

INSIGHTS FROM ASIAN INDIGENOUS PEOPLES IN LIGHT OF FRATELLI TUTTI

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Introduction

The indigenous peoples in Asia constitute approximately 80% of a global indigenous population of 302.45 million (a figure which itself constitutes approximately 4.4% of the global population, but around 10% of the global poor). These indigenous communities face the relentless onslaught of the plural sociocultural, religious, economic and geopolitical processes of globalization. These processes result in the de-territorialization of indigenous ancestral homelands. They cause the de-religionization of their traditional spiritualities. And they threaten their economic survival and cultural resilience. As a result, in the Asia-Pacific region “indigenous peoples suffer gravely in the face of technological expansion and resource exploitation, where their rights are lost in the drive for development”.¹

In precolonial India, the region of Jharkhand was really a “land of forest” belonging to the Adivasis. The Director of *Jharkhand Jangal Bachao Andolan* (“Save the Jharkhand Forest Movement”), Samar Buso Mullick, writes:

A neolithic culture of forest-based civilization dominated over the surplus-producing, agriculture-based feudalism. The land under swidden cultivation (*daha/dhya* or *jara*) was very common. Only in some pockets plough agriculture was introduced by the medieval ‘jungle’ states. But in both the cases the notion of land belonging to the king as the ‘lord’ paramount of the soil was absent. Community enjoyed total control over the land and forest, and their produce. Forest was an integral part of the economic system. Forests were dense and full of wild animals. Forests are the dwelling place of the deceased ones. When the village is settled by clearing forests, a patch of the virgin forest is kept untouched with the belief that it is the abode of the mother earth (*jaer era*) or ‘lady of the sacred grove’ and other spirits. This ‘sacred grove’ or *sarna* or *Jaer* (*Jaher of the Santals*) is the only place of propitiation of the benevolent spirits of all the indigenous peoples of Jharkhand.²

In 2000, the state of Jharkhand was formed with the objective of furthering the ‘Development’ agenda. This ideology has turned the Adivasis’ homeland into what M. Gadgil and R. Guha describe

¹ Task Force on Ecology, Social Justice and Ecology Secretariat, *Healing A Broken World: Special Report on Ecology, Promotio Justitiae* no. 106 (2011), 22.

² Samar Buso Mullick, ‘The Land the People and the Law In Jharkhand: A Study Conducted under the Land Rights Macro Study of Pradan,’ Research Paper, Jharkhand Jangal Bachao Andolan, 2020, 1-115, here 60.

as the “internal colonies” of the nation-state and its national elites, those who engineered the Bombay Plan of 1944-45 with its “mixed economy”.³

‘National interest’ was the ‘log in name’ and ‘Development’ became the ‘password’ to have a smooth access to the natural resources of the country for their inhuman exploitation and criminal expropriation. Public servants, police and politicians formed a nexus to this end. Where colonialism left off, development took over. While Dams and mines displaced millions of peasants and tribals, destruction of forests caused hunger and destitution. The swelling multitude of ‘ecological refugees’, who constitute about one third of the Indian population, were turned into sweat labourers and treated as the dirt of development. Development in Jharkhand has been taking place under the threat of guns. Behind the repression that accompanies development lies a perception of the Adivasi peasantry as physical obstacles in the drive to gain full access to land, raw materials and natural resources.⁴

What becomes apparent is that the politics of land is inseparable from the politics of contestation. This is not unrelated to the systemic “human antagonism” in capitalism which *Laudato Si* insightfully identified as the “technocratic paradigm” (LS 106-114).⁵ This battleground of resource-contestation requires ethics to provide a moral compass for government policies that guide land reform that will respond to the common good of the Adivasis, promoting the flourishing of their cultures, social identity, livelihood, and food security through just development policies.

My first section will articulate how global/national interests facilitate a systemic encroachment upon the indigenous homeland in Asia, and particularly in India.

1. Encroachment By Global and National Interests on Indigenous homelands

Land encroachment by the national elites in cohort with the global, central/federal, and local governments constitutes a blatant violation of the inalienable dignity of the indigenous peoples and a decimation of the inherent value of their land, livelihood, and resources. In the context of

³ M. Gadgil and R. Guha, *Use of Nature* (New Delhi: Oxford University Press, 2000), 4; Mullick, ‘The Land the People and the Law In Jharkhand’, 49 & 51; Felix Padel, *The Sacrifice of Human Being: British Rule and the Khonds of Orissa* (New Delhi: Oxford University Press, 1995), 288.

