, the ICC testimony of Joe Bill, also Muckleshoot, suggests that prescribed burning was a social institution. People "had a ruling, regarding the burning of underbrush, and that it was customary to do so about every 3 years, in the fall of the year to keep 'big timber' from burning" (LeCompte, 2014).

Muckleshoot communities consisted of longhouses made of cedar planks that housed forty or more mostly related people, and often much larger dwelling were constructed. Located near a river supporting transportation by canoes, some longhouses were located right next to each other, while others were more dispersed for miles along a river (Dailey, n.d.). As the center of the Muckleshoot community, longhouses provided far more than shelter—they symbolized people's bodies, their prized canoes, and their world as a whole. They reflected relationships among people and ranking in society (Dailey, n.d.).

Linked by trade and marriage with other communities, Muckleshoot communities were far from isolated. Though conflict sometimes occurred, close connections ensured the sharing of resources between neighboring communities. *Sgwigwi* ("inviting") was an important tradition in maintaining connections and corresponds to the more familiar term "potlatch," in which wealthy people displayed their social status by sharing their wealth with others (Dailey, n.d.).

Muckleshoot identity stemmed from these permanent communities where they lived during winter months. During the rest of the year, however, groups would often merge and migrate to resource-rich areas. In the summer

3 The mudflow inundated the plateau and portions of the Green River valley with more than one-half a cubic mile of mud that flowed down from Mt. Rainier (also known as "Talol" or "Tahoma").

people gathered on the riverbanks to catch, clean, smoke, and dry salmon. Later in the year, extended families reunited in longhouses and villages for the winter season of ceremonies, storytelling and crafting (Dailey, n.d.).

These extended social networks provided access to a wider range of high quality, quantity, and valued foods, as well as a social safety net against challenges such as seasonal shortages or intra-communal conflict (LeCompte, 2014).

Archaeo-Botanical Record of Muckleshoot Traditional Foods

In Historical Ecologies of *sw!tíx*^{w}*t!d* in the Duwamish-Green-White River Watershed (2014), LeCompte uses archaeobotany4 to enhance understandings of the co-production of people, plants, and place among the Muckleshoot. She compares the archaeo-botanical record with previous historical 5 ethnographies to analyze the role that plants played in pre-colonization Coast Salish diets.

According to LeCompte (2014), plants made up 20–30% of the caloric intake consumed by Coast Salish peoples prior to colonization. Providing dietary fiber, essential vitamins, minerals, and micronutrients not available in animal foods (particularly for children and pregnant/nursing women), their availability and cultivability provided variety and sustainability to the Southern Lushootseed diet. Edible roots such as q'awax (chocoloate lily), for example, were cultivated with methods such as tiling, weeding, and fertilizing, but they also included large-scale alterations of the natural environment to increase the productivity of preferred species.

Root gardens were created in estuaries and offered important supplements to diets in the years when salmon runs were less bountiful or when other food sources were running low. Matthes (2016: 85), citing Deur (2005), describes the nutrient-rich soil that characterized these estuary gardens:

> *The soils that accumulate in the upper salt marsh and the garden plots are rich in fresh sediments and organic detritus from riverine, estuarine, and marine sources, carried to the high tide like by peak tides and floods. A significant portion of each estuary's total organic output is redeposited to the upper salt marsh each year, making that portion of the Northwest coast estuary among the most productive environments in the world, if measured by carbon produced per unit of area (Deur 2005:313). Soils of this nature are typically much higher in nutrient composition than the majority of the region's rain-leached soils and are characterized by pronounced seasonal growth (Deur 2005, p. 313). With these subtle modifications to salt marshes within the area, indigenous people within the region were able to maximize the productivity of these unique areas.*

In additional to their nutritional offerings, plant foods were central to the entire Muckleshoot food system. The organization of labor; the creation of tools for cultivating, processing, storing, cooking, and consuming foods; and the use of fuel wood for cooking fires

4 Archaeo-botany provides a more dynamic understanding of historical people-plant relations by evaluating anthropogenic landscape modification, processes of resource intensification and plant cultivation, and human adaptation to environmental change (LeCompte, 2014).

5 LeCompte argues that the late 19th to mid-20th century ethnographers worked within the paradigm of Boasian historical particularism. While these ethnographies provide rich detail and a conceptual framework about pre-Euro-American Coast Salish life, historical particularism tends to result in the production of ahistorical ethnographic accounts, leaving the impression that nothing changed for perhaps thousands of years (LeCompte, 2014).

plants held profound socioeconomic value (LeCompte, 2014).

For more protein-dense foods, the Muckleshoot relied on a combination of land animals (more so than Coast Salish peoples to the north and west) and marine life. The tables below outline the variety of plant and animal foods that the Muckleshoot relied upon.

Figure 1a: Traditional Foods of Muckleshoot (Combined list from LeCompte and Krohn)

Nuts	Berries	Fruits	Edible Greens
Hazelnuts	Blackcap Raspberry *	Bitter Cherry	Cattail
Acorns	Cranberry *	Chokecherry	Cow Parsnip (Indian Parsley)
White Oak	Elderberry	Crabapple	Fiddlehead Ferns *
	Huckleberry	Currant	Fireweed Shoots *
	Salal	Gooseberry	Horsetail Fertile Shoots *
	Salmonberry *	Indian Plum	Nettles *
	Saskatoon (Service Berry) *	Wild Rose	Spouts (Salnonberry or thimbleberry shoots) *
	Soapberry		Spruce Shoots *
	Thimbleberry *		Wild Lettuces – Spring Beauty, Violet, Watercress *
	Wild Blackberry		Chickweed
	Wild Strawberry		Dandelion Greens *
			Lamb's Quarters

Figure 1b

Fresh Bulbs	Roots	Other
Nuttal's Wild Onion	Biscuitroot (fresh) (wild carrot *Lomatium*)	Bedstraw (Cleavers)
Arrow-Leaved Balsam Root	Gairdner's Yampah (dried)	Maple Sugar Tree Sap
Great/Common Camas–*Quamash*	Wapato/Arrowhead (Indian Swamp Potato)	Mustard
Avalanche Lily	Bracken Fern Root *	Cambium – Red Alder, Cottonwood Trees
Riceroot Lily	Pacific Cinquefoil *	Seaweed
Dentalia?	Springbank Clover	Kelp (with Herring Roe) *
Cimaryllid		

**Indicates species that were not found in archeological digs, but were considered important in interviews with elders or ethnographic texts.*

Table 1c

Common Seafood		Fish	Wild Game
Clams (many types)	Seal	Salmon (Coho, Chinook, Sockeye)	Duck
Geoduck	Octopus	Smelt (Eulachon)	Grouse
Mussels	Gumboots	Halibut	Deer
Gooseneck Barnacles	Basket Cockle	Sturgeon	Elk
Oysters	Sea Cucumber	Ling Cod	Bear
Shrimp	Pacific Herring	Trout	
Crab			

The foods noted above were consumed seasonally. Muckleshoot believed that harvesting foods in season ensures abundance, year-round availability, and prepares the body for the change of seasons, including the lunar cycle.[6]

Nutritional Value of the Food Sources Pre-1854

Muckleshoot harvested plants when seeds were ripe—ensuring both taste and nutrition. The timing of their harvest was important because nutrients deplete through time and processing. In areas that were frequently burned after a harvest (in order to promote new growth the following year) mulch was used to protect seeds and catch nutrient-rich ash that washed into the soil with rainstorms (Matthes, 2016).

> *"Root gardens offered important supplements to diets in the years when other food sources were running low. Cultivated bulbs added an important source of complex carbohydrates in the spring and fall, to complement the winter diet that was higher in proteins, oils, and fats. Le Compte (2014: 21) suggests the "practice of substituting carbohydrates for fat may have been true for inland people, for whom land mammals were a much more important part of the diet than they for saltwater people. Furthermore, the all-important anadromous fish would have lost substantial body fat by the time they had swum all the way to these inland villages."*

Qwlawl or quamash (blue camas) was and remains one of the most important food plants in the Pacific Northwest for indigenous people. According to LeCompte (2014) camas[7] is rich in protein, fiber, calcium, phosphorus, iron, and inulin.[8] Unlike most sugars, inulin does not affect or alter blood sugar levels.

Balsamroot is a versatile plant and can be eaten raw, baked, or dried. Similar to camas,

6 Each moon is named for its relationship to the seasonal rounds of daily life in the village. For the Muckleshoot these include the summer Berry Moons, the Elk-Calling Moon, the Digging Moon, and the Silver Salmon Moon (Matthes, 2016).

7 One does need to cook camas in order to be able to digest it.

8 A complex sugar that emerges from the complex carbohydrates within camas once the bulbs of the plant are subjected to low heat for an extended amount of time within earthen ovens.

it also contains inulin. Balsamroot's [9] bark contains an antibacterial and antifungal compound called thiophene E along with other antimicrobial properties that give the bark and its resin its unique ability to heal ailments such as open sores, poison ivy, and ulcer stones (Matthes, 2016).

Red elderberry was another important and nutritious food among the Lushootseed. The flowers and fruit were cooked and made into syrup or spread out onto skunk cabbage leaves and dried to make berry cakes (fruit leather), which was often stored until the winter before being consumed. In addition to being rich in vitamins C and A, the fruit was used as an herbal remedy for rheumatism (Lloyd, 2013).

Cultural and Spiritual Practices in Exercising Control Over Food Access

Muckleshoot core values centered on food and how it should be shared, given, and received with gratitude and respect. Knowledge of food gathering, harvesting, hunting, processing and preparing was passed down through careful observation, teaching, and learning. According to Nancy Turner (2014: 161), professor of ethnobotany at the University of Victoria,

> *[a] number of different plant and animal resource management techniques were originally learned by observing other animals and their effects on the growth and productivity of plants. Many plants are adapted to withstand and rejuvenate themselves after moderate amounts of trauma caused by people, animals, or natural disturbances. Episodes of natural disturbances- floods, ice jams, storms, exceptionally high tides and tsunamis, windthrow trees, fire, and lava flows- also provided opportunities for observing the regenerative capacity of plants and were sources of learning through limitation in the development of management at the habitat level.*

Inter-tribal communication also contributed to the development of different cultivation techniques. Stories passed from group to group—and generation to generation—served as an important means to share lessons on resource management. Lessons based on sensory experiments (i.e. listening, touching, tasting, feeling, smelling) helped the Muckleshoot select foods and medicines that were safe, digestible, and nourishing. Turner (2014: 432) notes that most plant foods are "mild-tasting and lack strongly bitter flavors or intense odors. Plants that contain medicinal or pharmacological properties (such as the ones found in the Balsamroot) contain bitter-tasting and highly aromatic compounds, such as alkaloids or essential oils that make them unpleasant to consume except in small quantities or in diluted forms."

Muckleshoot had their classification system for soil types. Throughout the region they seeded and transplanted, intentionally modified soils, and weeded out competing plants in sustainable ways (Matthes, 2014). Root vegetables, for example, were harvested by size so that only the larger and older bulbs were taken, and the younger, smaller bulbs were left to grow for future harvesting.

Archeology professor Astrida Blukis-Onat (2002) argues that the concept of "resource exploitation" does not reflect a Coast Salish world-view. Drawing on linguists Jay Miller and Vi Hilbert, she proposes the Lushoot-

9 Balsamroot requires peeling to remove these substantial concentrations of thiophene E and the other compounds in order to detoxify the inner root so that it can be safely eaten.

seed concept of *tiχdx* – the cultivation of relationships with people. Rather than exerting control, often associated with resource management, *tiχdx* reflects the role that caring for others plays. Respected leaders ensure the well-being of others in addition to taking care of their own responsibilities. Someone who is *siʔáb* (a derivative of *ʔiʔáb*, or 'wealth') maintains good relations through *tiχdx*. The closest term in English, Blukis-Onat suggests, is "cultivation":

> *It applies to the improvement and preparation of land by loosening or digging, to planting and tending a crop, and to nurturing and fostering the growth of plants. The term also applies to enhancing human relations through means of education and social refinement […] Cultivation applies to the totality of cultural interaction, both within a community and without. (Blukis-Onat 2002: 128)*

When viewed through the lens of *tiχdx*, cultivation refers to maintaining good relations between people, plants, animals, the land, and spirit powers (LeCompte, 2014).

Longhouse Peoples Access to Food and Treaties with the United States

Europeans (Spaniards and some Russians) steered their ships in the Salish Sea (now Puget Sound) in 1792. Over the following decades, new goods (knives, pewter pots, horse blankets, glass beads, muskets, pork fat, wheat, sugar, beans, etc.) brought by more ships and fur traders coming from Canada were slowly absorbed into Lushootseed society. The Europeans (Spanish, Americans, Russians, and later English and French after 1840) also brought diseases (e.g. smallpox, influenza, tuberculosis, and measles). These diseases devastated entire villages, sometimes killing two-thirds to 80% of the people in each longhouse (Thrush, n.d.). In other words, diseases were far more disastrous to Lushootseed and their neighboring longhouses than overt violence at the barrel of a gun.

For the longhouse peoples living on the Salish Sea outsiders moved into their territories very rapidly after the 1805 visit by the Lewis and Clark expedition from the United States arriving at the direction of President Thomas Jefferson. This expedition set in motion a slow wave of migrants from Rupert's Land in British Canada in 1840 at the behest of the Hudson's Bay Company. By the 1850's settlers poured into the region and called for treaties to extinguish "native" title to the land. After some skirmishes (some lasting well into the late 19th century) and then negotiations with the territorial Governor Isaac Stevens, the Muckleshoot signed two treaties with the United States government that recognized their claim to reserved lands and the cession of land to the United States. The Muckleshoot reserved, in addition to land, their right to hunt, fish, and gather in their traditional places. The Treaty of Medicine Creek (December 1854) was signed with the Puyallup, Nisqually, and Squaxin Indians, some living in the Green River Valley. The Treaty of Point Elliott (January 1855) was negotiated with the Duwamish and Suquamish people, along with other tribes whose range extended north to the Skagit River (Updegrave, 2016). Since some of the Muckleshoot longhouses were in the Duwamish range, this treaty became an instrument of law for the Muckleshoot as well.

After the negotiation of these treaties, conflict broke out between Nisqually, Snohomish, Skagit and some of the Muckleshoot longhouses and east of the Cascade Mountains the Yakama, Wenatchee, and Taidnapum against settlers since the United States failed to live up

to its treaty promises. Muckleshoot ancestors from the upper portions of the Duwamish watershed and the upper Puyallup participated in the conflict, while those from villages in the lower parts of the Duwamish and White River watersheds were interned during the hostilities. By the summer of 1856, the conflict had subsided and Governor Stevens renegotiated the Treaty of Medicine Creek at Fox Island[10] – agreeing to changes in the Puyallup and Nisqually reservations and to the establishment of an additional reservation at Muckleshoot where there was a military fort (MIT, 2017).

The Muckleshoot longhouse headmen present at the Fox Island Council understood that a piece of land beginning at the junction of the White and Green Rivers would be included in the reservation, preserving an important village site and fisheries on both rivers. However, the US Presidential Executive Order of January 20, 1857 fell short and only referred to the Muckleshoot prairie. Between 1859 and 1868 efforts were made to change the borders. Unfortunately, a revised Executive Order was proposed during the chaos of President Andrew Johnson's impeachment and no further action was taken (MIT, 2017). The issue remains unresolved to this day.

In 1874 – during the time of railroad grants – the Muckleshoot Reservation was finally enlarged by Executive Order. Yet it only included land in five even-numbered land sections extending diagonally along the White River. As pressures from settlers increased, Lushootseed peoples moved from their traditional villages to the Muckleshoot Reservation. Eventually they began to identify as the Muckleshoot Tribe, rather than by their historic affiliation with Duwamish or Upper Puyallup bands. In 1936, the Muckleshoot government was officially reorganized – adopting a constitution approved by the Secretary of the Interior under the Indian Reorganization Act (MIT, 2017).

The US government further broke up Muckleshoot communal land holdings by allotting reservation lands to individual families and selling "surplus" lands to settlers. Poverty, discrimination, and substandard housing forced many to sell their land in order to survive. During the same time, the State of Washington sought ways to restrict off-reservation fishing, hunting, and gathering that the Muckleshoot depended on for their sustenance and livelihood (MIT, 2017).

In the 1960s, the Muckleshoot, along with the Puyallup and Nisqually Tribes, challenged state efforts to prohibit fishing at traditional locations. In 1970, the US[11] filed a lawsuit against the State of Washington to determine the nature of fishing rights reserved in the treaties with Governor Stevens. *United States v. Washington (1974), commonly known as the Boldt Decision,* held that tribes party to the Stevens Treaties are entitled to take 50% of the fish available for harvest at traditional tribal fishing locations free from most state regulation. It also affirmed the Muckleshoot Tribe as a political successor to Duwamish bands (party to the Treaty of Point Elliott) and to Upper Puyallup bands (party to the Treaty of Medicine Creek).

Current Factors Changing Food Access and Food Control for the Muckleshoot Peoples

In *Traditional Foods of Puget Sound Project Final Report 2008-2010* Elise Krohn, ethnobotanist and Center for World Indigenous Studies Fellow (2010), outlines common barriers to accessing traditional foods for Muckleshoot

10 Located near in Gig Harbor, WA

11 Acting on its own behalf as "trustee" of several Western Washington tribes

and other Coast Salish peoples. Based on roundtable discussions, she found the following barriers (in order of importance) as noted by participants:

Environmental Toxins

Environment toxins have drastically reduced the bounty of traditional Coast Salish foods and threatened the health of their people. Participants report that tribal shellfish and fish have high levels of mercury and PCB's, known to cause learning and behavioral problems in children. Water "dead zones," where pollution robs the water of oxygen and makes it inhospitable for living things, is also a major challenge. Toxins affect the harvesting of wild plants as well. Berry fields are sprayed with pesticides in clear cut areas, and insecticides and herbicides are often used in public areas such as fields and along roadsides. Without costly tests, it can be difficult to assess the safety of traditional harvesting sites.

A Loss of Rights

Despite treaty rights regarding hunting, fishing, and gathering in their usual and accustomed places, participants said new regulations require that Indian people get a permit for harvesting forest products, including berries and cedar. This costs extra time and money. Muckleshoot said that their communities have access to shellfish but due to the costs they are not harvesting them. Their concern is that they may lose their harvesting rights if people do not exercise them.

A Loss of Land

Wild spaces where traditional foods flourished are diminishing because of urban sprawl pavement and housing developments.

Modern Foods verses Traditional Foods

Dietary changes[12] away from traditional diets began in the mid-1800s when highly processed annuity foods (e.g. pig fat, beans, flour, and sugar) began to be distributed. According to indigenous food expert Gary Paul Nabhan, PhD (2002), eating refined carbohydrates such as wheat results in blood-sugar and insulin responses two to three times higher than those reported from whole grains or coarse-milled products. Because milk and grains were not present in the traditional Coast Salish diet, people were not able to digest lactose and high-gluten wheat – leading to chronic inflammation and diabetes.

Colonization and Cultural Oppression

Participants having survived boarding schools and cultural oppression expressed shame around their culture and did not pass it on to their children—as act of love and protection.

Non-Native Invasive Species Have Changed the Environment

Non-native species such as scotch broom have taken over prairies where camas, bracken fern, edible lilies, strawberries, and other wild foods grow. Milfoil has taken over many lakes. Spartina grass has displaced eelgrass in Puget Sound shallows and along the Pacific coastline, and is a threat to native species of crab and fish.

Lack of Time and Money

Due to increasing income pressures, many participants reported having little time to hunt, gather or grow their own foods. Such foods can be expensive to buy. One Muckleshoot woman shared about the challenges of harvest traditional foods: "Muckleshoot has

12 Diabetes did not emerge as a chronic disease for Indian people in the Pacific Northwest until around the time when Indian people began eating larger amounts of commodity foods and modern industrialized foods instead of traditional foods.

clam beds on Vashon Island that are available for tribal members to harvest. However, you have to take a ferry to get there, that costs forty dollars. Because the beds are not being harvested, the clams are growing too close together and are dying off" (Krohn, 2014:14).

Under-education about Traditional Foods

Many participants said their doctors, nurses, dieticians, diabetes educators, tribal cooks and others were under-educated about the nutritional benefits of traditional foods. Healthcare workers often try to teach people to eat a low-fat diet but they do not educate people about the difference between good quality traditional fats and unhealthy fats.

Federal, State, and Tribal Food Program Regulations

According to participants, many tribal food programs (e.g., Head Start, Elders programs, community events, and casino buffets) serve pre-cooked unhealthy foods that come from major food distribution corporations and contain trans-fats and sugars. Foods from local fishermen, hunters, or gatherers are not funded under food programs.

Limited Involvement in Garden Projects

While several community educators and program managers said that their community has expressed an interest in traditional foods and developing community gardens, too few people participate when it is actually time to do the work.

Lack of transportation/Geographic Isolation to Traditional Foods

Many elders said they do not have a way to travel to harvest sites. Chain supermarkets and convenience stores are often the closest option for buying food. Unhealthy snack foods are cheap, while fresh produce, fish, or meat is expensive or unavailable.

Krohn Roundtable Conclusions

Despite these barriers to reviving traditional Coast Salish food ways, Muckleshoot youth and elders alike are increasingly discussing traditional food restoration. To better understand the current food system of the Muckleshoot Indian Nation, it is important to look at origin stories and beliefs around ecosystems management, the history of traditional food usage and availability, and the complex web of cultural, socio-political, economic, and legal barriers that impede their people from accessing and deriving nourishment from the foods that have sustained them for millennia.

Contrary to assumptions held by earlier researchers in the Southern Lushootseed region, this historical assessment finds that Muckleshoot peoples were doing far more than fishing; they were actively managing the lands around them. Le Compte (2014) notes the use of fire and varied cultivation techniques suggest the intentional management of land for food. Previous researchers (anthropologists, geographers, linguists, etc.) missed the fact that the Muckleshoot practiced agriculture because it did not fit their Western model of land cultivation.

In his speech at the Nisqually Healing our Wounded Spirits Conference in 2006, professor of historical trauma Tom Ball emphasizes the importance of looking to the past as a way of healing the present: "Those things that were in place before [colonization] heal us. Cultural practices are most important because this is our story…Things that help us are the things that we already had."[13]

To enhance the food access and health of

13 From: http://studylib.net/doc/7866656/diabetes-elise-krohn----the-school-of-traditional-western

their peoples today, Muckleshoot have begun to create policies that promote the incorporation of traditional plants, fishes, wild game and cultivation practices that served an integral part of their society in the past. ■

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Appendix I

"Fly": A Southern Lushootseed Epic
(Told by Annie Daniels and by Peter Heck, retold by Jay Miller, in Thompson and Egesdal, 2008)

In the early days of the world, Flytown hosted a gathering. Many people came. A man heard about it and decided to go. He floated on the river and paddled with his hand. Along the way, he met the Changer, who told him to carve paddles and a canoe out of cedar. But when the man picked up a piece of wood, it fought back. So the Changer used his mind to deaden the wood so people could use it. That was how woodworking began. At Flytown, the man worked in the woods, hollowing out his canoe during the day and attending the gathering during the evening.