⁴ Susan Devalle. *Discourses of Ethnicity: Culture and Protest in Jharkhand* (New Delhi: Sage Publications, 1992), 104-105; Sarah Jewitt, “Europe’s Others? Forestry Policy and Practices in Colonial and Post – Colonial India’ in *Jharkhand*, edited by Corbridge & Stuart et.al., (New Delhi, Oxford University Press, 2004), 143; Mullick, ‘The Land the People and the Law In Jharkhand’, 42, 71.

⁵ The systemic antagonism, in Herbert McCabe’s opinion, stems from the asymmetric class war ‘intrinsic to capitalism... The tension and struggle between the workers and capitalists is an essential part of the process itself... Capitalism is a state of war, but not just a state of war between equivalent forces; it involves a war between those who believe in and prosecute war as a way of life, as an economy, and those who do not.’ See Herbert McCabe, OP, ‘The Class Struggle and Christian Love,’ at <https://christiansocialism.com/herbert-mccabe-class-struggle-capitalism-marxism-christianity/>, accessed December 24, 2020.

indigenous peoples deeming the homeland to be the sacred abode of mother earth (*jaer era*), or the 'lady of the sacred grove' and other spirits, this amounts to a sacrilegious desecration of the sacredness of the indigenous ancestral homeland.

In Malaysia, Anne Lasimbang, an indigenous director of PACOS, a community-based organization, has suggested that land encroachment takes place through the construction of "mega projects such as big dams, plantations owned by global-national multinationals, mining and highways, and the establishment of national parks from which indigenous communities themselves are excluded. In Sabah, East Malaysia, the local government also divided land into 'Forest Management Units' (FMUs); these included indigenous territories. FMUs can be turned into first-class or second-class forest conservation areas, which are then converted to plantations managed by multinational companies. Indigenous communities who were previously resident in these FMUs are considered encroachers and are persecuted by the government, some are even jailed for entering this land."⁶

In Thailand, Prasert Trakansuphakon contends that the state's aggressive enclosure policy has disenfranchised indigenous communities by "the Forestry Department's promotion of conservation policies through a process of increasing protected areas, including national parks, wild life sanctuaries, and class 1 watershed areas".⁷ Through the Royal Forestry Department, the Thai state centralized its control over the natural resources with the Forest Act of 1987, 1941, the Reserved Forest Act 1964, the Land Reform Act 1975, the Wildlife Sanctuary Act 1992, the Code of Laws on Land 2004, and the Community Forest Management Act 2008.⁸ With the National Economic and Social Development Plans, the Master Plan for Community Development and Environmental, the Suppression of Narcotic Plant in High Areas, and the Cabinet Act of 1989, protected areas claimed by the state amount to 28.78% of Thailand's land surface.⁹ As a result, Muntarbhorn claims, "indigenous communities which continue to practise shifting cultivation in protected areas live in fear, because they are unsure whether they will be arrested or relocated".¹⁰ On this basis, Trakansuphakon adds, "in 1989, about 2000 ethnic highlander were relocated from Doi Luang National Park to Pha Chaw in Lampang Province".¹¹

In India, Samar Bosu Mullick posits, extractive industries such as mining, metal industries, and the construction of mega-dams such as the Koel-Karo Multipurpose Project, the erstwhile Multipurpose

⁶ Email communication, 24 January, 2021.

⁷ Prasert Trakansuphakon, 'Space of Resistance and Place of Local Knowledge in the Northern Thailand Ecological Movement,' Ph.D dissertation, Chiangmai University, 2007, 221.

⁸ Naiyana Vitchitporn, 'The Transformation of Gender Roles in Resource Management of a Karen Community in Northern Thailand,' MA Thesis, Chiangmai University, 2001, 38; Vitit Muntarbhorn 'Shadow Report on Eliminating Racial Discrimination on Thailand.' Submission to the CERN Committee Meeting on August 9-10, Geneva, Switzerland, 2012, no. 82.

⁹ Vitit Muntarbhorn 'Shadow Report on Eliminating Racial Discrimination on Thailand,' no. 84.