Another person who came for the gathering was a girl who had just had a baby. She and the baby were supposed to stay secluded for several days, but she came to Flytown instead. She hid the baby in the brush near the town and went off to watch the dancing through the cracks in the plank walls of the houses. In time she forgot about her baby, who would wake up and cry until it fell asleep again.

The man working on the canoe heard the baby crying off and on for several days. Finally he looked for and found the baby. He went home and told his wife, who pretended to be pregnant for a day. The man built a birthing hut for her, brought the baby there, and the woman pretended to have the baby. In five days he grew into a boy, and his father made a bow and arrows for him.

The couple already had an older girl, who resented her new brother. While he was trying out his new bow, she teased him.

Bet you can't hit me! You never could hit me!

The boy ignored her for as long as he could. After five times, however, he shot at her hand and hit it. The girl screamed, again and again,

I was shot by the discard claimed by my parents.

When their mother heard this, she said,

My daughter is all mouth,

and ran into the woods to calm the situation.

But the boy ran far away, flung himself onto the ground, and cried his eyes out. The searchers never found him. After a long time,

the boy got up and went on.

Eventually he met Cougar Woman, who decided to raise the boy until she could marry him. She tried to feed him some of her big red berries, but the boy knew that these were lizards. Instead, Crane Woman, who lived with Cougar, went out and got salmon fry for the boy to eat. He liked those.

After a time, Cougar got possessive of the boy and he decided to run away. Crane helped him by saying that Cougar could only be safely shot from the front, because she kept her head down and looked backward when she walked. The boy shot Cougar to slow her down and ran off. Cougar then turned on Crane, who was ready. Crane had made wings for herself and, as she flew off, she shot and killed cougar.

As the boy walked along, he heard a woman singing in the distance. When he got near her, she stopped singing and refused to continue. Her sister appeared and joined the boy in urging her to continue. After five times, the woman began to sing the words

Summoning Heat and the world caught fire.

The boy fled from the flames and looked for a refuge. He ran to Rock and asked for help. Rock said,

I snap and pop, sending off sharp pieces. You would not be safe. He ran to Water, who warned him,

I boil and you will be cooked. You would not be safe.

He ran to Road, who said,

I will burn on both sides and roast all in my path. You would not be safe.

He ran to Fir Tree who said,

I only burn on the very bottom. If you climb up into my branches, you will be safe.

So that is what the boy did.

He climbed up into the fir tree, but the flames got closer. For safety, he grafted his bow and arrows to the top of the tree and used them to climb up into the Sky. Then he reached down and retrieved his bow and arrows to take along.

In the Sky was a big grassy meadow, where the boy wandered until he found a path and followed it. First light began as he walked along. He saw movement ahead and stepped off the trail. A Grey Elk went by. Soon after, five Grey Dogs passed. Then came a Grey Man. The man stopped and called the boy over. They talked. The man said he was Dawn. He had five daughters up the trail. The boy should go to his home for food and marry the girls. Then Dawn went on and the boy resumed his trek.

He walked all day before he saw movement ahead. He stepped off the trail while a gaunt man who looked like a walking skeleton went by. Soon after, five Dark Dogs passed. Then came a Dark Man, who called the boy over. They talked. The man said he was Dusk. He also had five daughters. The boy should go to his home for food and wives. Then Dusk went on, and the boy went in the opposite direction.

He came to a fork in the trail. The right side was dark and grassy, but the left side was dimly lighted and paved with dry cedar bark. The boy took the dim side by mistake. Dawn, who had his own light, went by the dark trail, while Dusk used the lighted one. Thus, the boy got to the home of the daughters of Dusk. The youngest and smartest one knew when he got there.

His first impression was not favorable. The girls were smelly, dark, and had big noses. They welcomed him and rubbed him over with oil from human corpses. This changed his senses, and he liked the four girls and married them. They tried to feed him human flesh, but he dug up nearby roots and ate those instead. He threw away the flesh when they

were not looking.

The oldest (fifth) daughter stayed in a coffin-like box. During the day, while her four sisters were out getting food, the boy (now a man and husband) and older sister visited. One afternoon, a man came to the door. He was called Split Foot. The oldest sister took the visitor away and the boy did not see him again.

That night, Dawn came home and asked if the boy had arrived, but his daughters never saw him. So he sent his daughters to get him from Dusk's daughters. When the Dawn girls arrived, they demanded the boy, but the Dusk girls refused to give him up. The girls fought, while the boy peeked through a hole in the wall. The eldest Dusk daughter used a human leg as a club, and the boy saw that it was the leg of Split Foot. He also noted that Dawn's daughters were bright and beautiful.

The Dusk daughters drove off the Dawn daughters, but the boy had made up his mind. Five days later, he explained that he needed to stretch his legs and was going for a walk. Once he was out of sight, he ran back down the trail and turned into the dark fork. In no time, he was at the house of Dawn. Four sisters greeted him. They washed him and dressed him. They fed him elk meat. He was very happy.

One day he went for a swim and returned to the house looking for a comb. He looked into a basket hanging from the wall and found the youngest, smartest, and most beautiful daughter. He took to his bed, he was so stunned. That night when Dawn came home he asked why the boy was abed, the other girls explained that he found the youngest daughter. Dawn roused the man and told him to marry the girl in the basket. He was delighted.

One day, as they sat in the sun while his wife was grooming his hair, the man poked a hole into the ground. He looked down and saw Flytown. He saw that his natural mother now had a younger son. He became very homesick and again took to his bed.

When Dawn came home, the youngest daughter explained why her husband was not feeling well. Dawn told her to go to their grandmother and ask her to take them to earth. This grandmother was Spider, who agreed. Dawn gave the couple many gifts, including a goat wool blanket, dentalia, roots, meat, and fragrant oils. They took these into a basket, and Spider lowered them down. In this way, many treasures came to earth.

The couple landed near the spring where the town came for water. They waited. Soon the younger brother arrived. He was blind, potbellied, and awkward. The man called him over, but the boy did not believe him at first. Dawn's daughter brushed the boy's body and he became slim and handsome. Then his brother blew into his eyes so he could see. His brother also patted his head so his hair grew in thick and lustrous.

The couple told the boy to go to his mother and say that her older son had returned safely. She should clean the house so that her new daughter-in-law from the Sky could live with them in a fresh and purified environment.

When the boy got to his mother, however, she did not believe him and scolded him severely. She too was blind, but she refused to touch her son and learn the changes to his body. The boy went back and was made older, slimmer, and more handsome. Five times he returned to his mother and was scolded. But the last time, she touched his body and believed. She too came to the spring, and she too was given sight, thick hair, and a nice figure. Then she cleaned the house thoroughly. The couple moved in.

Because the natural mother had abandoned and lost her first baby, she had been shunned by her relatives and friends. Eventually, Bluejay had claimed her and her younger

son as slaves. Bluejay had been off when the couple came to earth and improved their relatives.

Bluejay arrived back home and crouched on the eaves of the house, calling to the young boy,

Wipe me off! Wipe me!

The younger brother realized that he was now free and looked at his brother, who nodded slowly. It was time for revenge. So the boy reached into the fire and grabbed a burning stick. He shoved it into the place that Bluejay wanted him to wipe. Bluejay screamed and flew off, realizing that he was no longer in charge. But he too would have his revenge.

In time, the Dawn wife became pregnant. Because she was at Flytown, she gave birth to twin boys joined at the back. For this reason, flies are sometimes stuck together today. In five days these Siamese twins grew into boys. Their father made them bows and arrows. He set up targets at each end of the house so the boys could stand in the middle and shoot in opposite directions. Everyone enjoyed this game.

Bluejay came to watch. Five times the twins passed in front of him. The last time he jumped up and cut them apart. They fell down dead. Bluejay said that twins would always be born separated from then on.

The twins' mother, Dawn's youngest daughter, was grief stricken. Her children were dead. She brooded for a short time and then decided to revenge herself on Flytown. She took a sharpened stick and stabbed everyone there, killing them. From each hole, flies emerged. Ever since, flies have hovered around wounds.

The couple called to Grandmother Spider to pull them back into the Sky, and she did so. But they left all their treasures, foods, and gifts on earth for good people to use in the future.

And so, the world became more like it is today because of the deeds of these people. ■

India's Approach to Tribal Self-Government

PANCHAYATI RAJ (Local Governance) in Bhil Communities:

Case Study of Gram Sabhas in Scheduled Areas (Indigeneous Communities) of Rajasthan (INDIA) under the Panchayats Act, 1996

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ABSTRACT

This article is a condensed version of a case study of Gram Sahas in Scheduled Areas of Rajasthan, India conducted under a University Grants Commission of India sponsorship considering the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA). The study arose from the scholarly intent of the researcher to probe into the apparatus created in the wake of the 73rd constitutional amendment with regard to specific provisions for Scheduled Areas in general and Rajasthan in particular.

Keywords: schedules areas, Panchayati Raj, tribal self-government, Rajasthan, indigenous peoples

METHOD

The 73rd Constitutional Amendment 1993 Article 243 (M) provided that nothing in the Act would be applied in the Scheduled Areas unless modified and amended by Act of Parliament (Article M 4 h). The States of Andhra Pradesh, Orissa, Bihar and Maharashtra challenged the application of the 73rd Constitutional Amendment 1993 to the Scheduled Areas and the election process in the High Courts. As a consequence of these challenges the government of India established a committee popularly known as Bhuria Committee in 1994, which made far-reaching recommendations on the law concerning tribal sub-plan areas.

ANALYSIS

This case study reveals that implementation of India's law in Scheduled Areas at the federal, division, district, and state levels resulted in the lack of transparency by officials, and a need for Act amendments for rehabilitation and resettlement policy for displaced tribal populations, as a result of differing legislation at the federal and state levels. Implementation of the federal and state laws "has a long way to go in assuming the role of 'Gram Sansad' as visualized by Gandhi."

India's Foundation for Tribal Self-Government

The Constitution of India (Article 40) provides that the state shall take steps to organize indigenous peoples' village panchayats[1] and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. There was, however, no mention of Gram Sabha[2] in the

1 Panchayat, or as it is written in Hindi, Pañcāyat, is a legal body siting as a court of law and licensing exercised in the self-government of a caste (Madan describes as a "ranked, hereditary, endogamous social group constituting a traditional society).

2 "Gram Sabha has been envisaged as the foundation of the Panchayati Raj system [in India]. A village having a population not less than 1,500 forms Gram Sabha and every adult of the village is a member of Gram Sabha. However, in some states, a Gram Sabha may be formed even if the population is less than 1,500. If the population of several villages are less than the prescribed minimum, then the villages are grouped together to form a Gram Sabha." Retrieved from https://www.quora.com/What-is-the-difference-between-Gram-Panchayat-and-Gram-Sabha

Constitution until 1992. This term was also not mentioned in the report of Balwant Rai Mehta Committee Report (1957) on which basis the 3-tier system of Panchayati Raj came into existence in 1959. However, in the Rajasthan Panchayat Samiti and Zila Parishad Act (1959) there was a provision for holding two meetings of Gram Sabha every year, but it was at Panchayat headquarters only and not in every village.

It was only in 1993 after passing of 73rd Constitutional amendment Act that Gram Sabha was given Constitutional status (Article 243(b)).[3] This provision defined Gram Sabha as a body consisting of persons registered in the electoral rolls relating to Panchayat at the village level. Article 243(A) of the Constitution provided that a *Gram Sabha may exercise such powers and perform such functions at [the] village level* as the Legislature of a State may by law provide for Scheduled areas existing in 10 States, including Rajasthan.

In the 73rd Constitutional Amendment Bill in 1992, Article 243(M) (4b) laid down the rule that nothing in Article 243 should apply to Scheduled areas unless modified and amended by an Act of Parliament. The States of Andhra Pradesh, Bihar, Orissa, and Maharashtra approached High Courts for a separate Panchayat law for Scheduled areas. As a consequence of the court's decision, the government of India appointed the Bhuria Committee in 1994, which made far-reaching recommendations on the law to be enacted for tribal sub-plan areas. It stressed village governance, participatory democracy, community control over resources, and suitable administrative frameworks for Scheduled areas. Keeping in view the provisions of Article 243(M) of the Constitution and recommendations of Bhuria Committee, Parliament enacted the Panchayats (Extension to Scheduled areas) Act in 1996 popularly known as PESA.

The PESA Act of 1996 extended the provisions of the 73rd Constitutional Amendment to the Scheduled areas, subject to exceptions and modifications. As per Section 5 of the Act, the provisions of the State Acts had to be brought in accordance with exceptions and modifications within one year.

The provisions of PESA Act of 1996 have clearly envisaged a very powerful role of Gram Sabha in Scheduled Areas. The success of effective Panchayati Raj in Schedule V areas invariably depends upon Gram Sabhas working in Scheduled Areas in a transparent and accountable manner. Alienated tribal communities will feel proud of being consulted in matters such as: land acquisition, their compensation and resettlement, granting of mining leases, auction and license, action against money lenders for illegal activities, restoration of their agricultural lands trespassed by non-tribals, approval of plans and projects for their social and economic development, selection of beneficiaries for poverty alleviation and other programmes, and certification of utilization of funds spent by Panchayat. Every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution. Gram Sabha of Scheduled Areas shall also have power to enforce prohibition, have ownership of minor forest produce, power to prevent alienation of land and restore unlawfully alienated lands, power to manage village markets, exercise control over money lending to the scheduled tribes, exercise control over institutions and functionaries in all social sectors, power to control local plans and any other powers which State Legislations

3 P.M.Bakshi (1995), The Constitution of India, Universal Law Publishing Co. Pvt. Ltd.

may endow to make them institutions of self-government.[4] Thus, Gram Sabha is the nerve centre of Panchayati Raj of India, especially in scheduled areas where they have been invested with wide powers as described above. It is a platform at the grassroots level where people of the village have direct participation in decision-making. Gram Sabha is supposed to play the central role, in which it is competent to safeguard and preserve the traditions and customs, cultural identity, community resources, and customary mode of dispute resolution.

Rajasthan State adopted in northwestern India the Panchayats (Extension to Scheduled Areas) Act in 1999 and issued four notifications in the year 2002 regarding control of Panchayats over money lenders, restoration of alienated lands of tribals by Block Panchayat, compulsion for the Mining Department to obtain 'No Objection Certificates' from respective Panchayati Raj institutions to grant leases, license or auction, and other provisional amendments in Minor Mineral Concession Rules (1986) of the State government accordingly. But detailed rules were delayed in respect of consultation with Gram Sabha in matters of land acquisition, power of Gram Sabha for customary mode of dispute resolution, ownership of minor forest produce including bamboo and tendu leaves, power to enforce prohibition or to regulate sale or consumption of any intoxicant, control over local plans, power to manage village markets, planning and management of minor water bodies, maintenance of peace, etc. These rules were to be framed in consultation with Advisory Council for Tribes as provided in the Constitution. A notification of rules is required to be published in the official gazette. Consultation with Revenue, Forest, Mining, and Excise departments and Tribes Advisory Council took a very long time. Ultimately, after completion of the process, detailed rules were notified in Rajasthan official gazette only on 2 November 2011. Rule 32 of the State Government Constitution empowered the issuing of orders regarding removal of difficulties faced in effective implementation of the 2011 Rules. The State Government on 30 January 2012 issued these new rules.

More than four years have passed since completion of the process of empowering Gram Sabha at the village level in Scheduled Areas and it was deemed important to find out and evaluate their performance through a field study. With such an objective, two tribal districts of Banswara and Dungarpur in Rajasthan were selected for intensive study. As a corollary, in each district two Village Panchayats/Gram Sabhas of each of two Blocks in a district were studied with the help of field surveys, informal interviews, case study, and group discussion. Grey areas were identified constraining effective implementation of PESA in regard to Gram Sabhas. As a result of the study, suitable modifications have been suggested to strengthen Gram Sabhas in Scheduled Areas of Rajasthan.

Study Rationale

The interface between development and self-governance through Panchayats has acquired a new dimension in recent years in the context of India's tribal communities, particularly with the ever-increasing problem of land alienation, deforestation and displacement, persecution by moneylenders, lack of control over minor forest produce, and other problems affecting their very existence. The long-term objective of tribal sub-plans has been to narrow the gap between the levels of tribal people and

4 The Provisions of the Panchayats (Extension to the Scheduled Areas) Act 1996 No. 40 of 1996

other areas while improving the quality of life of the tribal communities. It is possible not only by making tribals the beneficiaries or by involving them in programmes of development, but by making them partners in the decision-making process. A shift in the approach from paternalistic to welfare, to development and now to empowerment has become visible. It is here that the role of Gram Sabha as a unit of governance based on tribal customs becomes important because Gram Sabhas are agencies of overall development of their people and at the same time preserving their culture.

Case Study Method

The case study method was selected to determine the factors that account for individual resident behavior patterns in each given unit and their relationship to the environment. In view of the impetus and recognition of the case study technique in social sciences, the present study was organized based on a case study of four Gram Sabhas selected based on an assessment made by Panchayati Raj Department of the Government of Rajasthan during 2012-2013. It seeks to incorporate or highlight mobilization efforts of tribal communities towards self-governance in four identified panchayats on the basis of an evaluation index in two tribal districts of southern Rajasthan (Dungarpur and Banswara).

The Respondents for the Study

Participants in the Case Study included:

• Gram Sabha members of selected panchayats from each block at the time of Gram Sabha meetings, including a fairly representative group of male and female members occupied as teachers, farmers, dalits, businessmen, and retired army or police personnel; categories representing a fair cross-section of society. In all approximately 25 members from each of the Gram Sabha—a total of 90 Gram Sabha members—were approached as a purposive sample of respondents, and elected representatives of panchayats from each of the four Blocks available at the time of the visit.

• Official functionaries from the government departments concerned with Panchayati Raj and working at various levels in the four Blocks of two districts;

• Principal and faculty members of the Panchayati Raj training institutions at the district level;

• NGOs working for creating awareness about the functioning of Panchayat Raj Institutions (PRIs) and Gram Sabhas in the identified area of four Blocks.

Methods and Inventories for Data Collection

Individual interviews and group discussions were used to assess the awareness of the respondents about the provisions of PESA Act of Rajasthan enacted in 1999 and Rules framed thereunder in 2012 along with their implementation and popular awareness of the law and rules. In the case of Sarpanchas, block presidents, and other elected functionaries and officials, individual interviews were conducted to assess:

• Awareness about the provisions of the Act of 1999;

• Awareness about the Rules of 2011 and procedures for implementation of the provisions and; and

• The performance of Gram Sabhas in their respective Panchayats.

The official functionaries were consulted and interviewed to assess their knowledge about provisions of the Act of 1999 and Rules of 2011 and efforts made by them to educate the elected PRI representatives and people about the provisions. In case of training institutions and NGOs, discussions were held to assess their contributions in educating both

the elected representatives and the official functionaries about the provisions of the Act and Rules and in imparting the required skills for their effective implementation.

Data Collection

The fieldwork for the study was conducted in two phases. During the first phase, secondary data including the PESA Act 1996, PESA Act of Rajasthan 1999, PESA Rules 2011, Clarifications under Rule 32, the Rules issued by the government in Panchayati Raj January 30, 2012, and orders issued by concerned departments in pursuance of implementation of Rules were collected. Preliminary discussions were held with selected District and Block officials of selected Panchayats/Gram Sabhas for field study.

District field coordinators were identified and oriented to the project objectives and approached for data collection.

During the second phase, primary data was collected from the respondents mainly through group meetings and individual interviews on the spot. Data collection took about one year during the project period.

Data Analysis

For the purpose of analysis, the responses of the data (both primary and secondary), and observations made during group discussions and individual interviews were classified and grouped into three categories:

- Responses from Gram Sabha members and elected PRI representatives;
- Responses from the official functionaries at the field level, including those working with the PRIs and other development departments;
- Responses of the NGO representatives and training institutions.

The classifications were adopted in the interview schedules / guides and indicators were evolved to assess awareness of field and state level officials, who are responsible for making people aware about provisions of the Act, with the help of NGOs. The data collected was analysed to identify differences of perceptions among respondents in the levels of awareness about state PESA Act and Rules.

Responses were also analysed on the basis of various parameters including age, sex, education, occupation, and experience of working in the PRIs. The data has been analysed based on the observations made by all categories of respondents, namely elected PRI representatives and the officials working at different levels in districts, Gram Sabha members, and NGO workers.

India's Constitutional Perspective of Gram Sabha in Scheduled Areas

Village panchayats have been integral to India's traditions and cultural heritage, and are an ideological part of India's national movement. Gandhi ji had mooted the idea of 'Gram Swaraj':

> *The government of the village will be conducted by the Panchayat of five persons annually elected by the adult villagers, males and females, possessing minimum qualifications. These will have all the authority and jurisdiction required. Since there will be no system of punishment in the accepted sense, the Panchayat will be legislature, judiciary and the executive combined to operate for its year of office. Any village can become such republic today… Here there is perfect democracy based on individual freedom. An individual is an architect of his own government. (Harijan India, 1947)*

Gandhi ji considered Gram Swaraj to have self-sufficiency in villages where people would be self-dependent and have autono-

mous self-government. Acharya Vinoba Bhave organized the Gram Daan movement. Many villages were joined. People became masters since Gram Sabhas exercised all the powers in the villages. However, it is a sad commentary on India's national commitment to democratic decentralization that despite the nationalist movement's commitment to Panchayats and Mahatma Gandhi's propagation of the idea, the first draft of the Indian Constitution did not include a provision for panchayats. Arguments of those who pleaded for inclusion of village panchayats in the Constitution finally prevailed.

Article 40 of the Constitution of India reads: "The State shall take steps to organize village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self government." The basic conviction could not be ignored that village Panchayats could play an important role in the social transformation and implementation of development programmes (Constitution of India, Universal Publishing House Co.Pvt. Ltd, Bakshi. P.M).

Mahatma Gandhi's view regarding village panchayats as primary grassroots-level democratic unit prevailed. In five-year plans since 1951, people's participation has been necessary so the objectives of India as a welfare state could be fulfilled. As Gandhi ji stated: "Greater the power of Panchayat, better for the people for true democracy" (Harijan India, 1947).

The Community Development Programme was started in 1952 under major influence of the Etawah Project undertaken by American expert Albert Mayer. Community development envisaged motivation of the rural people to take a community-based approach to the improvement of economic and social conditions of life. Government was expected to provide general guidance and technical-cum-financial assistance in some Blocks in a phased manner. National Extension Service was also introduced in 1953 as a prelude to Community Development in various Blocks.

Village level panchayats took interest in development schemes. District Boards were hardly given any role in implementation of development programmes. There was increasing interest and enthusiasm in the beginning but it was short lived. The programme was more or less bureaucratic and excessively politicized. SDO-cum-BDO fulfilled local demands like roads, drinking water, wells, Panchayat Ghar, school buildings, etc. All schemes were treated as government schemes rather than people's programmes.

Status of Gram Sabha in Rajasthan (1994-2011)

The Rajasthan Panchayati Raj Act 1994 provided for holding Gram Sabha meetings at least twice a year, not at village level but at panchayat headquarter level. As per the 1993 Constitutional Amendment, the state legislature of Rajasthan specified powers and functions of Gram Sabha in Section 8 of the Act. In the year 2000, provisions were also made in Rajasthan Panchayati Raj Act for Ward Sabha to be convened at least once in six months. These provisions were applicable to all the panchayats of Rajasthan, including those in Scheduled Areas. Ward was either for one village or for a part of the village. Unfortunately, despite the legal provisions, panchayats were enthusiastic toward Ward Sabha for one or two years, but ultimately became non-functional and eventually discontinued. However, a number of Gram Sabha meetings are held at least twice a year as per provisions of the Act and many more for specific purposes like preparing BRGF (Backward Regions Grant Fund) plans, selecting Anganwadi workers/ Asha sahyoginis, verifying electoral rolls, ra-

tion cards, 26th January Republic Day and 15th August Independence Day, etc., as directed by the State Government. Such practice has been followed likewise in Scheduled Areas from 1994 to 2011 – the year in which separate rules for Scheduled Areas were passed.

Bhuria Committee Recommendations

Regarding Scheduled Areas existing in ten states (including Rajasthan), Article 243(M)(4b) of the Constitution laid down that nothing in Article 243 applies to Scheduled Areas unless modified and amended by an Act of Parliament. Some states approached high courts also demanding separate Acts for Scheduled Areas. For this reason, the Government of India appointed the Bhuria Committee on 10th June 1994, consisting of twenty-two expert members under Chairmanship of Dilip Singh Bhuria, the Member of Parliament from Jhabua (M.P.), and made far-reaching recommendations in its 1995 report (Bhuria Committee Report, 1995.

Panchayats (Extension to Scheduled Areas) Act, 1996

The Act of 1996 extended the provisions of part IX of the Constitution relating to panchayats of the Scheduled (tribal) Areas subject to exceptions and modifications as provided in section 4:

- The power to enforce prohibition or to regulate and restrict the sale and consumption of any intoxicant
- the ownership of minor forest produce;
- The power to prevent alienation of the land in Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;
- The power to manage village markets by whatever name called;
- The power to exercise control over money lending to the Scheduled Tribes;
- The power to exercise control over institutions and functionaries in all social sectors;
- The power to control local plans and resources for such plans, including tribal sub-plans.

Section 4(n) of the Constitution provides that the state legislature may endow panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government. It further provides that they shall contain safeguards to ensure that panchayats at the higher level do not assume the powers and authority of any panchayat at the lower level, or of the Gram Sabha.

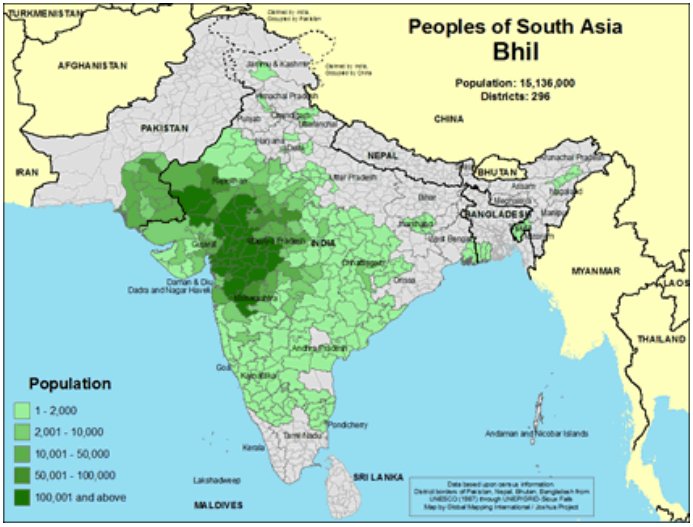
Necessary amendments as per section 4 of the Act were to be made by December 24, 1997.Some powers of Gram Sabha, as mentioned in the provisions of the Act of 1996, were already contained in the Rajasthan Panchayati Raj Act of 1994, or handed over to panchayats by government orders in the year 2000.

Identification of Study Area

Scheduled Areas[5] of Rajasthan are spread over five districts of Banswara, Dungarpur, Udaipur, Pratapgarh, and Sirohi. But it is only in two districts of Banswara and Dungarpur that all the Blocks are covered in tribal areas, whereas Udaipur, Pratapgarh, and Sirohi are partly covered in tribal sub-plan areas. Hence, fully covered tribal districts of Banswara and Dungarpur were deliberately selected for the purpose of this study.

5 Scheduled Areas are defined as protected tribal areas in India in accord with the Constitution of India. Scheduled Areas may be declared or resinded by India's President at any time.

From Banswara District, two Blocks (Talwara, 55% and Kushalgarh, 88%) were selected for this study. From the Dungarpur district, Dungarpur (68%) and Sagwara (48%) were chosen. Additionally the newly carved Block of Galiakot was included. Dungarpur is a semi-urban Block covering the district headquarters, whereas Kushalgarh, Talwara, and Sagwara are interior Blocks, well connected with district headquarters.



Map 1: Bhil population distribution and concentrations in India.

Objectives of the Study

The main objective of this study was to examine the present status of Gram Sabhas in Schedule V areas of Rajasthan.

There were four major activities:

1. To briefly review and examine provisions of PESA in the context of Gram Sabhas in general, and in Rajasthan particularly, and rules framed to implement it;
2. To study implementation of PESA in Gram Sabhas of Rajasthan with special reference to four Gram Sabhas of two districts selected for intensive study;
3. As a corollary to the above, to probe into legal and other constraints including grey areas in the existing rules and regulations constraining effective implementation of PESA in regard to Gram Sabhas;
4. As a result of the study, to derive policy implications and suggest suitable modifications to strengthen Gram Sabhas in Scheduled Areas.

Sources of Data

The study is based mainly on the secondary data collected from the official records and reports about one Gram Sabha in each of the tribal sub-plan Blocks of two districts of southern Rajasthan. The collected data was supplemented by primary data collected by administering an interview schedule to the group of respondents, and by other methods such as formal and informal discussions with focus groups, participant observation, and case studies.

Map 2. Dungarpur and Banswara in Rajasthan and Bhil territory

Table 1.1: ITDP Districts and Blocks with Percentage of Tribal Population Distribution

S. No	ITDP District	Total Population	Tribal Population	% Tribal Population	ITDP Block	% Tribal Population in the Block
1.	Banswara	1155600	849005	73.47	Ghatol	77.59
					Garhi	53.64
					Talwara	55.13
					Bagidora	76.78
					Anandpuri	92.84
					Kushalgarh	87.86
					Sajjangarh	88.91
2.	Dungarpur	874549	575805	65.84	Dungarpur	67.59
					Bicchiwada	83.11
					Aspur	51.87
					Sagwara/Galiakot	48.50

About the Study Area District Dungarpur:

Geography and Climate

The district has a dry climate with a hot season from April to June; however, the climate is milder than in the desert regions of Rajasthan to the north and west. The maximum temperature in the district occurs during the hot season and ranges between 40° and 45° Celsius. The minimum temperature ranges between 10° and 12° Celsius, usually occurring in January. The monsoon season, which runs from June through September, brings almost the only rain to much of the district, but some rain may fall from November through February. The annual rainfall varies extensively over the district from up to 880 mm in Dungarpur town in the northwest to under 500 mm at Nithawa in the northeast. But the rainfall is quite variable from year to year, as Nithawa had 805 mm in 2013 but only 465 mm in 2014.

Economy

In 2006 the Ministry of Panchayati Raj named Dungarpur one of the country's 250 most backward districts (out of a total of 640). It is one of the twelve districts in Rajasthan currently receiving funds from the Backward Regions Grant Fund Programme (BRGF).

Demographics

According to the 2011 census, Dungarpur district has a population of 1,388,906, roughly equal to the nation of Switzerland or the US state of Hawaii. This gave it a ranking of 351st in India (out of a total of 640). The district had a population density of 368 inhabitants per square kilometre (950/sq mi).

The Vagad region of Rajasthan includes

Dungarpur and Banswara districts. Vagad's population is predominantly Bhils, a tribal people of central India.

Administrative Divisions, Villages and Towns

In the earliest Indian census (2001) the Dungarpur district was divided into four tehsils: Aspur, Dungarpur, Sagwara, and Simalwara; however, around 2007 the new tehsil of Bichiwara (Bichhiwara) was created out of the western part of Dungarpur Tehsil. There are four towns in Dungarpur district: two municipalities, Dungarpur and Sagwara, and two census towns, Seemalwara and Galiakot. As of the 2011 census there were 976 villages in the district.

This district is also known for celebrating festivals and fairs like Baneshwar fair, and Vagad festival arts. Hindi and Marwari are commonly used languages; agriculture and tourism are the main industries of the district. The industrial scenario in the district is average, but supportive because many industries already operate here like the manufacturing of acrylic and blended yarns, chemical based units, handloom cloth, marble chips, powder, etc., providing employment to local people. Dungarpur is a major tourist attraction because there are many places to visit. A few of them are Dev Somnath Mandir, the government archaeological museum, Juna Mahal, and Gap Sagar Lake. Dungarpur is progressing in terms of infrastructure like electricity, water, rail and road transport, and communication media. Dungarpur has basic education and healthcare facilities, which enhance the socio-economic status of the people in the district.

Sagwara Block

Sagwara is a Block situated in Dungarpur district. Located in a rural and tribal area of Rajasthan, it is one of the five Blocks of Dungarpur district. The Block has 193 villages and there are total 49,146 houses. Out of this block a new one named Galiakot was created in 2014. However, demographic and economic features remain the same and therefore we have included Ambada village, which was part of Sagwara Block until 2015 when it became part of Galiakot.

As per Census 2011, Sagwara's population was 237,998. Out of this, 117,619 were males whereas the females counted were 120,379.

The literacy rate in Sagwara is only 52%. 123,888 out of total 237,998 are educated here. Among males the literacy rate is 63%, whereas the female literacy rate is 40%.

Village Profile of Panchayat Ambada (Panchayat Samiti Galiakot)

The village of Ambada is situated at a distance of 15 kms from the Panchayat Samit Sagwara in Sagwada Tehsil. The village area stretches over 2,839 hectares with 782 households consisting of a population of 2,594, of which 1,267 are male and 1,327 female members. The village has a community centre, key village centre, an Angawadi centre as well as a sub-health centre for people and a veterinary dispensary for animals. It also has primary, middle, and secondary schools; the nearest college is situated at a distance of 5-10 kms from Ambada village.

The village does not have tap water facilities and there are no tube wells either. The drinking water requirements of Ambada village are met either through water from wells or hand pumps. No cases of water shortages were reported. Villagers feel that water is potable and safe for human consumption.

Dungarpur Block (Panchayat Samiti)

Dungarpur is a Block located in Dungarpur district in Rajasthan. Located in a tribal

and rural region of Rajasthan, it is one of the five Blocks of Dungarpur district. The Block has 170 villages and there are total of 44,386 houses.As per Census 2011, Dungarpur had a population of 222,033.

Village Profile of Panchayat Lolakpur (Panchayat Samiti Dungarpur)

The village of Lolakpur is situated 15 kms from the tehsil office of Dungarpur. The village area stretches over 924 hectares with 4,755 households consisting of a population of 2,526, of which 1,274 are male and 1,252 female members respectively. The village has an Angawadi centre as well as a sub-health centre for people. It also has upper primary as well as secondary school. There is no tap water facility and there are no tube wells in Lolakpur village. The drinking water requirements are met either through water from wells or one of the thirty-one hand pumps installed in the village. The residents of Lolakpur consider the available water safe and fit for consumption.

Lolakpur has a post office, but transport facility is lacking with no direct connection by bus. There are also no BSNL (Bharat Sanchar Nigam Limited) telephone connections in the village. It has also a ration shop catering to 643 ration cardholders and is reportedly without any complaints. There is no bank that serves the village of Lolakpur, and neither is there any credit cooperative society operating in the village. Elecricity supply for households is available only to half of the village and agricultural electricity supply is inadequate and irregular.

Status and Functional View of Gram Sabhas for Case Study

In Banswara district, two Gram Sabhas of Badwas Khurd and Umrai were selected for case study and field survey on the basis of being the best panchayats identified under a survey of the government of Rajasthan. Similarly, in Dungarpur district, two Gram Sabhas of Ambada and Lolakpur were selected as per the same criterion.

The following issues were highlighted to probe into their functioning dynamics:

1. Status of Gram Sabhas held in Scheduled Areas of Rajashan organized during the last four years (i.e., 2011-12, 2012-13, 2013-14 and 2014-15)
2. Whether Gram Sabhas were really held on field as per prescribed norm of once a quarter or adjourned for want of quorum?
3. If organized as per norm, what was the number of participants of members of Gram Sabha?
4. Presence of government officials in the Gram Sabha
5. Presence of NGO representatives in Gram Sabha meetings and contributions made by them regarding guidance as per provisions of PESA Act, 1999 and PESA Rules 2011

Total Resolutions Made by Gram Sabhas

1. Resolutions which could not be passed regarding provisions of PESA Act / Rules
2. Resolutions complied so far and Resolutions not yet complied
3. Difficulties faced in organizing Gram Sabha meetings
4. Suggestions for making Gram Sabhas of Scheduled Areas more effective so as to build their capacity to implement provisions of PESA Act 1999 / Rules 2011

Number of Meetings

An important criterion to monitor and evaluate functioning of an institution is to see whether the meetings are held regularly as per norms/rules or not. These meetings become

Table 1.2: Number of Gram Sabha Meetings (Field survey data collected through investigators, 2014-15 and Gram Panchayats).

Year	2011-12		2012-13		2013-14		2014-15		Total	
Gram Panchyat	Meetings to be held	Meetings held	Meetings to be held	Meetings held	Meetings to be held	Meetings held	Meetings to be held	Meetings held	Meetings to be held	Meetings held
Choti Badwas	4	8	4	7	4	6	4	6	16	27
Lolakpur	4	5	4	5	4	6	4	6	16	22
Ambada	4	4	4	4	4	3	4	2	16	13
Umrai	4	7	4	5	4	5	4	6	16	23
Grand Total	**16**	**24**	**16**	**21**	**16**	**20**	**16**	**20**	**64**	**85**

an index of institutional commitment and dedication to roles prescribed. The issue becomes all the more significant for bodies like Gram Sabhas which represent entire villages and villagers at the grassroots level, personifying direct democracy. It was therefore desirable to find out the state of affairs in this regard in the cases of selected Gram Sabhas. The table below shows data as compiled and collected from Gram Sewaks of respective panchayats.

Table 1.2 reveals that on the number of meetings expected to be held and those actually held, the overall situation has been more than satisfying. Meetings of all four Gram Sabhas in respective villages were held on time and more often than required. It was perhaps because of unscheduled and urgently called meetings from higher authorities and called for specific purposes (e.g. identification of beneficiaries for particular programmes).

In terms of particular villages, study findings showed that Badwas Chhoti Gram Sabha was doing better compared to other Gram Sabhas. However, the experiences of other Gram Sabhas were also quite satisfactory and this is a good sign of regularity of the meetings.

Quorums

Quorum is an important index of judging sincerity of the members of any elected body. This acquires all the more importance at grassroots level where villagers are supposed to be present in large number. Equally important is the presence of those who are required to be present and the overall presence determining the quorum. In the table below, an effort has been made to assess the state of affairs in this regard.

A look at Table 1.3 reflects a very positive scenario about quorums. Of all the four Gram Sabhas, not a single meeting was adjourned due to lack of quorum. This augurs well for institutions of Gram Sabhas as it reflects that people are coming forward to claim their rights and privileges in tribal areas under different government-sponsored programmes. Most of the Gram Sabhas during four years from 2011 to 2015 not only met regularly but with full quorum requirement. Presence of

Table 1.3 : The state of Quorum

Year	2011-12			2012-13		
Gram Sabhas	Members present in the meetings	Meetings adjourned due to lack of quorum	Number of elected representative present in the meetings	Number of members present in the meetings	Number of meetings adjourned due to lack of quorum	Number of elected representative present in the meetings
Choti Badwas	100	nil	13	120	nil	12
Lolakpur	200	nil	10	220	nil	12
Ambada	225	nil	11	228	nil	10
Umrai	240	nil	12	230	nil	12
Grand Total	**765**	**Nil**	**46**	**798**	**Nil**	**46**

Year	2013-14			2014-15		
Gram Sabhas	Number of members present in the meetings	Number of meetings adjourned due to lack of quorum	Number of elected representative present in the meetings	Number of members present in the meetings	Number of meetings adjourned due to lack of quorum	Number of elected representative present in the meetings
Choti Badwas	110	nil	14	115	nil	13
Lolakpur	228	nil	9	348	nil	11
Ambada	228	nil	8	223	nil	11
Umrai	250	nil	12	245	nil	12
Grand Total	**816**	**Nil**	**43**	**931**	**nil**	**47**

villagers in terms of numbers was also found satisfactory and so was the presence of elected representatives of respective bodies.

Presence of Government Officials and NGOs

As per Panchayati Raj Acts and rules, government functionaries and members of NGO/ civil society are supposed to be friends, philosophers, and guide poor and preliterate villagers in helping them understand the dynamics of governance in different fields.. Their constructive approach alone can ensure that fruits of development percolate down to the lowest and the last beneficiaries. This is an important dimension to judge attitudes and approaches of government officials and therefore an effort has been made in the table below to highlight the state of affairs in this regard.

Table 1.4 reveals an unsatisfactory situation in respect of the presence of government and NGO functionaries in Gram Sabha meetings. Throughout the four years of study data, not many government officers were present in Gram Sabha meetings except village Ambada where government officials were present in

Table 1.4

Gram Sabhas	2011-12		2012-13	
	Presence of Govt. Officials in Meetings	Presence of NGOs at Panchyat Level and his contribution	Presence of Govt. Officials in Meetings	Presence of NGOs at Panchayat Level and his contribution
Choti bedwas	2		3	
Lolakpur	6		8	
Ambada	10	1	8	1
Umrai	2		2	
Grand Total	**20**	**1**	**21**	**1**

Gram Sabhas	2011-12		2012-13	
	Presence of Govt. Officials in Meetings	Presence of NGOs at Panchyat Level and his contribution	Presence of Govt. Officials in Meetings	Presence of NGOs at Panchayat Level and his contribution
Choti bedwas	2		3	
Lolakpur	6		8	
Ambada	10	1	8	1
Umrai	2		2	
Grand Total	**20**	**1**	**21**	**1**

good numbers. The NGO situation was also unsatisfactory but this may be due to a lack of many NGOs working in the field area and especially at Gram Sabha level, although their presence would have made a substantial difference. Government officials explained their absence in terms of pre- or unexpected engagements at Block or District level. It was, however, revealing and, as expected, the most significant representative of the government (i.e., VLW/ Gram Sewak) was always organizing and guiding villagers in meetings of respective Gram Sabhas.

Proposals/ Resolutions Made by Gram Sabhas

Agenda and resolutions constitute the core of grassroots democracy at the village level. Resolutions reflect not only the agenda set for decision-making but also the direction of things to come and shape the destiny of villagers especially in tribal areas. However, the effort here was to find out what proposals or resolutions were being made in reference to PESA. Table 1.5 at right reveals this data.

An interesting and surprising revelation duly endorsed by respective Village Panchayat Secretaries is that quite a number of proposals were made by respective Gram Sabhas, but

Table 1.5: The State of Proposals in Gram Sabha Meetings

	2011-12			2012-13		
Gram Sabhas	**Proposals Passed**	**Proposal Not Passed**	**Proposals Related To PESA**	**Proposals Passed**	**Proposal Not Passed**	**Proposal Related To PESA**
Chhoti badwas	45		nil	40		nil
Lolakpur	220	180	nil	250	220	nil
Ambada			nil			nil
Umrai	31		nil	26		nil
Grand Total	**296**	**180**	**Nil**	**316**	**220**	**Nil**

	2013-14			2014-15		
Gram Sabhas	**Proposals Passed**	**Proposals Not Passed**	**Proposal Related To PESA**	**Proposal Passed**	**Proposal Not Passed**	**Proposal Related To PESA**
Chhoti Badwas	50		nil	48		nil
Lolakpur	258	198	nil	275	200	nil
Ambada			nil			nil
Umrai	30		nil	32		nil
Grand Total	**338**	**198**	**Nil**	**355**	**200**	**Nil**

Field survey data collected through investigators, 2014-15 and Gram Panchayats

nothing as far as PESA issues are concerned. This was startling considering the fact that all Gram Sabhas studied are located in tribal areas and their focus has all been on routine matters, like identification of beneficiaries and developmental proposals as well as social audit. Issues of tribal importance in the realm of mining, forest produce, prohibition, and conflict resolution have remained out of their bounds. This state of affairs can be attributed to negligence by government authorities at different levels as well as key PR functionaries. They either did not know about PESA or were absolutely indifferent to basic tribal matters.

Implementation of Proposals

Although the number of proposals is an important measure, their implementation is more significant and overall, the scenario in this regard at different levels of governance has always been found to be lacking. There has been a tendency to pass proposals/resolutions but overseeing their implementation has been a very tardy and tedious process due to a number of factors. Table 1.5 reflects this state of affairs.

As expected, the implementation of proposals is far from satisfactory. As illustrated in Table 1.6 on the following page, a majority of proposals, particularly in Ambada and Lolakpur during the year 2011-12, were not at

Table 1.6: Implementation of Proposals

Year	2011-12		2012-13		2013-14		2014-15	
Gram Sabha	No. Of Proposal Being Implemented	No. Of Proposal yet to be implemented	No. Of Proposal Being Implemented	No. Of Proposal yet to be implemented	No. Of Proposal Being Implemented	No. Of Proposal yet to be implemented	No. Of Proposal Being Implemented	No. Of Proposal yet to be implemented
Choti Badwas	45		40		50		48	
Lolakpur	40	180	30	220	60	198	75	200
Ambada		798						
Umrai	31		26		30		32	
Grand Total	**116**	**978**	**96**	**220**	**140**	**198**	**155**	**200**

all implemented and the situation was almost the same in Lolakpur, which was surprisingly close to the district headquarters. A similar situation was found in the other three Gram Sabhas. Gram Sewak of Lolakpur could provide no satisfactory explanation except by saying that villagers insist on making demands, which cannot be fulfilled (although they have to be recorded).

Overall Functional View of Gram Sabha Meetings

The functional view of Gram Sabha meetings held in the PESA area of Rajasthan as per case study can be summarized in these ways:

• Gram Sabhas in Scheduled Areas of Rajasthan as organized during the last four years (2011-12, 2012-13, 2013-14, 2014-15) were in fact held on field

• Gram Sabhas are held more than the prescribed norm of once a quarter

• These were not adjourned for want of quorum

• The required quorum was always present

• The number of women is less than 10% of the prescribed number. Moreover, their voice is not heard nor do they really participate in decision-making process.

• Presence of government officials is in required number in the Gram Sabha in only 50% of the cases. At places nearer to headquarters, their presence was in sufficient numbers, but in remote Gram Sabhas, even all the local officials do not attend.