¹⁰ Muntarbhorn 'Shadow Report on Eliminating Racial Discrimination on Thailand,' no. 44.

¹¹ Trakansuphakon, 'Space of Resistance and Place of Local Knowledge in the Northern Thailand Ecological Movement,' 222.

Hydro-Electric projects, such as Damodar Valley Corporation and Subarnareka Multipurpose Project in the Jharkhand, “have already displaced about 1,710,787 people from their homes and hearths, with the loss of 24,15,698 acres of forestland”.¹² Jharkhand itself “has more than 25% of the total coal reserve” of India “and over 80% of it lies in the Damodar river basin”, where the “Damodar river valley is now dotted with coalmines that produce 60% of India’s medium grade coal”, with “33 limestone mines, 5 copper mines and 84 mica mines along the banks of Damodar”; “the lower valley of Damodar had a 65% forest cover in the past; today, it stands at a meagre 0.05%”.¹³

Mullick adds: “between 1950 and 1991, mining displaced about 2.6 million people in the country. During 1998-2005, 216 mining projects were granted forest clearance annually. Government estimates put the total forestland diverted for mining across the country in the period 1980-2005 at 95,003 hectares. What is perhaps more shocking is that 1,198 mines were granted forestry clearance during 1980-2005 for operating in forest areas under the provisions of the Forest (Conservation) Act, 1980”.¹⁴ Ecological devastation has completely broken the chain of food security. According to an official estimate, 10% people in Jharkhand today suffer from hunger frequently and 2% suffer from chronic hunger.¹⁵ Displacement of millions of peasants and tribals has resulted in “ecological refugees”¹⁶ constituting about one third of the Indian population. Of the 15, 03,017 displaced in Jharkhand from the between 1951-1995, 620,372 belong to scheduled tribes, 212,892 belong to the scheduled caste, and 676 to other categories.¹⁷

These constitute violations of the inalienable dignity of indigenous peoples and a decimation of the sacred value of their land. These violations, as explained in the second section, have increased the need to develop government policies from the perspective of social justice.

2. Policy Development: Social Justice Perspectives

National development policies can perhaps draw their initial inspiration from Pope Francis. In his latest book, *Let Us Dare To Dream*, Pope Francis argues that “true change comes about not from above, but from the margin where Christ lives. To go to the margin in a concrete way, as in this case, allows you to touch the suffering and the wants of a people but also allows you to support and encourage the potential alliances that are forming”.¹⁸

¹² Mullick, ‘The Land the People and the Law In Jharkhand,’ 74.

¹³ Mullick, ‘The Land the People and the Law In Jharkhand,’ 74.

¹⁴ Mullick, ‘The Land the People and the Law In Jharkhand,’ 74.

¹⁵ Mullick, ‘The Land the People and the Law In Jharkhand,’ 53.

¹⁶ M. Gadgil and R. Guha, R. *Use and Abuse of Nature* (New Delhi: Oxford University Press, 2000).

¹⁷ Mullick, ‘The Land the People and the Law In Jharkhand,’ 64.

¹⁸ Pope Francis and Austen Ivereigh, Part 1 ‘A Time to See,’ in *Let us Dream: The Path to a Better Future* (New York, London, Toronto, Sydney & Delhi: Simon & Schuste, 2021), 3.

Governments policies need to promote, in the words of Amarty Sen and Jean Drèze, “the demands of social justice, which is integrally linked with the expansion of human freedom” and the recognition of “land property rights (right to livelihood resources), people’s active participation in making policies (democracy), human capacities (like health and education), and social justice”, including “the agency of women and equitable distribution of (political) power”.¹⁹ At the same time, policies need the mutuality of economic growth and expansion of human capability, “while also keeping in mind the basic understanding that the expansion of human freedom and capabilities is the goal for which the growth of GDP, among other factors, serves as important means. Growth generates resources with which public and private efforts can be systematically mobilized to expand education, healthcare nutrition, social facilities and other essentials of fuller and freer human life for all. And the expansion of human capability, in turn allows a faster expansion of resources and production, on which economic growth ultimately depends”.²⁰