• Presence of NGO representatives in Gram Sabha meetings and contributions made by them regarding guidance as per provisions of PESA Act, 1999 and PESA Rules 2011 is almost nil. NGO representatives were present in one out of four panchayats. NGO contributions regarding awareness-generation or PESA implementation among Gram Sabha members and elected representatives or officials was totally absent in Banswara and Dungarpur districts.

• Total resolutions made by Gram Sabha, resolutions which could not be passed, resolutions regarding provisions of PESA Act/ Rules, resolutions complied with so far, or resolutions not yet complied with have been summarized in foregoing tables. But the main conclusion is that none of the hundreds of proposals passed, not passed, or yet to be implemented are related to provisions of PESA Act or Rules or powers vested in panchayats of Scheduled Areas regarding control over money lenders, restoration of alienated land of tribals, prohibition, or fixing limits of possession and consumption of liquor on social occasions, and No Objection Certificates (NOC) regarding grant of mining leases, control of minor forest produce, or even settlement of disputes as per traditions and customs.

• Difficulties faced in organizing Gram Sabha meetings are almost nil as meetings were being organized in required number with required quorum. However, presence of 10% quorum of women members was not found, perhaps due to long distance from panchayat headquarters, domestic pre-occupations, lack of interest in Gram Sabha meetings, absence of participation in decision making-processes, etc.

• Main difficulty is lack of awareness and knowledge among elected representatives, Gram Sevaks, and Gram Sabha members regarding provisions of power vested in panchayats of Scheduled Areas as per PESA Act, 1999 and PESA Rules, 2011.

• Lack of initiative between CEO Zila Parishad and Block Developmen Officer (BDO) of Panchayat Samiti who should have command over PESA powers of PRIs and then train Gram Sevaks and Sarpanchas of Panchayat Samiti in PESA Rules.

• BDOs posted in Scheduled Areas are not discharging their responsibilities to watch the proceedings of Gram Sabha and ask Gram Sevaks in monthly meeting regarding difficulty in discussion on PESA matters as to why resolutions regarding powers of PESA have not been passed over all these years.

Profiles and Perceptions of Respondents about Awareness, Performance and Impact of Gram Sabhas-The PESA Perspective

Units of study, in this case of Gram Sabha and individuals consisting of voters, elected functionaries, government officials at different levels, NGO workers, and others, either working in field or at district level, are a key to understanding and the successful operation of any exercise in self-governance. The notion of tribal sovereignty in fields like environment, land use, and justice has often been conceptualized and operationalized through a mechanism of institutional structures, and consist of functionaries manning a variety of positions whose level of understanding has often been found to be the crux of the philosophy. The demographic features of the people coupled with the educational, occupational, and socio-economic environment under which they operate are the significant variables which affect their perception and in turn, their participation.

Therefore, it was hypothesized that real strength of Gram Sabhas lies in perceptions and propensity for participation amongst those who man and serve these bodies and through them the higher dream of Gram Swaraj, or self-governance. This is especially true in tribal societies which have yet to overcome social inhibitions and politico-economic hindrances. Keeping this in mind, and while formulating objectives of the study, it was considered appropriate and worth examining what people, including functionaries, thought about the role of Gram Sabhas as institutions of self-gover-

nance in the domain of PESA? Their profiles and perceptions have been explained through the following tables and analysis.

Age as an Index of Profile of Villages and Functionaries

In Table 2.1 (See Tables 2.1 through 2.41 in Appendix I) we see that almost one third of respondents from all four Gram Sabhas were in the younger age group of 21 to 30 years, as compared to the older age group of 51 years and above, consisting of 21% of Gram Sabha members. The other age groups, 31- 40 and 41-50, consisted of 22%, thereby showing that in terms of age profile, an almost even situation exists, except for 6% of those who chose not to mention their age.

Education as Index of Profile of Respondents

Table 2.2 in the appendicies indicates that almost one third of respondents had graduated, and this was true for all villages except Ambada, which had reported 46% of respondents as graduates, and Badwas Chhoti of Kushalgarh Block slightly less, to the tune of 24%. Similarly, 21% of respondents had a middle school education level and 16% of respondents had education up to higher secondary level. Respondents with middle school and higher secondary level of education were reflected almost evenly in all villages except Umrai, which reported 34% as middle school level and Ambada representing 22% of them as higher secondary level.

Thus, it is evident and good to find out that almost 80% of the respondents are fairly well educated, which is a good sign of an emerging trend of rising literacy and educational level among the tribals.

Occupational Profile

Thirty-one percent of the respondents were engaged in agriculture as the primary source of their livelihood and 29% of them belonged to the category of government servants or were retired, shown in Table 2.3. A very small percentage of them were found to be in the group of those who are engaged in some trade activity or labour work respectively. This however, does not include the minority 2% of them who were working as farm labourers and who are housewives (4%). Similarly, 8% of respondents were just students who had either completed their education or were still studying. Four percent of respondents were also found to be NGO employees or associated with NGOs.

Awareness About PESA

PESA gives India's legal recognition to customary tribal laws and practices of self-governance at village level. PESA is an extension of Panchayati Raj Act to Schedule V Areas, which are predominantly populated by tribal communities. It recognizes individual Gram Sabhas for each revenue village thereby adding a fourth tier to the existing three tiers of Panchayati Raj system. There is enough power vested with Gram Sabha under PESA to make its decision binding even on the parliament. It was, therefore, considered critical to explore the awareness about PESA among the respondents in four Gram Sabhas.

More than one-third (36%) of respondents indicated in Table 2.4 replied positively when asked about existence of rules to conduct separate Gram Sabha under PESA for tribal villages. Thirty-six percent of respondents were still unaware of such rules while 24% of them did not respond to the question. This shows that the majority of respondents (65%) are still not aware of PESA and its rules that pertain explicitly to tribal villages.

Sarpanch (24%) and Gram Sewak (13%) have been found to be the key persons as

sources of information for those who responded that they knew about PESA. Upsarpanch (1%) and Panch (1%) have been found to be sources of information for remaining ones. However, a sizable number of respondents (57%) just did not respond and 5% of them responded frankly, conceding that they just did not know.

It is clear from Table 2.5 that Sarpanch and Gram Sewaks are natural key functionaries at the village level but they have not succeeded in telling people about PESA and shall have to make vigorous efforts at the individual level to tell and convince people about benefits of self-governance through PESA. Similarly, other functionaries like Upsarchan and Panchas as well will have to be concerned about the matter.

Table 2.6 shows the level of awareness in villages of the Shanti Samiti (Peace Committee). More than half of the total respondents, 52% to be precise, from the four sample Gram Sabhas had knowledge of existence of Peace Committee in their village. The quantum of respondents who were aware of the Peace Committee were spread evenly in all villages expect for Umrai, which reported 72% awareness.

Understanding who chairs the Peace Committee was also a topic of this case study. Only a little over one third (34%) of the respondents as shown in Table 2.7 confirmed that the Sarpanch was chairperson of the committee in four sample villages. Half of the respondents (51%) could not respond clearly when asked who headed the peace committee, while 16% of respondents had no idea regarding the matter.

Encroachment on Tribal Land by "Savarna" (non-tribal)

The Gram Sabha under PESA has been bestowed with responsibility and appropriate powers to prevent alienation of land within tribal communities. The ownership of land in tribal areas cannot be transferred to any non-tribal. However, upper casts (savarnas) have historically encroached on tribal land. An effort was made to learn if people have knowledge about instances of tribal land being encroached.

Table 2.8 reveals the levels of knowledge about encroachment on tribal lands indicating that two third or 66% respondents said that they have no knowledge about encroachment on tribal land by non-tribals. Twenty-seven percent did not respond, and only a minority 4% of the respondents said that they are aware of some encroachment on tribal lands.

State of Indebtedness Amongst Tribals

Money lending (*sahukari*) has been an age-old practice done by wealthy land owners in rural areas. Earlier it was unregulated and sahukars were known to be ruthless, charging exorbitant interest rates to marginal farmers. Under PESA rules all credit extended to people is to be regulated by the Gram Sabha. Hence, it was considered relevant to assess the people's exposure to locally available credit.

As seen from the Table 2.9, 27% or nearly a third of the respondents chose not to respond, as this is an enquiry about "who has taken loans from moneylenders." This was considered a rather personal question. Sixty percent denied having ever taken any loan from moneylenders while 13% said that they have taken money on credit at some point.

Controls on Intoxication

The problem of alcoholism is a constant menace in tribal society. Lack of education and understanding often leads to alcohol abuse, which creates a disruptive and disharmonious environment in villages. In most cases it also leads to household violence and

unrest. It is therefore important to know if Gram Sabha is cognizant, especially when PESA rules provide ample authority to exercise control.

In Table 2.10 we see that 42% say that their respective Gram Sabha has taken resolution to prohibit/control sale of country liquor. Umrai tops this list with 94% confirming the Gram Sabha's role in controlling intoxication. This is indeed very commendable. One third or 31% respondents said no. Sixty two percent of respondents in Ambada and 50% in Lolakpur said that the Gram Sabha has not yet taken any resolution to control intoxicating substances.

Awareness of PESA among Elected Functionaries and Government Servants

Elected functionaries represent the collective expectations and aspirations of the people who elected them. It was considered important to ascertain their awareness about self-governance and PESA because these are the people who are responsible for grassroots implementation. Similarly, the view of government servants was also considered to be an important factor of the study.

Twenty nine percent of our respondents were aware about PESA among functionaries. Umrai and Badwas Chhoti had the highest awareness among elected functionaries and government servants. In Table 2.11, 13% of respondents did not know about PESA. It can be implied that there is still a lot to be done in terms of building awareness of PESA among those who represent the common villagers.

It was found that more than half (54%) of the elected functionaries had knowledge about PESA Rules, which is significant. Also, around 45% of government employees reported having knowledge about PESA. However, none of the NGO workers questioned were aware of it.

Training on PESA

Training is an important aspect in implementation of PESA. It introduces the concept of self-governance and also the need to have separate rules for tribal panchayats. It was therefore considered important to know if functionaries have received any training on PESA rules.

Only 13% of the functionaries in the four villages had received training on PESA and Lolakpur reported the highest number, while Table 2.12 shows that 24% of functionaries were among those who had undergone training. It can be deduced that there is a lack of training and hence capacity to properly understand PESA. This stands out as one of the major reasons for its poor implementation at the grassroots level.

Table 2.13 depicts the numbers of trained individuals across the various categories. Compared to government servants and NGO workers, greater numbers of elected functionaries are seen who have got some training on PESA, which is expected. But there is still a need to train and capacitate NGO workers who are working among tribal communities as they are in direct contact with Gram Sabha members and can enhance their knowledge and perception of tribal sovereignty through PESA.

The PESA Act has been in existence for more than a decade and a half and Rajasthan adopted the PESA rules in 2011. An attempt was made to know if rules under PESA which promote self-governance through Gram Sabha, are being followed in daily practice. Table 2.14 illustrates how many respondents agreed that PESA rules were being followed. The low response can be attributed to lack of training to functionaries. There is limited understanding of rules and provisions under PESA leading to very limited compliance to its rules. Meanwhile, in Table 2.15 the

number of elected functionaries who showed awareness about PESA as compared to NGO workers and government employees shows more of the story. This is rather surprising that government fuctionaries and NGO workers are unaware of PESA rules; this might be due to lack of publicity, number of respondents, as well as lack of exposure to training.

Resolution of Criminal Cases by Gram Sabha

Under the PESA Act (1999) and Rules (2011), the Gram Sabha has the power to resolve criminal cases, which involve imprisonment of up to two years or less. Gram Sabha can follow the customary law of the land for resolution of such cases without the interference of police. Following is the assessment about the awareness of functionaries regarding such powers vested upon the Gram Sabha.

Table 2.16 shows one-fifth of the functionaries (20%) in the four villages were aware of the Gram Sabha's power to resolve petty criminal cases. Sixteen percent did not respond while a minority of 2% did not know about it. The awareness about authority of Gram Sabha pertaining to criminal cases is in line with the general awareness regarding PESA. However, as Table 2.17 shows almost half of the elected functionaries were found to be aware about this power of Gram Sabha compared to few of the government employees and none of the NGO workers. An effort was also made to correlate the awareness about conflict resolution to the actual number of cases resolved by Gram Sabhas of the four villages in the past three years.

Lolakpur, which showed in Table 2.18 one of the highest numbers of aware respondents, reported twenty-five cases followed by Umrai (ten cases) and Ambada (five cases) resolved by the Gram Sabha in the past three years.

For a picture of the status of efforts to obtain help from Gram Sabha, Table 2.19 gives a rather stark picture. Ambada sought help from the local Police Thana for five cases in the past three years.

Seeking Consent from Gram Sabha Before Land Acquisition

Land is one of the fundamental natural resources on which tribal life, economy, and livelihood rests upon. Without their land tribals have nothing to survive on. It is therefore crucial that this resource is conserved and protected. Allocation of large portions of land needed for industrial and development projects must be done in an equitable manner and not at the cost of depriving communities of their greatest and most valuable resource of survival. PESA rules state that no land can be acquired for development purpose without the prior consent of the Gram Sabha under which the land is situated.

An attempt was made to know from the functionaries if there has been acquisition of land by the government in the four sample villages for development purpose.

Only 3% respondents in Table 2.20 on the Status of Land Acquisition by the Indian or state government confirmed that village land had been acquired by government for development purposes. Thirty-four percent said that no land had been acquired. Table 2.21 shows that other than government acquisition the land of tribal communities also faces danger of being illegally encroached by non-Adivasis (non-indigenous) for their vested interests. It was important to see if the functionaries are aware about land being forcefully encroached by non-indigenous people in the four villages under study. Respondents in Table 2.22 notice encroachments by non-indigenous peoples. From the Table 2.22 it can be readily seen that Ambada functionaries saw some points of encroachment as reported by 4% of the respon-

dents. Other than that, there does not appear to be substantial reports of encroachment in other villages.

Regulation of Credit by Gram Sabha

Money-lending (sahukari) has been an age-old practice done by wealthy land owners in rural areas. Earlier it was unregulated and sahukars were known to be ruthless, charging exorbitant interest rates to marginal farmers. Under PESA rules all credit extended to people is to be regulated by the Gram Sabha. It is important to know if the functionaries are aware about Gram Sabha's right to report unscrupulous moneylenders and also check their records for irregularities and malpractices. Table 2.23 shows the levels of awareness about panchyat rights to refer cases to the Block Level Panchyat Samiti indicating a reltively small level of awareness. Only 16% of respondents are aware about this panchayat legal right. Table 2.24 shows that both elected functionaries and government servants are on par when it comes to awareness regarding regulation of money-lending. None of the NGO workers seem to have a clue about this matter.

Control Over Minor Forest Produce

The Bhil have been forest dwellers for many generations. Forest and the produce of the forest are an integral part of the symbiotic relationship that tribal communities share with nature. The first claim on all forest products belongs to the Adivasis that have cared and lived harmoniously with nature. This fact is clearly recognized by the PESA Act, which gives the Gram Sabha power to acquire and sell all minor forest produce available from local forests. The following shows the awareness among functionaries about Gram Sabha's rights on forest and forest produce. Awareness among respondents of Rule 26 regarding Gram Sabha's power to acquire and sell minor forest products is shown in Table 2.25. Surprisingly, only a mere 5% of the respondents were found to be aware about this right. Ambada displayed the highest level of awareness (12%). Half of the respondents (48%) either did not respond or just did not know about this right. This shows lack of understanding among functionaries and also dominance of the forest department, which hails itself as the owner of the forest and brand the Adivasis as encroachers. Only six elected functionaries and three government servants in Table 2.26 were aware of PESA Rule 26.

Mining

Tribal occupied areas are among the richest areas containing mineral wealth. As a result, these communities are easy targets of exploitation by government and non-government mining companies. According to PESA rules, NOC (Notice of Objection Certificates) from Gram Sabha is mandatory before starting any mining activity in tribal area. It was therefore considered important to know about the awareness among functionaries about PESA Rule 28, which makes it mandatory for the Mines Department to obtain NOC from Gram Sabha. It is clear from Table 2.27 that only a handful of functionaries (merely 2%) are aware about this rule that covers authority to acquire mining rights from Gram Sabhas by the Mines Department. A majority of the elected functionaries and government employees did not know about it. There seems to be a severe lack of awareness concerning the protection and conservation of mineral resources. If we look at the category-wise awareness about PESA Rule 28 in Table 2.28, only one elected functionary was found to have awareness regarding NOC from Gram Sabha by Mines Department. If the functionaries were given proper orientation and training on these rules, they would be in a better position to

protect communities from displacement and exploitation resulting from unchecked mining activity.

Annual Planning by Gram Sabha

Planning is an essential element of any development process. Without planning, there is no definite path or mandate of the Gram Sabha for socio-economic development of tribal communities. Most of the respondents in Table 2.29 mentioned that Gram Sabha prepares annual plans for itself. Unrai reported highest (42%) number of functionaries stating that Gram Sabha prepares annual plans. Almost one-fifth of respondents did not give any response. As one can see in Table 2.30, a large number of functionaries confirmed preparation of annual plans by Gram Sabha. It is now necessary not just to prepare plans, but also assess and monitor implementation of these plans by respective panchayats. To maintain transparency and accountability, panchayats are required to submit six monthly statements of income and expenditure to respective PESA Gram Sabha. As the elected functionaries are responsible for maintaining accountability, an effort was made to find out if panchayats are maintaining the necessary level of transparency. Table 2.31 depicts how 54% of the respondents believed that panchyats have been reporting statements of income expenditure every six months. Meanwhile, Table 2.32 shows that nearly one third or 27% respondents agree that panchayats report their statement of income and expenditure every six months. Similarly, NGO and civil society representatives had some knowledge about it. This is a good sign as civil society has a responsibility to hold duty bearers accountable towards the people. Whether panchayats sought Gram Sabhas budget approval for development is shown in Table 2.33. While overall respondents indicate their positive response (29%) fully 24% chose not to respond. On one of the questions for panchayats about seeking approval from Gram Sabha for budget and money development, 29% of functionaries reported approval from Gram Sabha as shown in Table 2.34. This is raised about the expected lines, as any proposal for budget allocation cannot go through without the consent of the people for whom it is being sought.

Identification of Beneficiaries

The government acting as a welfare state has initiated a number of schemes of the welfare and social security of rural citizens. An important role of Gram Sabha is to identify people who can take advantage of the government's welfare and social security schemes (pension, APL/BPL, etc.). It is important to know from the functionaries if Gram Sabha is able to perform this role of identifying beneficiaries. It is evident from Table 2.35 concerning the identity of beneficiaries for pensions, housing, and BPL schemes that a majority of our respondents were aware about Gram Sabhas work regarding identification of beneficiaries for pension, housing, and BPL schemes. About one third (32%) of respondents in Table 2.36 said that the Gram Sabha identifies beneficiaries, with Umrai reporting 44%. From the category distribution we can see that most of the elected functionaries confirmed Gram Sabha's role in identification of beneficiaries. NGO workers responded positively.

Institutional Monitoring

As Table 2.37 indicates, it is clear that Sarpanchas and Pradhans inspect schools, public health centres, aanganwadis, and ration shops once a month, which is a good sign. And as predicted, most of the elected functionaries and NGO workers supported claim that Sarpanch/Pradhan regularly inspect

various government institutions in villages as shown in Table 2.38. The Forest Rights Act is an important legislation that allows tribal communities to stake claim to forestland, which they have been cultivating for generations. It provides legal titles to families and secures their future livelihood and existence. Elected functionaries were approached to find out how many forest rights claims have been submitted before the Sub-Divisional Level Committee (SDLC) for Forest Rights. In Table 2.39 we see that at Umrai, twenty claims have been submitted for individual forest rights and thirty-eight claims have been submitted from Ambada village. The other two villages did not report any claims that have been submitted at SDLC.

NGO and Civil Society

NGOs play an important role in terms of spreading awareness and building capacity of the people towards holding dutybearers accountable for carrying out their roles and responsibilities. An active civil society can be helpful in creating a more aware society, which can assert its constitutional rights. It was felt that perception of functionaries about NGOs must be known.

Table 2.40 indicates that NGOs have not been active in the field. Only a few respondents (5%) reported about their presence while 21% of them did not say anything and 30% said no to the question for this table. In Table 2.41 it can be seen that very few elected functionaries are actually aware about NGOs that are operational in the four villages. Five percent of respondents were aware about activities of NGOs while 30% did not know and 21% did not answer. In absolute terms only five elected functionaries were aware about any NGO working in the field.

To the open-ended question about difficulties in implementation of PESA, elected functionaries, government officials, and NGO workers were of the unanimous view that lack of awareness and knowledge about PESA and its benefits is the uppermost difficulty. Similarly, most of them expressed some difficulty regarding rules about the Act. This shows that neither government nor civil society have taken any concrete measures to publicize PESA in Scheduled Areas and whatever marginal efforts made by imparting training or workshops have turned out to be of not much importance.

When approached through another open-ended question to give suggestions for overcoming difficulties in implementing PESA. Most of the respondents emphasized vigorous efforts for educating people, publicizing PESA provisions through booklets, films, exhibitions and frequent training to functionaries concerned with it. As far as education initiatives, some functionaries were of the view that PESA be taught in some measure to secondary and college level students either through a regular course or by making it a part of social science studies. Publicizing PESA through booklets, films, exhibitions, talks, and media was another significant suggestion emerging from a few Gram Sewake and NGO workers.

Similarly, training of both the officials and non-officials on a regular basis was another important suggestion emerging out of responses. A majority (80%) of functionaries felt that had they been imparted vigorous and frequent training, they would have not only known about PESA but also trained other persons like panchas and teachers residing in the area for its further progress.

Thus, perceptions of our respondents do not present a very encouraging picture of the state of PESA and call for a thorough rewriting the chapter on PESA in Schedule Areas. This should pave way for a new approach

towards the entire exercise of educating all those concerned with tribal self-rule.

Findings and Suggestions: A Policy Perspective

On the basis of field survey, secondary records, and discussions with elected representatives and officers of four selected panchayats of Blocks from two districts of Banswara and Dungarpur situated in tribal southern Rajasthan, it has been concluded that the Gram Sabhas in identified Scheduled Areas of Rajasthan find themselves on the same footing as those of the panchayats in normal areas. Yet these are not expected to be mere deliberating agencies, but institutions with sufficient freedom and autonomy, more so in Scheduled Areas in order to take their own decisions and manage their own affairs related to community resources, to establish their individual identity as institutions of self- government. Thus, the hypothesis that Gram Sabhas in Scheduled Areas of Rajasthan have not been able to perform as per provision of PESA has been validated. Practically, Gram Sabhas in Scheduled Areas also have worked mechanically like other Gram Sabhas in normal areas of Rajasthan.

PESA Act of Rajasthan

The provisions of the Panchayats (Extension to the Schedules Areas) Act was passed by the Parliament on 24 December 1996 in which it was provided in Section 5 that all the states shall amend their law before the expiration of one year from the date of assent by the President of India. But the government of Rajasthan could have the PESA Ordinance issued only after 3 years on 25 June 1999 and Rajasthan legislative assembly passed it on 30 September 1999. Thus, the passing of the Act was delayed for more than two years.

PESA Rules

Section 4 of the PESA Act of Rajasthan provided that the state government may make rules, by notification in the official gazette, to carry out generally the purposes of the ordinance/act. Such rules were notified in Rajasthan gazette on November 1, 2011 after a delay of more than twelve years after passing of the Act in 1999.

General Awareness About PESA Act/Rules

Departmental officers thought that it was below their dignity to approach Gram Sabha/ PRI as required by PESA Rules, 2011, though it was mandatory.

It was astonishing to find during discussions with elected representatives and officials of Panchayati Raj department that despite formal training and distribution of study materials to the participants at district and Block level, hardly any power regarding mining, forest, excise, revenue, police were ever being exercised by PRIs of Scheduled Areas, which was also evident from proceedings of Gram Sabhas held during last four years (2011-12, 2012-13, 2013-14, and 2014-15 respectively).

Government officers of forest, mining, and revenue were, however, aware about the existence of PESA Rules, but were negligent about their adherence because even higher-level officers were not sincere enough to accept the hegemony of PRIs in their departmental affairs. They were not interested in approaching Gram Sabha, Sarpanch, or BDO who are considered socially inferior to them.

Moreover, Sarpanch or BDO did not dare to question officers of respective departments as to why they did not consult Gram Sabha when power was vested in Gram Sabha or PRI. For example, as per Rule 16(1) of PESA, it is mandatory that local police are required

to send a detailed report regarding possibility of disturbance of peace to concerned Gram Sabha/Peace Committee. Arbitration or preventive measures shall be taken only with the consultation of Gram Sabha. As per Rule 16(2), whenever any crime report is registered at the police station, except in serious cases in which a sentence of two years or more can be given as per Indian Penal Code, a copy of the crime report shall be sent to Gram Sabha/ Peace Committee. An effort shall be made to resolve the matters in the Gram Sabha's special meeting or its forthcoming meeting. PRIs were either unaware about their powers or they were reluctant to annoy departmental officers and send written complaint to the Tribal Area Development (TAD) Commissioner against department concerned for not following provisions of PESA Rules, 2011.

Formation of Peace Committee

It was, therefore, clear that either Peace Committees were not formed, or they still remained on paper and they had not been performing the required role in Scheduled Area of Rajasthan practically.

Rule 12 provides for formation of a Peace Committee consisting of twenty members which shall have at least 33% women, and at minimum 50% Scheduled Tribes. Rule 14 requires the Peace Committee to resolve disputes as per its tradition, keeping in mind the principles of natural justice. BDO of Panchayat Samiti was required to nominate one officer to convene meeting of Gram Sabha for formation of Peace Committee and election of its President. No such information about working of Peace Committee was available in proceedings of Gram Sabhas.

Process of Dispute Resolution

It was found that neither village Gram Sabha were being held nor were disputes being settled by these Gram Sabhas. Rule 14 empowers Gram Sabha/Peace Committee to resolve local disputes as per traditional customs and traditions in a way to eliminate such disputes completely and create an atmosphere of harmony in the village. Perusal of Gram Sabha proceedings of four selected panchayats of Scheduled Areas did not indicate whether any such local disputes were settled by any Gram Sabha. While framing the PESA Act/ Rules, it was envisaged that punishment for theft of cattle, matters regarding maintenance of a widow by sons, deciding compensation (amount of Jhagda) to old husband from new husband when wife leaves her previous husband and marries another husband (Nata), compensation regarding murder from the culprit (Motana) and such other matters, which were settled by traditional Gram Sabha, would now be settled by new village-level Gram Sabha.

Role of Police

During case study no such reporting by police officer to Gram Sabha were found in any of the panchayats. It shows that local police were either unaware about the rule, or intentionally avoided its compliance and neither Panchayati Raj officers complained about it to TAD Commissioner, nor did the TAD Commissioner ask local police for any explanation about its non-compliance.

Rule 15(1) provides that in case a person dissatisfied with the decision of Gram Sabha registers a report in the police station, then in such cases, the concerned officers shall contact the Gram Sabha or Peace Committee for full information regarding the decision. During case study no such reporting by police officer to Gram Sabha was found in any of the panchayats. Similarly Rule 16(2) provides that whenever police receive information regarding any crime, then except in case of serious

crime or in an extraordinary situation, where immediate action by police is required, after the report is registered in the police station, a copyshall be sent to Gram Sabha or Peace Committee. An effort shall be made to resolve the matter in the Gram Sabha's special meeting or in its forthcoming meeting.

Gram Sabha to Safeguard Community Resources

Rule 17 provides that Gram Sabha enjoys traditional rights over community resources of land, water, and minerals. It should play an active role in its management. During discussions with elected representatives and Panchayati Raj officials, it was found that most of them were almost ignorant about such provision.

Consultation with Gram Sabha Regarding Land Acquisition

Rule 18(1) provides that when the government or the authority concerned considers land acquisition under this Act, it shall submit to the Gram Sabha the following written information along with the proposal:

(i) The complete outline of the proposed project, including the possible impact of the project;

(ii) Proposed land acquisition;

(iii) New people likely to settle in the village and possible impact on the area and society;

(iv) The proposed participation, amount of compensation, and job opportunities for the people of the village

Gram Sabha shall be competent to summon representatives of the concerned authorities to examine them individually or collectively. It shall be mandatory for all such persons to give correct information to the Gram Sabha. The Chief Secretary by order dated 30 January 2012 directed Revenue Department to issue such instructions to all collectors since they exercise the power to acquire land for public purpose in Rajasthan. But perusal of Gram Sabhas records included in case study shows that no such matters were found. It seems that no land in these panchayats was proposed to be acquired by the Gram Sabha.

Prevent Land Alienation

During discussion with BDOs of Panchayat Samitis of Kushalgarh, Talwara, Dungarpur, and Galiakot, it was found that most of the tribals have mortgaged their lands with money-lenders willingly against loans taken by them, hence they hardly apply to Panchayat Samati for restoration of possession of land.

Rule 19 enjoins responsibility on Gram Sabha to ensure that agricultural land of a tribal is not transferred to any non-tribal person. In case of such illegal transfer, powers of Tehsildar of the revenue department regarding removal of trespass and restoration of land to any tribal person under Section 183(B) Land Revenue Act, 1956 have been given to Panchayat Samiti as per Rule 20. After order of ejectment of non-tribal, Block Development Officer has been empowered as per order dated 30 January 2012 to order land revenue inspector to restore possession of land to the tribal person.

Control Over Money Lenders

It was revealed during case study that most of the money lenders are conducting business without obtaining any license for money lending, hence no action was possible at the level of PRIs.

The powers of the Assistant Registrar were not known to any panchayat nor were powers of Registrar known to any Panchayat Samiti, Gram Sevak, or BDO since no circular indicating such

powers has ever been circulated to PRIs by TAD Commissioner or Panchayati Raj department for control over moneylenders.

Rule 22 empowers village panchayats to exercise the powers of Assistant Registrar under Money Lending Act, 1963 to check accounts of registered money lenders and to ensure that a money lender does not charge more than 12% interest in the normal course of business, and charges only 9% interest in case some goods are mortgaged, for which receipt of mortgaged items must be given to the loanee.

In case of non-compliance of such provisions, panchayat will send a complaint to Panchayat Samiti which exercises power of Registrar under the Money Lending Act, to cancel the money lender's license, impose a penalty, or send challan to the Court for action as per the Act. Rule 23 of PESA Rules 2011 empowers Panchayat Samiti for the same.

Moreover, neither any Panchayat dared to inspect the accounts and other record of money lender nor any loanee complained against any money lender for taking legal action for imposing penalty or cancellation of license, if he was charging higher rate of intersect or failed to give receipt of mortgaged goods.

Ownership of Minor Forest Produce

The Forest Department has been transferring the income of bamboo and tendu leaves annually; however, Tribal Area Development Cooperative Corporation (TADCC) is still doing the work of collection of Minor Forest Products as per past practice. Gram Sabhas are yet to exercise control over ownership of MFP as provided in the Act/ Rules.

Chapter 6 of the PESA Rules 2011 relates to control of panchayats over MFP including all non-timber forest produce of plant origin including bamboo, brush wood, stumps, cane, tussar, cocoons, honey, wax, lax, tendu or tendu leaves, medicinal plants and herbs, roots, tubers and the like. Except for bamboo and tendu leaves, Gram Sabha is responsible for collection and marketing of MFP. It may sell MFP to TADCC or not at their discretion. However, the TAD Commissioner appoints a representative of PRIs Pradhan/Pramukh of a Panchayat Samiti/Zila Parishad on its Board for fixation of prices of MFP as per Rule 26 and order dated 30 January2012, issued by the Chief Secretary.

The Forest Department is responsible for the collection and sale of bamboo and tendu leaves. Thereafter, it transfers its income to respective panchayats at the end of every year as provided in Rule 26(2) and 26(3).

Control over Minor Minerals

An examination of proceedings of selected Gram Sabhas shows that there was no proposal of the Mining Department ever received by any Gram Sabha, possibly because there was no mining area or no such proposal.

Rule 27 empowers PRI to issue no objection certificate for any lease, license, or auction of minor minerals or its renewal to Mining Department after charging a fee of Rs. 5,000, as provided in Rule 68 of the Rajasthan Panchayati Raj Rules, 1996 and order dated 30 January 2012, issued by the Chief Secretary.

Procedure is laid down in Rule 28 that concerned Assistant Mining Engineer will send the proposal along with a map and boundaries to PRI concerned in the area of which PRI mines fall. It should also accompany environment clearance in case of renewal of mining lease/license. If it falls in the area of more than one panchayat, then the proposal will be submitted to concerned Panchayat Samiti, and

if it falls in the area of more than one Panchayat Samiti, then proposal will be submitted to concerned Zila Parishad.

After considering the proposal PRI may issue no objection certificate or refuse it. A period of thirty days from the date of receipt of proposal is prescribed for PRI to finalize the proposal of mining department.

In case of refusal, Mining Department can file an appeal against order of panchayat to the Administration Standing Committee of Panchayat Samiti under Section 61 Rajasthan Panchayati Raj Act, 1994 within thirty days from the order of Panchayat as indicated in order dated 30 January 2012, issued by the Chief Secretary. There can be no appeal against the decision of Panchayat Samiti/Zila Parishad.

Prohibition or Regularization of Sale and Consumption of Liquor

Gram Sabha might not have been interested in prohibition or shifting of liquor shop. But non-exercise of PESA provisions was very clearly indicated.

Rule 29 empowers Gram Sabha to pass a resolution for prohibition in area of panchayat or shifting of any liquor shop. Similarly, Gram Sabha may also pass a resolution fixing a limit of quantity and time period for possession and consumption of liquor for different social occasions like birth, naming ceremony, betrothal, marriage, Mrityu Bhoj after dispute resolution, or festivals of Holi or Diwali, looking to the customs and traditions of tribal community. Excise Commissioner will act accordingly and inform Gram Sabha about action taken through the Collector concerned.

A survey of proceedings of selected Gram Sabhas, again shows that no such resolution was ever passed by any Gram Sabha. Panchayats were perhaps unaware about powers to revise limits of possession and consumption of liquor, otherwise they might have done so since it was in dire need of tribals to celebrate such occasions by use of liquor beyond the prescribed limit for which Excise Department people generally harass them..

Decisive Role of Women in Gram Sabha

Rule 30 provides that views of women present in Gram Sabha shall be considered as views of Gram Sabha and action will be taken according to their views. This factor was totally absent as observed during meetings of Gram Sabhas by field coordinators.

Rule 12 prescribes that that Gram Sabha may constitute a Peace Committee of twenty members, which shall have at least 33% women. Peace Committee was almost found absent, raising the question of the role of women in them?

Approval of Plans, Programmes, and Projects for Social and Economic Development

It becomes a cause of complaint for many members whose proposals are not executed. Thus, planning is rarely realistic though in theory, it is decentralized planning.

Section 3(c) (i) of PESA Act, 1999 empowers Gram Sabha to prepare annual plan for social and economic development. It was provided in Rajasthan Panchayati Raj Act, 1994 well before PESA 1999 was enacted or PESA Rules, 2011 were notified. Hence, all the panchayats including those of PESA areas have already been preparing annual plans as usual. Decentralized Planning cell of Panchayati Raj department issues instructions for preparation of annual plan along with eleven formats andfinancial allotment schemes during the previous year to facilitate fixing of priority of plan proposals, keeping in mind the resources

likely to be made available. During the last year, financial allocation under the following schemes was indicated panchayat-wise for all the districts of Rajasthan including tribal districts Banswara and Dungarpur.

- State Finance Commission
- 13th Finance commission
- United fund
- Rural Sanitation Programme
- Backward Region Grant Fund
- Area Development Programmes (Magra, Dang. Mewat)
- National Rural Employment Guarantee fund

Practical experience shows that most of the panchayats prepare lists of demands instead of fixing work priorities according to financial allocation. Interested persons come to Gram Sabha, get their demands listed, and go away; there is hardly any discussion on deciding priority of works. Hence, Sarpanch and Gram Sewak get opportunities to pick up those works on priority in which they are personally interested.

Identification and Selection of Beneficiaries for Poverty Alleviation and Other Programmes

Section 3(c)(ii) of PESA Act, 1999 empowers Gram Sabha to identify beneficiaries for poverty alleviation and other programmes. It was provided in Rajasthan Panchayati Raj Act, 1994 before PESA Act, 1999 was enacted or PESA Rules, 2011 were notified. Hence, all the panchayats including those of PESA area have already been identifying persons eligible for old age and widow pension, Indira Avas, and such other social security schemes.

Certification of Utilization of Funds by the Panchayats for Plans, Programmes, and Projects

Section 3(d) empowers Gram Sabha to certify utilization of funds received by panchayats for Development Programmes. It was also provided in Rajasthan Panchayati Raj Act, 199 before PESA Act, 1999 was enacted or PESA Rules, 2011 were notified. Hence, all the panchayats including those of PESA area have already been getting such certification during Gram Sabha meetings, though it is formal and very little discussion is made on quality of work and amount spent. *Physical verification is also not done by members of Gram Sabha for social audits as provided in government circulars.*

Power of Control Over Local Plans and Resources Include Tribal Sub-Planning

Section 3(k)(vii) empowers Gram Sabha control over planning and resources including tribal sub-plan. It was found during field survey that tribal sub-plan is prepared at the level of TAD Commissioner with the help of district level officers. Gram Sabha has very little role in it, and neither has Panchayati Raj department, planning department, or TAD Commissioner ever issued any such order or circular. Hence, it was completely missing in tribal panchayats/Gram Sabhas.

Power to Exercise Control Over Institutions and Functionaries of All Social Service Institutions

All the Pramukhs/Pradhans/Sarpanchas have been empowered to carry out monthly inspection of PHC, health sub-centres, Anganwadi centres, and primary schools along with some officials. Similarly, the chairman of the Standing Committee has also been authorized for such inspections. However, in practice it was observed that it depends on the will of elected representatives to carry out field inspections and take action by reporting irregularities

to concerned district level officers for removing them.

Section 3(k) (vi) empowers Gram Sabha/ PRI to inspect work of functionaries of all social service institutions. It was provided in Rajasthan Panchayati Raj Act, 1994 since the year 2000 and government orders of 1999, well ahead of the PESA Act, 1999 or PESA Rules, 2011 were notified. It was again reiterated by government orders issued on 2 Octorber2010.

Status of Gram Sabhas in Scheduled Area as per Field Study

In Banswara disrict, two Gram Sabhas of Barwas Chhoti Khurd and Umrai were selected for case study and field survey on the basis of being best panchyats identified under a survey of the government of Rajasthan. Similarly, in Dungarpur district the Gram Sabhas of Ambada and Lolakpur were selected on the same criteria. The issues raised were as follows:

1. Status of Gram Sabhas meetings held in Scheduled Areas of Rajasthan organized during the last 4 years (2011-12, 2012-13, 2013-14, and 2014-15);
2. Whether Gram Sabhas were really held on field as per prescribed norm of once a quarter, or adjourned for want of quorum;
3. If organized as per norm, what was the number of participants of members of Gram Sabha;
4. Presence of government officials in the Gram Sabha;
5. Presence of NGO representatives in Gram Sabha meeting and contribution made by them regarding guidance as per provisions of PESA Act, 1999 and PESA Rules 2011;
6. Total resolutions made by Gram Sabha;
7. Resolutions which could not be passed;
8. Resolutions regarding provisions of PESA Act/Rules;
9. Resolutions complied with so far;
10. Resolutions not yet complied with;
11. Difficulties faced in organizing Gram Sabha meetings;
12. Suggestions for making Gram Sabhas of Scheduled Areas more effective so as to build their capacity to implement provisions of PESA Act 1999 and Rules 2011.

Number of Gram Sabha Meetings

On the whole, more than the prescribed meetings were held by panchayats. A total eighty-five meetings were held as against prescribed number of sixty-four meetings.

The State of Quorum in Gram Sabha Meetings

It was observed that Gram Sabhas were being held in more than the required number and in none of the Gram Sabha meetings held in Scheduled Areas was adjourned for lack of quorum. Sufficient numbers of voters attended them. Elected members also attended the meetings in required numbers, except in a few cases.

Presence of Government Officials in Gram Sabha Meetings and NGOs Working at Panchayat Samiti Level

It was observed that all the village level officials who are expected to be present in Gram Sabha meetings were not very enthusiastic nor had been present at all times, showing a casual approach and as reflected in their attendance in almost 50% of cases only. Similarly, it was observed that NGOs involvement in the respective villages was negligent. Their role can be referred to as peripheral at best. This was particularly due to making PESA a neglected domain.

The State of Proposals in Gram Sabha Meetings

Though hundreds of proposals were passed as in Lolakpur Panchayat of Dungarpur district or no proposal was passed in Ambada of Dungarpur district, there was no proposal regarding provisions of PESA Act or Rules that panchayats of Scheduled Areas must have discussed. Similarly, in Choti Badwas and Umrai of Banswara districts, no matter pertaining to PESA provisions was ever discussed. In 100% of the cases, no proposal related to PESA was ever considered during all the four years since notification of PESA Rules, 2011. Though hundreds of proposals might have been passed, there was no proposal regarding provisions of PESA Act or Rules, which panchayats of Scheduled Areas must have discussed. No proposal related to PESA was ever considered during all the four years since notification of PESA Rules, 2011.

Implementation of Proposals

Whatever the status of proposals implemented, not implemented, or yet to be implemented it is purposeless as far as the presentcase study is concerned. No PESA-related proposal was ever passed, or is yet to be implemented. It seems that panchayats or elected functionaries or even officials are not interested in knowing or implementing additional powers vested in Gram Sabhas/PRIs of Scheduled Areas of Rajasthan.

Overall Functional View of Gram Sabha Meetings

A functional view of Gram Sabha meetings held in PESA area of Rajasthan as per case study can be summarized as:

• Gram Sabhas in Scheduled areas of Rajashan as organized during the last four years (2011-12, 2012-13, 2013-14, and 2014-15) were in fact held on field.

• Gram Sabhas were held more than the prescribed norm of once a quarter and were not adjourned for want of quorum, as required quorum was always present. The number of women is less than 10% of the prescribed number. Moreover, their voice is not heard, nor do they really participate in decision-making processes. However, this was not the case as evident from M.P. experiences (Y.Singh, 2013) and N.I.R.D finding in respect of states like Andhara Pradesh, Orissa, and Jharkhand.

• Presence of government officials is in required number in the Gram Sabha in 50% cases only. At places, nearer to headquarters, presence was insufficient, but in remote Gram Sabhas, even all the local officials did not remain present.

• The presence of NGO representatives in Gram Sabha meetings and their contributions regarding guidance as per provisions of PESA Act, 1999 and PESA Rules 2011 is almost negligible. NGO representatives were rarely present in Gram Sabha meetings. It comes to 25% but NGO's contribution regarding awareness-generation or implementation of provisions of PESA among Gram Sabha members and elected representatives or officials was not satisfactory in Banswara and Dungarpur districts.

• Total resolutions made by Gram Sabhas, resolutions, which could not be passed, resolutions regarding provisions of PESA Act and Rules, resolutions complied with so far and not have been summarized. But the main conclusion is that none of the hundreds of proposals passed, not passed, and yet to be implemented are related to provisions of PESA Act or Rules, or powers vested in panchayats of Scheduled Areas regarding control over money lenders, restoration of alienated land of tribals, prohibition or fixing limits of possession and consumption of liquor on social

occasions, NOC regarding grant of mining lease, control of minor forest produce or even settlement of disputes as per traditions and customs.

Difficulties Faced in Organizing Gram Sabha Meetings

• Difficulties faced in organizing Gram Sabha meetings are almost nil as meetings were organized in required numbers with the required quorum. However, presence of 10% quorum of women members was not found perhaps due to long distance from panchayat headquarters, domestic responsibilities, lack of interest in Gram Sabha meetings, absence of participation in decision-making processes, etc.

• The main difficulty is lack of awareness and knowledge among elected representatives, Gram Sevaks, Gram Sabha members, and NGOs regarding provisions of power vested in panchayats of Scheduled Areas as per PESA Act, 1999 and PESA Rules, 2011.

• Lack of initiative between CEO Zila Parishad and BDO of Panchayat Samiti who should have command over PESA powers of PRIs and then train Gram Sevaks and Sarpanchas of Panchayatb Samiti in PESA Rules.

• BDOs posted in Scheduled Areas are not discharging their responsibilities to watch the proceedings of Gram Sabhas and ask Gram Sevaks in monthly meetings regarding difficulty in discussions on PESA matters as to why resolutions regarding powers of PESA have not been passed over all these years.

PESA as Perceived by Respondents

In terms of socio-economic background of those whose perceptions matter most for success or failure of PESA, the study data reveals that almost one third of the respondents of all four categories were in a younger age group of 21-30 years and fairly educated, up to graduation level. A similar number of them belonged to agriculturalists groups and an equal number were government servants, either working or retired. It was, therefore, presumed that they would have sufficient information about PESA and its benefits in their area. However, the hope was belied when data pertaining to awareness was analysed.

Quite a substantial number of respondents (43%) were found to be unaware of PESA and relevant rules for conducting Gram Sabhas in Scheduled Areas, as compared to 36% of them who had some knowledge of these provisions. Those who knew about it told that it was mostly through Sarpancha or Gram Sewaks that they came to know about PESA and the role of NGOs or media was almost negligible. So was the case with other agents like up-sarpanchas or panchas.

Similarly, it was observed that almost 50% of respondents knew about the existence of Shanti Samiti in their villages, but only one third of them could tell that Sarpanchas headed it. A considerable number of them either did not know or did not respond to the question, thereby showing their ignorance.

It was, however, satisfying to note that cases of encroachment on tribal lands were almost nil, and there was only a few cases of indebtedness among tribals, as perceived by them.

A considerable number of respondents were of the view that resolutions for prohibition were passed by Gram Sabhas, but a substantial number of them also either expressed ignorance or said no to the question, thereby showing again that a significant issue concerning tribal welfare is not being addressed.

Elected functionaries and a few government respondents reported that they had undergone training for PESA but this did not reflect well in their knowledge about PESA

and its benefits likely to accrue.