Dev Nathan and Virginius Xaxa’s insights on inclusion expand on Sen and Dreze’s notion of human freedom and capabilities: “with provisions of infrastructure and essential services, education and health in particular, and with security of tenure in their land and other productive resources, such as common forests, there is no reason why there should not be a process of inclusion that is also developmental, in the sense that the outcome of inclusion is a superior state of well-being”.²¹ More specifically, Alex Ekka, an Adivasis director of the Xavier Institute of Social Service, argues that Adivasis have to be given options “for sustainable or alternative development practices like organic farming, community based mini hydro and thermal power generation, herbal and traditional medical practices for health care, and weavers’ cooperatives in the cottage industry sector”.²²

In lieu of such injustices and land-dispossession, peoples’ movements such as *Narmada Bachao Andolan* call for “a democratic eco-socialistic economy with decentralized planning”, and a dispersed and participatory decision-making process that focuses on decentralized “rural area-based small-scale industrialization, where there would be a need-based production by masses, not greed-based ‘mass production’ as in capitalism”.²³ The *Chipko Movement* ‘demanded agro- and forest produce-based industry, and replacement of the Forest Department with cooperatives of local people, village councils and forest councils’.²⁴ The *Niyamgiri Movement* advocates “tribal rights over livelihood

¹⁹ Mullick, ‘The Land the People and the Law In Jharkhand,’ 54-55.

²⁰ Jean Dreze and Amartya Sen, *An Uncertain Glory: India and its Contradictions* (London : Penguin Books 2014), ix-xi.

²¹ Dev Nathan and Virginius Xaxa, Ed., *Social Exclusion and Adverse Inclusion: Development and Deprivation of Adivasis in India* (New Delhi: Oxford University Press, 2012), 5; Mullick, ‘The Land the People and the Law In Jharkhand,’ 54.

²² Alex Ekka, *Jharkhand: Status of Adivasi/Indigenous Peoples Land Series-4* (Delhi: Aakar Books, 2011), 112; Mullick, ‘The Land the People and the Law In Jharkhand,’ 58.

²³ Subhash Sharma, ‘Why People Protest: An Analysis of Ecological Movements’ Publication Divisions, Ministry of Information and Broadcasting, Government of India, New Delhi, 2009:194-5; Mullick, ‘The Land the People and the Law In Jharkhand,’ 56.

²⁴ Subhash Sharma, ‘Why People Protest: An Analysis of Ecological Movements’ Publication Divisions, Ministry of Information and Broadcasting, Government of India, New Delhi, 2009:194-5; Mullick, ‘The Land the People and the Law In Jharkhand,’ 56.

resources and indigenous culture and strongly opposes mining”, emphasizing a “sustainable way of life in symbiosis with nature”.²⁵

First and foremost, social justice demands that government policies on development be severed from the historical paradigm that Pope Francis denounces. This paradigm regards the indigenous homeland as “an inexhaustible source of supplies for other countries without concern for its inhabitants” and proposes “neo-extractivism and pressure exerted by business interests that want to lay hands on its petroleum, gas, wood, gold, and other forms of agro-industrial mono-cultivation”.²⁶

Fratelli Tutti (FT) offers a critique of neoliberalism for “simply reproducing itself by resorting to the magic theories of spillover or trickle as the only solutions to societal problems”, with “little appreciation of the fact that the alleged spillover does not resolve the inequality that gives rise to new forms of violence threatening the fabric of society”. It calls for proactive policymaking directed at “promoting an economy that favours productive diversity and business creativity”. And it cautions that “in addition to recovering a sound political life that is not subject to the dictates of finance, we must put human dignity back at the centre and on that pillar build the alternative social structures we need” (FT 168).

FT unequivocally advocates that “indigenous peoples are not opposed to progress, yet theirs is a different notion of progress, often more humanistic than the modern culture of developed peoples. Theirs is not a culture meant to benefit the powerful, those driven to create for themselves a kind of earthly paradise” (FT 220). Reinforcing this message, Dr. Ambedkar states: ‘it is through enlightened developmental policies that we can resolve such dilemmas. One pre-condition for the success of developmental projects in our extensive tribal areas is that we should take into confidence the tribals and their representatives, explain the benefits of the projects to them, and consult them in regard to the protection of their livelihood and their unique cultures. When they have to be displaced, resettlement schemes should be discussed with them and implemented with sincerity’.²⁷

At the same time, FT reiterates that “development must not aim at the amassing of wealth by a few, but must ensure human rights – personal and social, economic and political, including the rights of nations and of peoples” (FT 122). The global commons and common good of the dispossessed dictate that “the right of some to free enterprise or market freedom cannot supersede the rights of peoples and the dignity of the poor, or, for that matter, respect for the natural environment, for if we make something our own, it is only to administer it for the good of all” (FT 122). The principle of the common use of created goods dictates “a natural and inherent right that takes priority over

²⁵ Mullick, S.B., ‘The Land the People and the Law In Jharkhand,’ 56.