Cases of tribal land acquisition were almost nil and were reflected in perceptions when asked.

Similarly, respondents seemed to be unaware of the rule to refer cases to Block regarding issues of money lending by Sahukars in villages.

Again, it was observed that a negligible number of them were aware about the right of tribals for selling minor forest produce under Rule 26 of PESA. So was the case for acquiring NOC from Gram Sabha for mining operations by other agencies, including the Mining Department of the government.

Regarding operations by Gram Sabhas in the field of preparation of annual plans, reporting of income and expenditure, approval for budget, identification of beneficiaries, etc., which have been traditional functions performed by Gram Sahbas in non-tribal areas, it was found that a good number of respondents expressed satisfactory awareness about the right of Gram Sabha. This is a good indication of their awareness about routine matters falling in the general domain, but does not reflect fully when looked at from PESA angle.

Suggestions for Making Gram Sabhas of Scheduled Areas More Effective

To build the capacity of Gram Sabhas and PRIs of Scheduled Areas to enable them to implement provisions of PESA Act 1999/ Rules 2011, and implement them effectively, the following suggestions are made for implementation at field level:

a) Intensive orientation of CEO, BDOs, Extension Officers, and Gram Savaks posted in Scheduled Areas should be conducted by Panchayat Training Centre Dungarpur throughout the year;

b) Orientation should not be less than three days, followed by evaluation testing prepared by the office of TAD Commissioner, who is responsible for monitoring effective implementation of PESA Act and Rules;

c) Three days orientation training of Sarpanchas, Up-Sarpanchas, literate Panchas, and a few Gram Sabha members from each panchayat should be organized by BDO at the cluster level for a group of four to five panchayats each.

d) A booklet containing powers of Gram Sabha and PRIs of Scheduled Areas along with FAQ (frequently asked questions) should be published. This booklet alone should be course material for discussion, training, and office use in every training institute, PRI, and Gram Sabha, as well as common public to avoid any confusion. Such a booklet may also be sold to the general public for a nominal price for wide publicity.

e) It should not be one time formal training only. Trainees should be given five post cards each, for asking about any difficulty during implementation of provisions of PESA Act/ Rules. BDO/ Principal PTC Dungarpur should satisfy query of trainee within seven days at the latest.

f) According to Section 3(a) of the PESA Act, 1999 every village shall have a Gram Sabha. The governor has defined a "village" as a "revenue village" by a separate notification. It means that in Scheduled Areas, Gram Sabha will be held in every revenue village rather than at panchayat headquarters, as in the rest of Rajasthan. Detailed rules regarding procedural details of conduct of Gram Sabha are contained in Chapter 2, Rule 3 to Rule 10 of PESA Rules notified in the gazette dated November 2, 2011. If villages organize Gram Sabha, the attendance of women will improve. Peoples' participation in decision making at grassroots will also improve because matters will mostly relate to people of the same village.

g) Gram Sabha of Scheduled Areas has been made competent to safeguard and preserve the traditions and customs of the people and their cultural identity, though it is to be chaired by elected Sarpanch. But the elected Sarpanch should give due importance to traditional leaders who have been deciding the disputes in traditional panchayat in the past. Their views should always be invited and honoured to make Gram Sabha more effective.

h) Community resources of minor forest produce, minor irrigation works, minor minerals, etc., have been put at the disposal of Gram Sabha. People have direct interest in these natural resources. Preservation and development of natural resources of the village should be on the permanent agenda of Gram sabha. BDO should ensure it at local level through Gram Sevak, and CEO should issue written directions also to make Gram Sabha more effective.

i) CEO should also issue directives in writing and BDO to ensure it through Gram Sevaks that the following items are included in Gram Sabha's permanent agenda, since they were inserted in general Panchayati Raj Act, 1994 already by amendment in the year 2000.

j) Every Gram Sabha must:

a. Approve the plans, programmes, and projects for social and economic development before they are taken up for implementation by the panchayat;

b. Be responsible for identification or selection of persons as beneficiaries under the poverty alleviation and other programmes.

k) Every panchayat shall be required to obtain from the Gram Sabha a certification of utilization of funds by that panchayat for the plans, programmes, and projects referred to in clause (c); CEO should also issue directives in writing and BDO to ensure it through Gram Sevaks that following items regarding additional powers given to Gram Sabhas of Scheduled Areas by PESA Act 1999 are discussed in Gram Sabha and required resolutions passed therein:

a. The power to enforce prohibition or to regulate or restrict the sale and consumption of anyintoxicant;

b. The ownership of minor forest produce, bamboo and tendu leaves and control and management of minor forest produce;

c. Power to prevent alienation of land in the Scheduled Areas and to take appropriate action in accordance with laws in force in the state to restore the unlawfully alienated land of a Scheduled Tribe;

d. Power to manage village markets;

e. Power to exercise control over money lending to the members of Schedule Tribes;

f. The power to exercise control over institution and functionaries in all social sectors like primary schools, anganwadi centres, health sub-centres, and primary health centres;

g. Power of control over local plans and resources of such plans, including tribal subplan;

i. Panchayati Raj Rules 1996 provide in Rule 4(5) that BDO will ensure one extension officer of Panchayat Samiti attends Gram Sabha meetings and get its minutes duly recorded. BDO should ensure through such extension officer that PESA matters are discussed in presence of officials of respective departments attending Gram Sabha meeting and that necessary topics are included in proceedings of Gram Sabha.

ii. Extension officer should generate awareness among Gram Sabha members and elected representatives about powers vested in Gram Sabha as per provisions of PESA Act, 1999 and PESA Rules, 2011.

At Divisional Level

Divisional commissioner holding additional charge of the post of tribal commissioner as

well as other charges (such as Vice Chancellor of a university, for example) scarecely has time to act as full-fledged tribal commissioner. Therefore, it would be better if government appoints persons looking after tribal affairs exclusively as tribal commissioner.

District Level

A monitoring group should be constituted at the district level comprising PRI functionaries, NGOs, and officials working with tribal communities to oversee implementation of PESA in concerned districts.

State Level

A state level monitoring group or committee should be constituted under the chairmanship of Chief Secretary of the state, and comprising secretaries of departments concerned with PESA like forest, revenue, mines, excise, etc., to oversee regular implementation of PESA in Scheduled Areas of Rajasthan.

The Policy Plank

The concept of public purpose for which lands are acquired for implementing project and development of mining in Schedule V Areas is vague and needs to be clearly defined. The vagueness gives leverage to the state government, and as a result the tribals suffer. The Land Acquisition Act could be amended and it should incorporate rehabilitation and resettlement policies so that displaced tribals would not face any problems. Moreover, the lack of transparency in the process of land acquisition needs to be addressed.

In order to facilitate all stakeholders, the states may ensure that respective state laws on PESA and amendments to other laws, rules, regulations, executive orders, and procedures concerning all the laws are compiled in a single legal document. In the event of failure or delay on the part of the state government to make the necessary changes as required by PESA, the government of India may issue necessary guideline and directions to the states, as it wasdone, for example, in the case of Acquisition of Land and the Scheduled Area following Sec 4 (i) of PESA. This intervention may be required particularly in the area of social audit u/s 4 (f), prohibition u/s 4 (m)(i), ownership of MFP u/s 4 (m)(ii), land alienation u/s 4 (m) (iii) regulation of money lending u/s (m)(v), control over institutions, and functionaries of all social sector u/s (m) (vi).

A sound system of maintenance of land record should be introduced with facilities for periodical updating in Schedule V Areas. The Gram Panchayat should take responsibility of maintenance of land records and it should be placed before the Gram Sabha. The Tribes Advisory Council at the state level and the central coordination committees at the centre should be further strengthened to play a more active and effective role in promoting self-rule in Schedule V areas.

Thus, it can be safely concluded that Gram Sabhas in general and those in Scheduled Areas have to go a long way in assuming the role of "Gram Sansad" as visualized by Gandhi and our policy plannersand political leaders who had dreamt of "Gram Swaraj." These can certainly be entrusted with planning, resource mobilisation, voluntary labour, and other miscellaneous activities enshrined in the constitution as well as laws and rules framed by different states.

Thus, findings of the case studies reveal that Gram Sabhas and Panchayati Raj institutions of PESA areas of Rajasthan are hardly implementing any provisions regarding powers vested in them by PESA Act of 1999 or PESA Rules notified in the year 2011. These findings are similar to findings reported a decade back in a series of volumes on the

theme of self-governance for tribals (2005) by National Institute of Rural Development, Hyderabad NIRD based on field surveys in five states of India. It was concluded that there exists little awareness and understanding of PESA among the members of Gram Sabha and government functionaries. This lack of awareness has resulted in Gram Sabha not exercising vital powers to the extent they have been granted to them. ■

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Following:

Appendix I

The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 No.40 of 1996.

Appendix II

Tables: 2.1 through 2.41

THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996 No.40 OF 1996

(24th December, 1996)

An Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

Be it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:-

Short title

1. This Act may be called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996

Definition

2. In this Act, unless the context otherwise requires, "Scheduled Areas" means the Scheduled
Areas as referred to in Clause (1) of Article 244 of the Constitution.

Extension of part IX of The Constitution

3. The provision of Part IX of the Constitution relating to Panchayats are hereby extended to the Scheduled Areas subject to such exceptions and modifications as are provided in section 4.

Exceptions and modifications to part IX of The Constitution

4. Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely:-

(a) a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;

(b) a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;

(c) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;

(d) every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(e) every Gram Sabha shall-

i. approve of the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;

ii. be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;

(f) every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of funds by that

Panchayat for the plans, programmes and projects referred to in clause(e);

(g) the reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution;

Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats;

Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;

(h) the State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level:

Provided that such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat;

(i) the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-setling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;

(j) planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;

(k) the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;

(l) the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;

(m) while endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with-

(i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;

(ii) the ownership of minor forest produce;

(iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;

(iv) the power to manage village markets by whatever name called;

(v) the power to exercise control over money lending to the Scheduled Tribes;

(vi) thepower to exercise control over institutions and

functionaries in all social sectors;

(vii) the power to control over local plans and resources for such plans including tribal sub-plans;

(n) the State Legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha;

(o) the State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

Continuance of existing laws on panchayats:

5. Notwithstanding anything in Part IX of the Constitution with exceptions and modifications made by this Act, any provision of any law relating to Panchayats in force in the Scheduled Areas, immediately before the date on which this Act receives the assent of the President, which is inconsistent with the provisions of Part IX with such exceptions and modifications shall continue to be in force until amended or repealed by a competgent Legislature or other competent authority or until the expiration of one year from the date on which this Act receives the assent of the President;

Provided that all the Panchayats existing immediately before such date shall continue till the expiration of their duration unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having Legislative Council, by each House of the Legislature of that State.

K.L. MOHANPURIA,

Secy. To the Govt. of India

Table 2.1: Age Profile

Villages	20-30	%	31-40	%	41-50	%	51+	%	No Response	%	Total	%
Umrai	12	24	10	20	11	22	15	30	2	4	50	100
Badwas Chhoti	13	26	11	22	14	28	10	20	2	4	50	100
Lolakpur	17	34	14	28	10	20	6	12	3	6	50	100
Ambada	18	36	9	18	8	16	11	22	4	8	50	100
Total	**60**	**30**	**44**	**22**	**43**	**22**	**42**	**21**	**11**	**6**	**200**	**100**

Table 2.2 : Educational Profile

Villages	Illiterate	%	literate	%	Middle	%	Higher	%	Graduate	%	PG	%	No Response	%	Total Edu	%
Umrai (Talwada)	0	0	11	22	17	34	5	10	15	30	1	2	1	2	50	100
Badwas Chhoti (Kushalgarh)	8	16	12	24	9	18	7	14	12	24	0	0	2	4	50	100
Lolakpur (Dungarpur)	2	4	12	24	9	18	8	16	19	38	0	0	0	0	50	100
Ambada (Sagwara)	0	0	5	10	7	14	11	22	23	46	3	6	1	2	50	100
Total	**10**	**5**	**40**	**20**	**42**	**21**	**31**	**16**	**69**	**35**	**4**	**2**	**4**	**2**	**200**	**100**

Table 2.3: Occupational Profile

Villages	Agriculture	%	Business	%	Farmer	%	Govt Emp.	%	Housewife	%	Student	%	NGO	%	Labourwork	%	GEP	%	No Response	%	Total	%
Umrai	20	40	3	6	2	4	13	26	1	2	3	6	1	2	3	6	4	8	0	0	**50**	100
Badwas Chhoti	13	26	2	4	0	0	13	26	3	6	5	10	1	2	3	6	10	20	0	0	**50**	100
Lolakpur	8	16	2	4	0	0	12	24	0	0	5	10	6	12	7	14	10	20	0	0	**50**	100
Ambada	20	40	0	0	0	0	19	38	0	0	2	4	0	0	0	0	0	0	9	18	**50**	100
Total	**61**	**31**	**7**	**4**	**2**	**1**	**57**	**29**	**4**	**2**	**15**	**8**	**8**	**4**	**13**	**7**	**24**	**12**	**9**	**5**	**200**	**100**

Table 2.4: Awareness About PESA Act

Villages	No	%	Yes	%	No Response	%	Total	%
Umrai (Talwada)	15	30	33	66	2	4	50	100
Badwas Chhoti (Kushalgarh)	9	18	16	32	25	50	50	100
Lolakpur (Dungarpur)	31	62	7	14	12	24	50	100
Ambada (Sagwara)	16	32	26	52	8	16	50	100
Total	**71**	**36**	**82**	**41**	**47**	**24**	**200**	**100**

Table 2.5: Source Of information About PESA

Villages	Gram Sevak	Don't Know	Panch	Sarpanch	Up-Sarpanch	No Response	Others	Grand Total
Umrai	12%	8%	4%	48%	2%	26%	0%	**50**
Badwas Chhoti	4%	6%	0%	30%	0%	60%	0%	**50**
Lolakpur	12%	4%	0%	2%	0%	82%	0%	**50**
Ambada	22%	0%	0%	14%	0%	58%	6%	**50**
Total	**13%**	**5%**	**1%**	**24%**	**1%**	**57%**	**2%**	**200**

Table 2.6: Awareness of Existence of Shanti Samiti (Peace Committee) in Villages

Villages	No	%	Yes	%	No Response	%	Don't Know	%	Total	%
Umrai	5	10	36	72	3	6	6	12	50	100
Badwas Chhoti	2	4	20	40	26	52	2	4	50	100
Lolakpur	17	34	21	42	12	24	0	0	50	100
Ambada	14	28	27	54	9	18	0	0	50	100
Total	**38**	**19**	**104**	**52**	**50**	**25**	**8**	**4**	**200**	**100**

Table 2.7: Whether Sarpanch is Chairperson of Shanti Samiti

Villages	Don't know	%	Sarpanch	%	No Response	%	Total	%
Umrai	13	26	25	50	12	24	50	100
Badwas Chhoti	4	8	20	40	26	52	50	100
Lolakpur	10	20	5	10	35	70	50	100
Ambada	4	8	17	34	29	58	50	100
Total	**31**	**16**	**67**	**34**	**102**	**51**	**200**	**100**

Table 2.8: Knowledge About Encroachment on Tribal Land by "Savarna" (Non-Tribal)

Villages	Don't Know	%	No	%	Yes	%	No Response	%	Total	%
Umrai	6	12	36	72	5	10	3	6	**50**	100
Badwas Chhoti	1	2	24	48	0	0	25	50	**50**	100
Lolakpur	0	0	36	72	1	2	13	26	**50**	100
Ambada	0	0	35	70	2	4	13	26	**50**	100
Total	**7**	**4**	**131**	**66**	**8**	**4**	**54**	**27**	**200**	**100**

Table 2.9: People That Have Taken Loans From Moneylenders

Villages	No	%	Yes	%	No Response	%	Total
Umrai	37	74	11	22	2	4	50
Badwas Chhoti	14	28	11	22	25	50	50
Lolakpur	32	64	2	4	16	32	50
Ambada	37	74	2	4	11	22	50
Total	**120**	**60**	**26**	**13**	**54**		**27**

Table 2.10: Status of Gram Sabha's Resolution on Prohibition/Control Over Intoxicating Substances (Country Liquor) Under PESA Rules 29

Villages	No	%	Yes	%	No Response	%	Total
Umrai (Talwada)	3	6	47	94	0	0	50
Badwas Chhoti (Kushalgarh)	2	4	23	46	25	50	50
Lolakpur (Dungarpur)	25	50	7	14	18	36	50
Ambada (Sagwara)	31	62	7	14	12	24	50
Total	**61**	**31**	**84**	**42**	**55**	**28**	**200**

Table 2.11: State of Awareness About PESA Among Functionaries

Villages	No	%	Yes	%	No Response	%	Total
Umrai (Talwada)	8	16	15	30	4	8	27
Badwas Chhoti (Kushalgarh)	6	12	16	32	4	8	26
Lolakpur (Dungarpur)	6	12	13	26	8	16	27
Ambada (Sagwara)	6	12	14	28	10	20	30
Total	**26**	**13**	**58**	**29**	**26**	**13**	**110**

Table 2.12: Status of Training to Elected Functionaries at District and Block Level Under PESA (1999) and Rules (2011)

Villages	No	%	Yes	%	No Response	%	Total
Umrai (Talwada)	20	40	3	6	4	8	27
Badwas Chhoti (Kushalgarh)	19	38	3	6	4	8	26
Lolakpur (Dungarpur)	5	10	12	24	10	20	27
Ambada (Sagwara)	12	24	7	14	11	22	30
Total	**56**	**28**	**25**	**13**	**29**	**15**	**110**

Table 2.13: Status of Functionaries Category Wise Distribution

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	16	9	0
No	37	14	5
No Answer	4	22	2
Total	**57**	**45**	**7**

Table 2.14: Follow up of PESA Rules (2011)

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	2	4	5	10	15	30	5	10
Badwas Chhoti(Kushalgarh)	0	0	17	34	3	6	6	12
Lolakpur(Dungarpur)	1	2	1	2	12	24	13	26
Ambada (Sagwara)	1	2	12	24	7	14	10	20
Total	**2**	**1**	**13**	**7**	**19**	**10**	**23**	**12**

Table 2.15: Follow-up of PESA Rules Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others	Total
Yes	24	14	1	45
No	27	9	1	49
No Answer	6	22	5	105
Total	**57**	**45**	**7**	**110**

Table 2.16: Awareness Among Functionaries About Rights of Gram Sabha to Social and Criminal Cases Resolution in Traditional Way Allow PESA

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	3	6	6	12	13	26	5	10
Badwas Chhoti (Kushalgarh)	0	0	20	40	1	2	5	10
Lolakpur(Dungarpur)	1	2	3	6	13	26	10	20
Ambada (Sagwara)	0	0	5	10	13	26	12	24
Total	**4**	**2**	**34**	**17**	**40**	**20**	**32**	**16**

Table 2.17: Functionary Awareness of Gram Sabha Rights Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	23	17	0
No	29	4	5
No Answer	5	24	2
Total	**57**	**45**	**7**

Table 2.18: Number of Conflicts Resolved by Gram Sabhas During Last Three Years

Villages	Total
Umrai (Talwada)	10
Badwas Chhoti(Kushalgarh)	0
Lolakpur(Dungarpur)	25
Ambada (Sagwara)	5
Total	**40**

Table 2.19: Status of Seeking Gram Sabha Help / Opinion by Police Thana for Maintaining Peace or Criminal Matters of Less Than 2 Years Punishment (Rule 15)

Villages	Total
Umrai (Talwada)	10
Badwas Chhoti(Kushalgarh)	0
Lolakpur(Dungarpur)	25
Ambada (Sagwara)	5
Total	**40**

Table 2.20: Status of Land Acquisition by Government for Development Purpose

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	1	2	17	34	3	6	6	12
Badwas Chhoti (Kushalgarh)	0	0	22	44	0	0	4	8
Lolakpur (Dungarpur)	0	0	15	30	0	0	12	24
Ambada (Sagwara)	0	0	13	26	3	6	14	28
Total	**1**	**1**	**67**	**34**	**6**	**3**	**36**	**18**

Table 2.21: Status of Land Acquisition Category Wise Distribution

Response	Gram Sabha Voters	Government Functionaries	Government Servants	NGO Workers/ Others
Yes	1	4	2	0
No	18	48	17	3
No Answer	71	5	26	4
Total	**90**	**57**	**45**	**7**

Table 2.22: Status of Encroachment on Tribal Land by Non-Adivasis

Villages	No	%	Yes	%	No Response	%
Umrai (Talwada)	22	44	0	0	5	10
Badwas Chhoti (Kushalgarh)	22	44	0	0	4	8
Lolakpur (Dungarpur)	15	30	0	0	12	24
Ambada (Sagwara)	15	30	2	4	13	26
Total	**74**	**37**	**2**	**1**	**34**	**17**

Table 2.23: Awareness About the Panchyat Rights to Refer Cases to Block Level Panchyat Samiti for Recommending Suspension of License / Checking of Records of Sahukars (Money Lenders) Rule 20

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	8	16	6	12	7	14	6	12
Badwas Chhoti (Kushalgarh)	0	0	19	38	0	0	7	14
Lolakpur (Dungarpur)	0	0	2	4	12	24	13	26
Ambada (Sagwara)	0	0	5	10	12	24	13	26
Total	**8**	**4**	**32**	**16**	**31**	**16**	**39**	**20**

Table 2.24: Awareness About the Panchyat Rights Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	17	14	0
No	35	3	2
No Answer	5	28	5
Total	**57**	**45**	**7**

Table 2.25: Awareness About Rule 26 Regarding Gram Sabha's Power to Acquire and Sell Minor Forest Produce

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	6	12%	11	22%	3	6%	7	14%
Badwas Chhoti (Kushalgarh)	0	0%	22	44%	0	0%	4	8%
Lolakpur (Dungarpur)	0	0%	2	4%	0	0%	25	50%
Ambada (Sagwara)	0	0%	11	22%	6	12%	13	26%
Total	**6**	**3%**	**46**	**23%**	**9**	**5%**	**49**	**25%**

Table 2.26: Awareness About Rule 26 Regarding Gram Sabha's Power Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	6	3	0
No	37	14	1
No Answer	14	28	6
Total	**57**	**45**	**7**

Table 2.27: Awareness About PESA Rule 28 and Rajasthan Panchyati Raj Rule 68 Regarding Acquiring of NOC From Gram Sabhas by Mines Department

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	8	16	11	22	1	2	7	14
Badwas Chhoti (Kushalgarh)	0	0	19	38	0	0	7	14
Lolakpur (Dungarpur)	0	0	1	2	0	0	26	52
Ambada (Sagwara)	0	0	14	28	2	4	14	28
Total	**8**	**4**	**45**	**23**	**3**	**2**	**54**	**27**

Table 2.28: Awareness About PESA Rule 28 Category Wise Distribution

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	2	1	0
No	39	13	1
No Answer	16	31	6
Total	**57**	**45**	**7**

Table 2.29: Do Gram Sabhas Prepare Annual Plans Under 1999 Act Section 3?

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	1	2	0	0	21	42	5	10
Badwas Chhoti (Kushalgarh)	0	0	6	12	15	30	5	10
Lolakpur (Dungarpur)	0	0	2	4	13	26	12	24
Ambada (Sagwara)		0	1	2	13	26	16	32
Total	**1**	**1**	**9**	**5**	**62**	**31**	**38**	**19**

Table 2.30: Gram Sabhas Annual Plans Category Wise Distribution

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	45	17	0
No	8	0	2
No Answer	4	28	5
Total	**57**	**45**	**7**

Table 2.31: Do Panchyats Report Statement of Income- Expenditure Every Six Month?

Response	Elected Funtionaries	Government Servants	NGO Workers/ Others
Yes	45	17	0
No	8	0	2
No Answer	4	28	5
Total	**57**	**45**	**7**

Table 2.31: Do Panchyats Report Statement of Income- Expenditure Every Six Month?

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	2	4	2	4	16	32	7	14
Badwas Chhoti(Kushalgarh)	0	0	0	0	15	30	11	22
Lolakpur(Dungarpur)	0	0	0	0	13	26	14	28
Ambada (Sagwara)	0	0	5	10	10	20	15	30
Total	**2**	**1**	**7**	**4**	**54**	**27**	**47**	**24**

Table 2.32: Statements of Income Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	36	18	7
No	9	0	0
No Answer	12	27	0
Total	**57**	**45**	**7**

Table 2.33: Do Panchayats Seek Gram Sabhas Approval for Budget and Development?

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	2	4	0	0	19	38	6	12
Badwas Chhoti (Kushalgarh)	0	0	0	0	15	30	11	22
Lolakpur (Dungarpur)	0	0	0	0	13	26	14	28
Ambada (Sagwara)	0	0	3	6	10	20	17	34
Total	**2**	**1**	**3**	**2**	**57**	**29**	**48**	**24**

Table 2.34: Gram Sabhas Budget Approval Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	39	18	7
No	6	0	0
No Answer	12	27	0
Total	**57**	**45**	**7**

Table 2.35: Does Gram Sabha Identify Beneficiaries for Pension, Housing, BPL Schemes

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	0	0	0	0	22	44	5	10
Badwas Chhoti (Kushalgarh)	0	0	0	0	15	30	11	22
Lolakpur (Dungarpur)	0	0	0	0	13	26	14	28
Ambada (Sagwara)	0	0	0	0	14	28	16	32
Total	**0**	**0**	**0**	**0**	**64**	**32**	**46**	**23**

Table 2.36: Gram Sabha Identify Beneficiaries Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	46	18	6
No	0	0	0
No Answer	11	27	1
Total	**57**	**45**	**7**

Table 2.37: Does Sarpanch/Pradhan Inspect Schools, Public Health Centres, Aanganwadis, Ration Shops once a Month (Rule 12(6)

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	0	0	2	4	20	40	5	10
Badwas Chhoti (Kushalgarh)	0	0	6	12	14	28	6	12
Lolakpur (Dungarpur)	0	0	1	2	13	26	13	26
Ambada (Sagwara)	0	0	8	16	7	14	15	30
Total	**0**	**0**	**17**	**9**	**54**	**27**	**39**	**20**

Table 2.38: School, Public Health and Ration Shop Inspections Category Wise

Response	Elected Functionaries	Government Servants	NGO Workers/ Others
Yes	40	14	5
No	12	3	2
No Answer	5	28	0
Total	**57**	**45**	**7**

Table 2.39: Number of Claims Submitted to SDLC Forest Committee for Claiming Forest Patta Under FRA

Villages	Don't know
Umrai (Talwada)	20
Badwas Chhoti(Kushalgarh)	Nil
Lolakpur(Dungarpur)	Nil
Ambada (Sagwara)	38
Total	**58**

Table 2.40: Awareness About NGOs in the Field

Villages	Don't know	%	No	%	Yes	%	No Response	%
Umrai (Talwada)	0	0	20	40	0	0	7	14
Badwas Chhoti (Kushalgarh)	0	0	21	42	0	0	5	10
Lolakpur (Dungarpur)	0	0	13	26	1	2	13	26
Ambada (Sagwara)	0	0	5	10	9	18	16	32
Total	**0**	**0**	**59**	**30**	**10**	**5**	**41**	**21**

Table 2.41: Functionaries Aware of NGOs Category Wise

Response	Government Functionaries	Government Servants	NGO Workers/ Others
Yes	5	5	7
No	44	13	0
No Answer	8	27	0
Total	**57**	**45**	**7**

Ethnographic Study of the Dying Culture of Facial Mark Incisions Among the Yorubas of South-Western Nigeria: A Case Study of Ibadan

by M. D. Enaikele and A.T. Adeleke

ABSTRACT

This paper presents a theoretical framework for the study of facial marking incisions. It also appraises the functional role of facial mark incisions, and explores the socio-medical aspects of how facial mark incision practitioners produce and treat them. The study is basically explorative. The anthropological instruments employed in the collection of ethnographic information about the dying culture of the Yoruba are key informant interview and observation techniques. The culture of facial marks among the Yoruba people of south-western Nigeria however, appears to be fading away due to centuries of cultural contact with western civilization. This study shows that the culture of facial mark incisions constitutes an important element in the construct of ethnic, lineage, household identity, history, heritage and consideration for aesthetic values and beauty. It also provides a means through which the people socio-medically provide solutions to ailments, frustration, and life troubles and for their ultimate attainment of fulfilment, well-being and happiness. The study recommends reviving the practice of facial mark incisions as a crucial way to keep the Yoruba ethnic identity, history, and heritage.

Key Words: Ethnographic Study, Dying Culture, Facial Mark Incisions, Yoruba, Ibadan.

INTRODUCTION

Sociologists and anthropologists have examined the term culture in a number of ways. The various ways in which they have implicitly and explicitly explained culture reflect the general understanding that culture is a complete way of life of a group of people, and the collection of ideas, habits and practices, which they learn, share, and transmit from generation to generation (Henslin 2007, Otite and Ogionwo 1994). Each society has its own unique culture, which enables its people to adjust to its total setting. The tradition of tribal or facial marks is one aspect of the culture of indigenous Africans, including the Yorubas of south-western Nigeria. Facial marks represent a unique expression of cultural identity of a people; especially, it has an adaptive value because it provides the people with a practical means of adjusting to their physical and social environment.

Oke (2004) reports the adaptive value of facial mark during the 1966 civil disturbances in the northern Nigeria, which eventually led to the Nigeria Civil War (1967-1970). During the anti-Ibo campaigns in the northern parts of the country at that time, some Yorubas, who did not have facial marks, were commonly mistaken for Ibos, and many such Yorubas lost their lives in the social upheaval. He elaborates further on the adaptive value of the culture of facial marks, that it reveals instantly the tribe, household or lineage identity of anyone who bears such marks. Facial marks are a veritable means of identification passed down from family to family, members of the same village, household, or members of the same royal lineage. Also, parents (especially fathers) use this

feature to lay claim to the legitimacy of their children, that they are not bastards. In addition, facial marks serve important aesthetic purposes as they are interesting features used to adorn the face.

In recent times, however, the culture of facial marks among the Yoruba people appears to be gradually fading away because many people no longer seem interested in the art. This may be attributed in large part to centuries of African cultural contact with western civilization, which has brought a significant downturn to very many cultural and traditional practices, consequent upon colonialism in many parts of Africa. Indeed, the process of cultural contact normally does bring about a change, especially when the contact duration is rather long. This is so, according to sociologists and anthropologists, largely because cultures do not enjoy the same prestige in contact situation, as "dominant" or "inferior" status may often arise. Hence, the society with the feeling of inferiority may be inclined to relinquish her culture and adopt (in varying dimensions) the culture of the society with the dominant status.

Over and above this, too often, in much western literature, the African culture of facial mark incisions has come under severe and undeserved attack. It has often been described as "scarification", with condemnation that the culture is somewhat "barbaric", "inferior", "primitive", "agonic" and "inhuman", especially with the recent United Nations Convention on the Rights of the Child (1989). These ethnocentric or rather subjective, unscholarly and subtly racist propagandist attacks, however, fail to take cognisance of the fact that the culture of facial marks may have evolved, and been practiced and maintained to essentially enhance physical, social and cultural adjustment of a people. This systematic process and orchestration of making indigenous Africans feel inferior to western culture did not just start. According to Oke (2004), many of the early European scholars who were concerned with the study of the peoples of the empires and kingdoms in Africa wrote with a somewhat biased and clearly ethnocentric view, often submitting that "history and science had proven indigenous Africans to be physically, intellectually and culturally inferior to the European."

As the subject of 'inferiority'' of indigenous African cultures featured increasingly in western literature, it became a critical issue that required scholarly discourse, debate, and analysis devoid of any direct or subtly racist approach. This has generated serious concerns, which among other things have provoked the interest of this paper, especially with the recent decline in the culture of facial marks, for reasons which can be attributed in large measure to the enactment of state laws against facial marks (as an extension of the United Nations Rights of the Child) and the long-term influence of western culture. These seem to have brought near extinction to so many indigenous African cultural practices. However, this study is meant to pedagogically offer an unbiased contribution by providing a paradigm shift and presenting a different approach to the contemporary anthropological discourse on the culture of facial mark incisions among indigenous Africans. To properly situate this objective for intellectual discussion, this paper shall attempt to provide a theoretical framework for the study; appraise the functional role of facial mark incisions; and explore the socio-medical aspects of how facial mark incision practitioners produce and treat facial mark incisions.

THEORETICAL FRAMEWORK

Functionalism

Functionalism is a popular theory in cultural anthropology. It generated a good deal of academic interest particularly in the 20th century among social scientists of various disciplines. Most of the analyses and discussions on the theory however have largely been associated with culture, hence it appeals more especially to sociologists and anthropologists. There are two schools of thought of functionalism: the bio-cultural school and the structural functionalism school. The two theoretical approaches are related to overall importance of viewing and interpreting other peoples' behavioural and cultural practices in the total context in which they exist. When a culture is viewed and interpreted within the relevant context of the society where it occurs (and not in isolation), it is termed "cultural relativity". Cultural relativity emphasises the need to tolerate other people's cultures as opposed to the tendency to condemn another culture as backward, barbaric, primitive or inhuman, simply because they are different from our own or they seem undesirable.

A notable scholar with a most profound and significant contribution to the theory of functionalism was Bronislaw Malinowski (1884 – 1942). Malinowski, a Polish born British anthropologist is known for his theory of bio-cultural functionalism. He believed that a human being has a set of universal biological needs, and that culture is developed to fulfill those needs. He believed that culture and cultural practices fulfill an individual's biological needs and concluded that the human being cannot survive without culture. The functionalist examines how a particular cultural practice is interrelated with other aspects of culture to make the society function as a complete whole. According to this school of thought, anthropologists, as a matter of importance, should describe the unique cultural identity of a people, the various cultural institutions and systems that make up the society, explain their social function, and relevance, and show their contribution to the overall stability of the society. Although the functionalist approach has been criticised for not considering cultural changes in traditional societies, the basic idea of the functionalist school of thought had become an important tool for cultural analysis, especially in cultural anthropology.

Structural Functionalism

Radcliffe-Brown (1881 – 1955) posited that all cultural traits are functionally interelated and form an interelated social whole. More specifically, that culture and cultural practices have adaptive value of physical and social adjustments that create a balanced and cohesive society that is always maintained by individuals within the cultural space.

On the other hand, Evans–Pritchard (1902 – 1973) widely known for his approach in analysing traditional belief systems--especially in Africa--believes that anthropologists should analyse society by considering the people's views, and should not entirely rely on presupposed ideas about any society. In other words, anthropologists need to appreciate/recognise people's behaviour and cultural practices in the context of local realities.

Materials and Methods

Nigeria is comparatively a large country with an area coverage of about 924,000 square kilometres, spanning longitude 3oE to 16oE and latitude 4oN to 14oN (George, 2009), with population of over 180 million people (Nigeria Population, 2016). Currently, Nigeria is politically organised into six geo-political zones, (northeast, northwest, north-central,

southeast, southwest, and south) comprising 36 states altogether. Nigeria has well over 250 different ethnic groups, most with distinct facial marks.

The city of Ibadan is the capital of Oyo State in the South-West geopolitical zone. It is reputed to be the largest indigenous city in Sub- Saharan Africa, and the people are indigenously Yoruba. Politically, Ibadan metropolis is divided into five local government areas, among which is Ibadan South-East Local Government area. This local government area is home to a host of indigenous communities, including those in this study.. These indigenous communities are geographically situated at the centre of Ibadan and are popularly known as Core Ibadan because of their indigenous populations. The seven communities studied include: Oja-Oba, Orita-Aperin, Oja-igbo, Kobomoje, Idi-Arere, Agugu, and Ita-Baale. These communities were purposively selected for the study because they are indigenously populated; most people there observe the practice of facial marking.

The study is basically explorative, and by nature is less structured and considerably flexible. This permits the researchers to seek more insight by probing answers to questions, which invariably informed a huge collection of materials and findings on the phenomenon under study. The most common anthropological instrument used in an explorative research of this nature (the dying culture of facial mark incisions) is the collection of ethnographic information, literature and photographs from archives, as well as the use of research instruments such as key informant interview and observation techniques. Using ethnographic instruments, the researchers employed the key informant interview to source for information about the dying culture. The key informants were the facial mark incision practitioners. The key informant interviews were conducted in Yoruba mother tongue to sustain their interest in giving information due to the apathy of the indigenous people to English language. The fact that the researchers speak Yoruba language very fluently was indeed an advantage, such that the oral information gathered was not at all difficult to elicit. Similarly, the problem of possible loss of information through an interpreter did not arise. Questions asked were not arranged in a fixed questionnaire; rather they were asked in such a way to allow the key informant freedom to elaborate on aspects of specific interests within the context of the dying culture. The observation method was also employed. All the information and findings contained in this report was sourced from interviews with the key informants and observations conducted. Seven key informants were interviewed, one in each of the seven communities. This was because very few people were technically suitable for the key informant interview. Only one of the seven key informants allowed the researchers to observe the process of producing facial mark incisions, but only on the charge of a bottle of gin for an oath, and to appease the deity against any possible retribution because one of the researchers is a "stranger" (i.e., a non-Yoruba indigene)! Also, photographs were strictly forbidden, whether by camera or any other electronic device.

RESULTS AND DISCUSSION

Ethnographic Profile of the Dying Culture of Facial Mark Incisions Among the Indigenous People of Ibadan

The facial mark incision practitioners are the key informants in this study. Five of the seven key informants were relatively elderly women, possibly at menopause. These elderly women also render services as traditional birth attendants and administer treatment for minor

child ailments such as convulsion, measles, and smallpox in their communities. None of the facial mark incision practitioner practices on a full-time basis, however. From the ethnographic information gathered with the aid of key informant interviews and observations, there is abundant evidence that the culture is fast fading away because facial marks are seen on mostly elderly people. This is probably not unconnected with the fact that since Nigeria has ratified the United Nations Convention on the Rights of the Child, a number of states in the country, especially in the South-West, have domesticated and expanded the Rights of the Child with legislation to overturn the cultural practice against the presumed rights of parents to allow facial marks on their children. As a result, very few facial mark incision practitioners were available as key informants since many of them are now involved in other occupation such as male circumcision, traditional birth attendants, piercing of ear lobes of the girl child to allow the use of earrings when the child grows up, administering treatment for minor child ailment such as convulsion, measles, smallpox and other forms of traditional medical practice because of their extensive knowledge in herbal application.

The culture of facial mark incision is an age-long traditional practice that has played an important role in ethnic, lineage, and household identity, including heritage and history of the people. It has cultural significance in identifying certain households or families, especially people with royal lineage. Apart from their aesthetic and social values, facial marks and other form of incision marks (locally called Gbere) are also used to treat certain ailments such as stroke, acute headache, waist pain, arthritis, jaundice, convulsion, epilepsy, barrenness, stomach pains, snake bite, fractured bones and even neurosis, among others. Treating ailment with incision marks and ritual sacrifice is an important aspect of indigenous medicine. Yet, not all ailments are treated with incision marks and ritual sacrifice, especially where an ailment has a name or can be given a name. In these cases, illnesses could be attended to with just medicinal herbs. In addition to this, the individual having the ailment could be advised to avoid eating certain foods. But strange ailments, or ailments perceived to be spiritually connected are commonly treated with incision marks and ritual sacrifice. Where facial marks or other forms of incision marks are used for treating particular ailments, they reflect beliefs that the evil spirit responsible for the ailment will be warded off by certain incision marks, incantations, concoctions applied to the cut or incision, and the ritual sacrifice that may follow. The belief is that the cut or incision and the substance or concoction applied to the cut will go into the blood stream to ward away the evil spirits tormenting the individual. For example, children believed to be Abiku (a child that dies repeatedly shortly after birth) or Emere (a mischievous spirit incarnate in infants) who burden their parents by dying soon after birth, are sometimes given deep cuts on the face, back or chest, or a cut on the ear lobe, thumb, or small or big toe, as a traditional way of deterring them from dying young. Many times, the cut is followed with other forms of ritual sacrifices such as burying the child's placenta, umbilical-cord and the first hair cut with white pieces of cloth and other substances in a pot near a stream or a plantain tree. When the deep cut is made on Emere or Abiku and followed with other forms of ritual sacrifices, the belief is that this will eventually make it difficult for the Emere or Abiku, to reunite with its mates in the spiritual realm because of the spiritual appeasement provided by the sacrifice, cuts, and the concoction applied to the cuts. In many cases, the Abiku or

Emere on a reborn child would distinctly have those marks exactly on the face, back, chest, thumb, toes or ear, and this will, according to traditional belief, make them escape the evil of dying young again.

Generally, where incision marks are used to ward away evil spirits believed to be associated with certain ailments, this is followed with certain ritual sacrifices to prevent reoccurrence of the ailment or retribution on the incision practitioner. For example, incision marks are often used for treating an ailment like stroke. These incision marks are tiny marks produced on the face, forehead, centre of the head and the affected arm and leg of the individual. In most cases the incision is followed with a ritual sacrifice, which includes herbal substances, native sponge and black soap prepared for the individual to take to the community refuse or garbage dump (locally called Akitan) to bath with at midnight. Following this is burning of incense and herbal and concoctions prepared for the individual for drinking and to rub on the affected part of the body. Incision marks are produced for different reasons as are the ritual sacrifices, incantations and material substances or concoctions applied to the cuts.

Following all these ethnographic findings, it is anthropologically useful to say that mark incisions have assisted the people to adjust to their social and physical environment and also provide solutions to their frustrations and life troubles. Generally, anthropologists do not attempt to condemn or pass judgement on the truth, falsity, efficacy of incision marks, substances applied, incantations, or ritual sacrifices that sometimes follow the incisions; rather, anthropologists see all these as a means through which the people socio-medically provide treatment to ailments and solutions to frustration and life troubles, and for their ultimate attainment of fulfilment, well-being, and happiness.

Among the Yorubas of south-western Nigeria, the process of producing facial marks involves the use of a very sharp, small-handled knife locally called Abe, produced by a local blacksmith. This knife is used to pierce the skin, producing a cut that heals to form a mark. Piercing the skin lightly will produce only a faint mark but the removal of the skin together with a little portion of flesh will eventually produce pronounced and bold marks when healed, although the cut may take some weeks to heal. But the longer it takes the cut to heal, the bolder and more pronounced the mark. Generally, the depth of the cut and the substance or concoction applied after the cut and during healing period may very well determine how pronounced or bold the mark will be.

Just like in traditional medicine, herbal substances or concoctions that are mostly applied to mark incisions or cuts largely include native black soap, kola nut, black ash, and herbs derived from various plant parts such as leaves, barks, roots, flowers, fruits, or seeds. Sometimes, animals such as snail, bat, chameleon, wall-gecko, tortoise, lizard, porcupine quills, pigeon, red parrot feathers, hooves or horns of animals like antelopes, as well as insects such as bees, crickets or termites, are also added. These herbs, as well as the parts of animals and insects are heated into a black substance that is mostly prepared into a powder form, and then applied on the cuts. In most cases also, this powder could be added to red oil, palm-kernel oil, locally called adi or sheaf-butter (pomade, locally known as orii), for regular application to the cut to quicken the healing process and to bring about the boldness of the marks. The World Health Organisation (WHO) (1978) Technical Report Series corroborates this finding that in some parts of Africa, the traditional medicine prac-

titioners use not only plants but also animals, feathers, oils, beaks of birds, animal dung, and similar items as necessary ingredients for therapy.

Facial marks are mostly on the face, cheeks, forehead, and from the head to chin, under the chin and so on. They may be vertical, horizontal, vertical and horizontal, or slanted lines on both cheeks. These facial marks have different meanings, reasons, and different names. Among the Yorubas of southwest Nigeria, the pattern of facial marks with typical ethnic, household, and lineage identity include Keke, Pele, Abaja, Gombo, Baamu and other forms of incision marks. The Abaja are horizontal facial marks each of about one inch long. In some cases, they are four or more strokes on each cheek. Pele on the other hand is a vertical facial mark of about a quarter of an inch long, accompanied by three or four strokes on each cheek. Gombo are both vertical and horizontal facial marks (lines) on each side of the cheeks. The vertical lines, usually three or four, are drawn from the forehead to the cheeks to compliment the horizontal lines on each side of the face. Gombo is the typical facial marks of the indigenous people of Ibadan. However, there are slight minor differences in the style of their facial marks according to their households, family and lineage as some of them wear Bamu to compliment the Gombo. Baamu are slant marks drawn from the upper ridge of the nose down to the right or left side of cheek. Baamu is commonly drawn on one side of the face to complement Gombo. Keke are tiny marks, but usually many. Gbere is another form of tiny vertical incision marks. They are mostly produced on the face, forehead, centre of the head, back, chest, around the neck, wrist, ankle and waist. Gbere incision marks are commonly produced to treat ailments and to redeem an individual from evil spirits. They are also produced to spiritually attract fame, good luck, prestige, respect, power, and protection against evil machination and bewitchment. The Yorubas believe in the existence of witchcraft. The belief that witches are responsible for a host of human miseries and misfortunes including poverty, ailment, and sudden death. A striking feature of this particular Yoruba belief is that bewitchment, evil machination, bad luck and ill health can be neutralised with Gbere incision and substances rubbed on the cut.

Privileged individuals, politicians, civil servants, businessmen/women and traditional elites commonly patronise diviners, herbalists, witch-doctors, traditional priests, and other spiritualists to wear Gbere incision mostly on the face, forehead, centre of the head, wrist and other concealed parts of their body for purposes of protection, fame, good luck, prestige, power, or to be respected, feared and to avoid being poisoned. Especially where Gbere incision marks are produced for purposes of winning an election, or for government appointment, contract award, for fame, prestige, power and protection, in most cases the cut is commonly followed with oath-taking and other forms of ritual sacrifices such as slaughtering of a cow or goat and the blood collected and given to the individual to bathe with. Other necessary ingredients to seal the oath and ritual sacrifice are prepared for the individual to take, for example, to a road junction at midnight for the appeasement and approval of supernatural forces, forces of nature, and spirits. Yorubas believe that road junctions (locally called Orita-Meta) are meeting points for witches, spirits and other terrestrial and supernatural forces; these forces and spirits are invisible, and mysterious (Awolalu and Dopamu 1979). These beliefs are as old as

the culture itself. Supernatural forces and spirits are believed to dwell in thunder, trees, rivers/streams, rocks. mountains, hills, caves, garbage dumps, road junctions, thick forests, etc., and Yorubas believe that man has tried to propitiate or influence them for his ultimate well-being, survival, and fulfilment in a number of ways. Especially, where gbere incision is followed with oath-taking to redeem certain pledges, the terms of this kind of covenant are dictated by the supernatural force (spirit) and the individual on his/her part has to accept the terms and take to himself the yoke of obedience to that spirit. Each spirit has forbidden things, which must also be observed on entering into covenant with oath-taking. These forbidden things therefore constitute norms to be kept by the individual.

Following these findings, it is useful to say that anthropologists do not attempt to pass judgement on incision marks, oath-taking, and the ritual sacrifice as fetish or bother to know how the supernatural force or forces of nature works. Anthropologists see all these essentially as component parts of the peoples' cultural heritage and a means by which they ultimately appease and influence the supernatural force and forces of nature with instrumental means for the purpose of attaining luck, material well-being, and fulfilment, and to overcome pain, fear, anxiety, uncertainty, and failure in life. By and large, if this view has any relevance, it is probably because anthropologically, the findings also shows the beliefs people symbolically attach to supernatural force and forces of nature. We could therefore infer that the society has considerable influence in the conception of the supernatural forces and forces of nature because the belief in their "mystery" power essentially reinforces and provides an organised picture of the relationship between the people and their surrounding supernatural world. Generally, instead of attempting to pass judgement or condemn such beliefs, anthropologists see them as social expressions of faith in the truism of the mystery power of the non-empirical forces, that if well propitiated with great respect and ritual sacrifice, the forces will provide solution to their life troubles. It is this belief that makes them revere supernatural forces. This belief operates in the peoples' thought and attitude even without their awareness, through which they construct their reality and clothe the conception of supernatural forces or forces of nature with such an order of fear and respect.

Legal Instruments Prohibiting Facial Mark Incisions/Tatoos

Nigeria is signatory to a number of treaties, protocols and conventions on the rights of children. Prominent among these are the United Nations Convention on the Rights of the Child (1989) and the African Charter on the Rights of the Child (1990). At the national level, the Nigeria 2003 Child Rights Act, Section 24 (1) prohibits facial mark incisions or tatoos on a child. It declares that no person shall tatoo or make a skin mark or cause any tatoos or skin mark to be made on a child". Section 24 (2) says, a person who tatoos or make a skin mark on a child commits an offence liable on conviction to a fine not exceeding five thousand Naira (#5,000) with an option of imprisonment for a term not exceeding one month or both". The 1999 Constitution of the Federal Republic of Nigeria and the Violence Against Persons Prohibition (VAPP) Act (2015), provides for the respect and dignity of the human person. Especially, the 1999 Nigeria Constitution provides in Section 34 (1) that, no person shall be subjected to any form of inhuman degradation". Though the 1999 Nigeria Constitution may not have specifically addressed or mentioned facial marking, it is

useful to observe that certain elements in this legal instrument reveal that facial marks on a child could be interpreted in certain quarters as a component of inhuman and degrading treatment that parents could subject the person of the child to just in the name of culture.

Since the promulgation of the Nigeria 2003 Child Rights Act, the seriousness of the law is underscored by the power vested in the police to arrest, investigate, and prosecute all crimes connected with or relating to facial mark incisions on a child, in a competent court of law. Though the legal provisions have potential to curb wearing of facial mark on a child, it has not significantly made any impact because no single individual has been prosecuted for this crime. What has brought significant downturn to the traditional practice of facial marking children seems to be the obvious influence of western civilization and western-induced attacks on its social significance and relevance rather than the domesticated Child Rights Act. However, it is possible to aver that the enactment of state laws against facial marking (as an extension of the United Nations Rights of the Child) was done without considering the implications on the culture, history, heritage, and identity of the people. Since facial marks represent a unique expression of the culture and identity of a people, and people are defined by their culture, the enactment of state laws against the culture of facial marking and incisions could therefore be equated to striping the people of their culture, identity, heritage, and history.

CONCLUSION AND RECOMMENDATIONS

Culture has been defined as the general way of life of a people. While aspects of a particular culture (for example, language, religion, food, dressing, etc.) may become modified upon contact with another culture through assimilation of certain practices, there are some fundamental practices and values within a particular culture that project the identity, lineage, history and heritage of the people, regardless of the extent and duration of contact with another culture. One such practice among various indigenous African peoples is facial marking.

This study has shown that the culture of facial marking and other forms of incision marks are important elements in the construct of family lineage identity, history, heritage, and consideration for aesthetic values and beauty among all societies in traditional Africa. Facial marks and other forms of incision marks also provide a means through which the people socio-medically provide solution to ailments, frustration, and life troubles, and for their ultimate attainment of fulfilment, well-being and happiness. Despite these, however, the practice is rapidly declining in cultural importance largely resulting from modernisation and western-induced attacks on its social significance and relevance. It is also explained by a rather poor understanding and subtle bias against the philosophy embedded in the cultural practice. For example, if the practice of facial marking had continued with the descendants of African Slaves in America and other parts of the world, many of them might probably have been able to trace their family roots, lineage, identity and history to Africa much more easily.

However, this study recommends that for the hitherto moribund practice of facial mark incisions among the Yorubas of southwestern Nigeria to be revived, the elites would have to take the lead by sensitising the government and the people about the social significance of facial marks in the construct of ethnic identity, linage, history, and heritage.

Children's rights in traditional African

societies are embedded in the traditions, value systems, and presumed cultural interpretations of the parents and not just as strictly legal instruments. Consequently, efforts should also be made to avoid conflict between the two. ■

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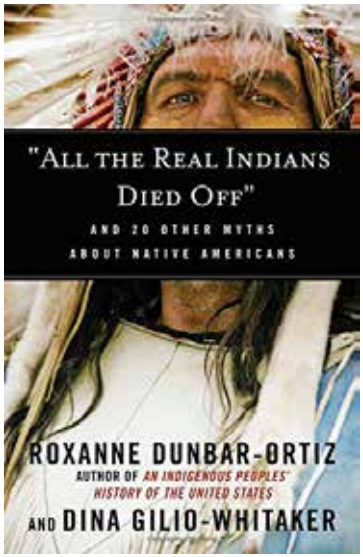
"All the Real Indians Died Off" and 20 Other Myths about Native Americans

By Roxanne Dunbar-Ortiz and Dina Gilio-Whitaker, Beacon Press, Boston, 208 pages, ISBN 978-08070-627504 (paperback), ISBN 978-0-8070-6266 (Ebook)

Reviewed by Rudolph Rÿser



Combining the prose styles of two seasoned writers who have authored many of their own books and articles is a challenge when they attempt a book that is intended for a widely diverse audience. And the challenge is ever greater when they attempt to demystify what for many non-American Indians in the United States includes a series of commonly circulated legends about the varied American Indian nations that remain part of the landscape. Dunbar-Ortiz and Gilio-Whitaker seemingly make small work of this difficult task in a compact and well-sourced book.

"Twenty other Myths about Native Americans" is both an historical primer and an encyclopedia demystifying American fables about the original peoples of North America—fables long retold by generations of Americans whose ancestors came to claim and settle lands and accumulate wealth only available if the nations they found would simply disappear. For virtually all migrating and settler peoples moving from various parts of the world to new territories (e.g., Britain to New Zealand, India, Middle East and Australia, China to eastern Africa, Spain to the Philippines, Portugal to Brazil, Germany to Rwanda), the settling migrants would tell themselves the new territory was open for their exploitation and the land was unoccupied or the people their were naturally going to disappear. For generations Americans have told themselves that American Indians were disappearing (there are now more than 5 million) or they were naturally subordinate to the "dominant society." The authors of this 208-page book (including extensive end notes and a 11 thousand year "historical timeline" gave themselves the task of changing public understandings about American Indians by attempting to help their readers to "understand how the miseducation about history contributes to the maintenance of systems of social injustice." The authors accomplish this in a very readable and accessible collection of what I think might be best characterized as fables similar to what a parent might tell a child. When the child grows old enough to know the difference between a fable and real life, it is time to understand and apply mature reasoning to how the world actually works. Dunbar-Ortiz and Gilio-Whitaker have written with the hope of nurturing the mature mind.

As a history and short encyclopedia "Twenty other Myths" asks questions and

answers them with clarity and thoroughness. Are all "Real Indians" dead? Did the Italian *Cristoforo Colombo* "discover" America? Did Europeans from France, Russia, Sweden, Holland, Britain and Spain bring "civilization to the backward Indians?" Are "the only real Indians … full-bloods?" Did the United States government "give" America's original nations reserved lands that would be called "reservations?" And here is my personal favorite: "Indians are Naturally Predisposed to Alcoholism." To further clarify the narrative the authors offer a brief discussion of "terminology" recognizing that the inquiring minds need guidance explaining what can be confusing terms used in the book. Some terms are a product of perspectives—American Indian verses non-Indian. Using the word "Indian" can be, as the authors indicate, a pejorative depending on its context. I am not a big fan of the authors' alternative "Native American" which found its roots in academic discussions in the 1970s. The word "indigenous" is perhaps a little more useful though it has its social and political baggage too. I prefer the names of the actual names of nations since there are more than 560 in the United States (more or less depending on whether we are talking about communities or nations as a whole.) While using the general terms "Indian," "native" or even "Native American" tend to create a kind of "pan Indian" vision that tends to undermine the unique character of the various nations, I agree with the authors that interchanging these terms may be the only solution for this type of book.

Posing the questions about fables on their face should have self-evident outcomes and to the authors we owe a debt of gratitude for asking the questions and then supplying the answers. These "20 other Myths about Native Americans" are important questions to which authors bring intelligibility that as clarified will make a healthier relationship between non-Indian Americans and American Indians. The result is that this book now serves as a bridge between historical and cultural perspectives in addition to its careful and patient distinctions between fable and reality. I recommend this book to non-Indian Americans who in their maturity now seek to grow their understanding of the reality of American Indians. ■

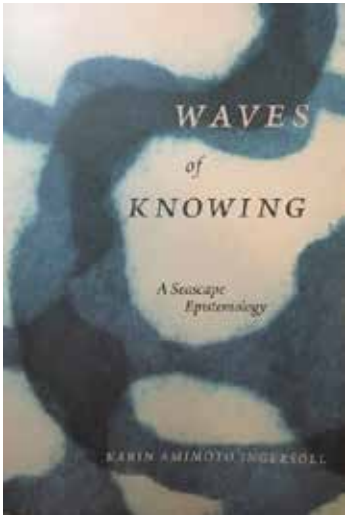
This article may be cited as:

Ryser. R. (2017). Book Review: All the Real Indians Died Off: And 20 Other Myths about Native Americans by Roxanne Dunbar-Ortiz and Dina Gilio-Whitaker. *Fourth World Journal*, 16(1). pp. 119-120

Waves of Knowing: A Seascape Epistemology

By Karen Amimoto Ingersoll, University of Hawaii Press, 2016, 204 pages. ISBN-13: 9780822373803

Reviewed by Dina Gilio-Whitaker



Twenty years ago, Linda Tuhiwai Smith gave us her groundbreaking book, "Decolonizing Methodologies: Research and Indigenous Peoples," unleashing new generations of scholarship on the countless ways indigenous peoples build place-based knowledge. Some of the most innovative research in indigenous studies has come from Polynesian scholars (like Smith) doing reclamation work in language, cultural regeneration, and sovereignty and geopolitical studies. In Waves of Knowing, the author articulates a "seascape epistemology," a distinctly Kānaka Maoli way of understanding Native Hawaiians' relationship to place that extends beyond the bounds of land as we normally conceive of it, to include the ocean that surrounds them.

Ingersoll contends that Hawaiians' relationship to the ocean constitutes an oceanic literacy that constructs a Kānaka Maoli way of knowing the world, primarily through traditional arts such as surfing, fishing, and navigating. This literacy is contained in what she calls archives, comprised of ancient Hawaiian-language stories (mo'olelo) and chants (oli), ethnographic observation, and is influenced by other culture makers like artists, hula dancers, poets, and musicians. Ingersoll explains that while it's not necessary, she does "use Western thought and philosophy to develop a Kānaka epistemology in part because contemporary Hawaiian identities are intertwined with a colonial legacy" (28). In this way, she is able to erect a seascape epistemology that is not confined to a distant past, but is modern and relevant to today's Kānaka Maoli.

Ingersoll draws on her experience as a surfer, combined with mo'olelo, oli, and emerging scholarship on surfing to define an embodied knowledge upon which Native Hawaiian surfers can reclaim an ancient sport that was central to Hawaiian lives, but that has also been appropriated almost beyond recognition. Recuperating surfing within a cultural context by centering it in the Hawaiian seascape thus makes it available to Kānaka people as a way to (re)connect to a national identity altered by colonialism, but also as a framework to access spiritual knowledge. Such knowledge exists at the intersections of language, indigenous place names, ancestral connections to those places, and traditional stories about them. Inherent in Ingersoll's narrative is also a critique challenging a modern surf industry that bears partial responsibility for the massively destructive Hawaiian tourist industry.

For Ingersoll oceanic literacy "becomes an aesthetic logic that remembers through performance. The movements of the body interact with language, reading, and writing so that literacy does not merely employ the eyes, brain, and fingers but also a kinesthetic engagement

with one's surroundings" (93). She disavows that an oceanic literacy is an "authentic" indigenous knowledge; "[i]nstead, oceanic literacy offers a means of constructing a fluid identity anchored in place. An indigenous identity is a subject in process as opposed to one in stasis, or one that is already complete" (93). This embodied knowledge affirms an "ontological affectivity" which values knowing the world through one's senses. In fact, it is precisely this kind of knowing, she argues, that is necessary for successful ocean voyaging based on traditional techniques unmediated by technology.

Drawing from Hawaiian voyagers Nainoa Thompson and Bruce Blankenfield and their decades of experience on the traditional sailing vessel Hokule'a, the reclamation of Hawaiian voyaging was not possible without borrowing from Western technology and traditions of other Pacific Island peoples. It was nonetheless possible to regenerate a Hawaiian concept of navigation that relies upon the ability to "see" in a Hawaiian way, characterized as *ho'omoeã*, (meaning, to imagine deliberately), and invoking mana (spiritual power). In so doing, Kãnaka navigators "enter into an intuitive state of being" (150) that perceives oneness with the elements. Considering theories of travel, Ingersoll juxtaposes Western ideas that create binaries of inside and outside, "us" and "them," "reveal[ing] distinct political dynamics within [them]" (144), to a Polynesian concept that instead "approaches the ocean and surrounding islands as imagined extensions of self, avoiding the creation of a colonial ideology founded in binary oppositions…" (145).

In the final chapter, the author maps out a seascape epistemological praxis, imagined through the creation of ka hãlau o ke kai (school of the sea). She proposes various hales (houses) located in various ahupua'a (traditional districts) that would teach the ocean-based arts to youth, engaged through 'Ōlelo Hawai'i (Hawaiian language). These would include, among other cultural skills, surfing, sailing, paddling, navigating, fishing, diving, and the building of fish ponds to perpetuate ocean literacy. As practice- and place-based education, the school would embrace a diverse approach to learning: "Practice- and place-based education allow for both oral and written words, for both rational and emotional theory, for both cognitive and experiential study" (163).

Despite the limitations of writing in the English language, *Waves of Knowing* is an elegant way of articulating an indigenous Hawaiian epistemology. Understanding the ocean as undifferentiated from land reflects a holistic view of the "environment," and Ingersoll is able to cogently mark the unbroken connections between Kānaka Maoli, ancestry, land, and ocean, even in the face of historical disruptions. Some will undoubtedly recoil at what will be perceived as an essentialist perspective, namely non-native surfers. As a surfer, I say with certainty that virtually all surfers perceive a spiritual quality to the act of surfing and would argue that Hawaiians don't have a corner on the market of spirituality when it comes to surfing. Ingersoll would agree, and she addresses this in her text. She acknowledges that non-indigenous surfers can experience a type of ocean literacy and intimate connection with the sea. Her point, however, is that for Native Hawaiians that relationship exists within a cultural context mediated by language and ancestral ties, knowledge that is inaccessible to non-Hawaiian surfers.

Ingersoll's prose is sometimes poetic, appearing to veer away from conventional academic language. This can be disconcerting until one realizes that her text exhibits the kinds of rhythms and idioms observable in the

Hawaiian language when translated into English, but it is reflective of the affective aspects she is arguing for in a Hawaiian seascape epistemology. Ultimately this book is a valuable contribution to the literature on indigenous methodology, and will also contribute to the growing literature in critical surf studies. ■

This article may be cited as:

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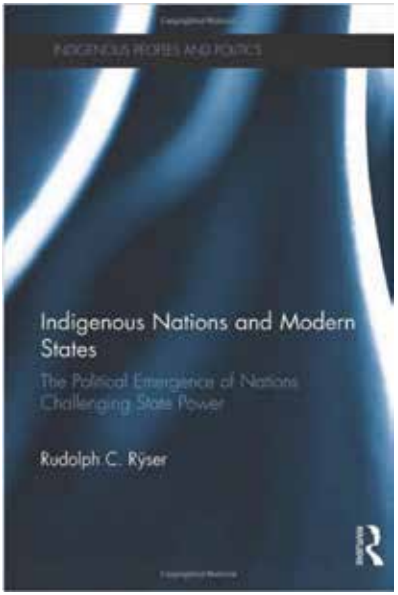
About the Reviewer

Dina Gilio-Whitaker (Colville Confederated Tribes) is Policy Director and Senior Research Associate at the Center for World Indigenous Studies, and is an award-winning journalist at Indian Country Today Media Network. With a bachelor's in Native American Studies and a master's in American Studies, Dina's research interests focuses on Indigenous nationalism, self-determination, environmental justice, and education. For the past several years she has been involved with Indigenous peoples' participation in the United Nations arena. She also works within the field of critical sports studies, examining the intersections of indigineity and the sport of surfing. She is coauthor with **Roxanne Dunbar-Ortiz** of the book *All the Real Indians Died Off and 20 Other Myths About Native Americans*, and is currently under contract with Beacon Press for a new book on environmental justice in Indian country.



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Indigenous Nations and Modern States

by Rudolph C. Rÿser

Indigenous peoples throughout the world tenaciously defend their lands, cultures, and their lives with resilience and determination. They have done so generation after generation. These are peoples who make up bedrock nations throughout the world in whose territories the United Nations says 80 percent of the world's life sustaining biodiversity remains. Once through of as remnants of a human past that would soon disappear in the fog of history, indigenous peoples–as we now refer to them–have in the last generation emerged as new political actors in global, regional, and local debates. As countries struggle with economic collapse, terrorism, and global warming, indigenous peoples demand a place at the table to decide policy about energy, boundaries, traditional knowledge, climate change, intellectual property, land, environment, clean water, education, war, terrorism, health, and the role of democracy in society.

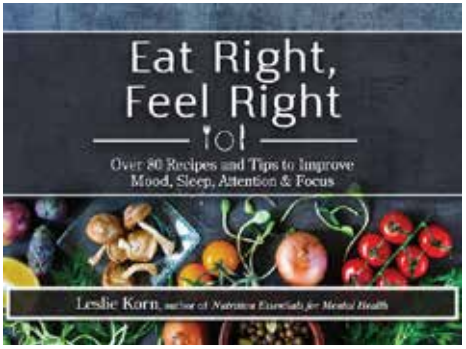
In this volume, Rudolph C. Ryser describes how indigenous peoples transformed themselves from anthropological curiousities into politically influential voices in domestic and international deliberations affecting everyone on the planet. He reveals in documentary detail how, since the 1970s, indigenous peoples politically formed governing authorities over peoples, territories, and resources raising important questions and offering new solutions to profound challenges to human life.

Eat Right, Feel Right

By Dr. Leslie E. Korn, PESI Publishing & Media, Eau Claire, WI, 2017, 119 pages. ISBN: 978168373-583 (paper)

Reviewed by Wilson Manyfingers

Everyone eats food, and many eat food that is not good for their health. One's moods, sleep, attention, and focus all depend on eating foods that are healthy for your body, your brain, and your vital organs. Knowing that people in the United States, Canada, and virtually every other country in the world tend to "eat what is in front of them."



Leslie Korn (Clinical Director at the Center for Traditional Medicine) has a simple solution to improve and secure their health: "Eat Right, Feel Right." In other words one doesn't need to ask a nutritionist, or a physician how to remain or become healthy—just listen to your body. If you "feel right" then you are probably eating "right."

In her handy, wire-bound booklet of 192 pages, Korn packs eighty simple recipes for teas, smoothies, soups, quiche's and even a gluten-free apple/hazelnut tart. Selecting "clean food" is part of Korn's prescription. Many foods are processed with chemicals, added hormones, and other extraneous ingredients. But, Dr. Korn emphasizes that the best approach is to turn to foods that are minimally processed and above all "clean."

In this colorfully-organized booklet about "food as medicine," she points to particular recipes or combinations of foods that reduce or eliminate anxiety, depression, insomnia, attention/focus deficits, and addictions. Examples include a Cherry Chamomile Slumber Smoothie, or a Broccoli Slaw with Cherries. For breakfast or dinner, you might turn to Leslie's "Go-To" Granola that features pecans, almonds, walnuts, gluten free oatmeal, extra virgin coconut oil, and assorted raw additions including organic raisins, chia seeds, chopped dates, shredded coconut, chocolate, and dried candied ginger. One ought not miss Dr. Korn's "Indonesian Avocado Chocolate 'Moodshake'" – a variation she says on a traditional Indonesian drink – or the "Less-Stress Sweet Vegetable and Meat Stew," a natural slow cooker candidate for dinner.

What is noticeable about these and the many other recipes is that ingredients are unadulterated and organic. This might mean her readers will need to slowly replace ingredients in the pantry or the refrigerator over time, but when the ingredients are in the home, *Eat Right, Feel Right* will become automatic. Peoples all over the world will benefit from this easily accessible booklet.

Leslie Korn has condensed into *Eat Right, Feel Right* ideas, knowledge, and guidance for eating well from her years of writing and teaching "mental health nutrition" and preventing or treating chronic diseases such as diabetes, heart disease, and some forms of cancer. Dr. Korn is the author of several influential books on integrative mental health and culture. She has authored books including *Nutrition Essentials for Mental Health: a Com-*

plete Guide the Food-Mood Connection (Norton, 2016), *Rhythms of Recovery: Trauma, Nature and the Body* (Routledge, 2012), *Multicultural Counseling Workbook* (Premiere Publishing, 2016), and (with Rudolph C. Rÿser) *Preventing and Treating Diabetes Naturally: The Native Way* (DayKeeper Press, 2009). She is also published in academic journals such as the *Gerontologist*, the *Fourth World Journal*, and the *Journal of Bodywork and Movement Therapies* as well as popular publications and blogs like *Psychology Today*.

Eat Right, Feel Right is available from Dr. Korn's website and Amazon. ■

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