²⁶ Address of the Holy Father, Apostolic Journey of His Holiness Pope Francis To Chile And Peru (15-22 January), at http://www.vatican.va/content/francesco/en/speeches/2018/january/documents/papa-francesco_20180119_peru-puertomaldonado-popoliamazzonia.html, accessed 8 January, 2020.

²⁷ Ministry of External Affairs. mea.gov.in cited in Mullick, ‘The Land the People and the Law In Jharkhand,’ 55.

others. All other rights having to do with the goods necessary for the integral fulfilment of persons, including that of private property or any other type of property, should – in the words of Saint Paul VI – ‘in no way hinder [this right], but should actively facilitate its implementation’ (FT120).

According to this vision, development plans for Adivasis, initiated by the government, need to be inspired by solidarity (not tactics of divide and rule). This means “thinking and acting in terms of community. It means that the lives of all are prior to the appropriation of goods by a few. It also means combatting the structural causes of poverty, inequality, the lack of work, land and housing, the denial of social and labour rights. It means confronting the destructive effects of the empire of money” (FT116). At the same time, solidarity has to be infused with solidity that is “born of the consciousness that we are responsible for the fragility of others as we strive to build a common future” (FT 115). Only in solidarity and solidity can development “be clearly directed to the development of others and to eliminating poverty, especially through the creation of diversified work opportunities” (FT 123).

More particularly, solidarity and solidity enjoins development policies for indigenous communities to be inspired by the common good of the dispossessed as expressed by the term *agathosyne* in Greek. This word “expresses attachment to the good, pursuit of the good [...] a striving for excellence and what is best for others, their growth in maturity and health, the cultivation of values and not simply material wellbeing”. We might also add the Latin term *benevolentia*, a virtue that “wills the good of others, a yearning for goodness, an inclination towards all that is fine and excellent, a desire to fill the lives of others with what is beautiful, sublime and edifying” (FT 112).

Finally, as expressed in the joint document *Human Fraternity*, the principles of solidarity and solidity enjoin governments to honour “the concept of *citizenship* based on the equality of rights and duties, under which all enjoy justice [and] full citizenship, and reject the discriminatory use of the term *minorities* which engenders feelings of isolation and inferiority, hostility and discord [...] this takes away the religious and civil rights of some citizens who are thus discriminated against”.²⁸ Government policies need to be imbued with the spirit of neighborliness of the Good Samaritan, who embraced “the bruised and abandoned person on the roadside” whom he did not regard as “a distraction, an interruption from all that”, or as someone “hardly important, a “nobody”, undistinguished, irrelevant to their plans for the future” (FT 100).

With this context, my third section will examine how issues of social identity, culture, livelihood, and food security can be examined through a study of land reform.

²⁸ Pope Francis & Ahmad Al-Tayyeb, ‘Human Fraternity For World Peace And Living Together,’ Apostolic Journey of His Holiness Pope Francis To The United Arab Emirates, 3-5 February, 2019, at http://www.vatican.va/content/francesco/en/travels/2019/outside/documents/papa-francesco_20190204_documento-fratellanza-umana.html, accessed 10 February, 2019.

3. Land Reform: Enhancement of Social Identity, Culture, Livelihood and Food Security

Land reform that enhances indigenous communities depends first and foremost on a change in perspective. Land for most nation-states has been primarily (mis)-perceived as *terra nullius*. This idea has been discredited.²⁹ Land reform therefore constitutes a commitment on the part of government to enact laws and to enforce the implementation of policies of land reform that put right the present injustices exacerbated by centuries of dispossession and marginalization.

Land reform, as Frank Brennan suggests, needs to facilitate the acquisition of native titles rights and self-determination:

Indigenous peoples without land rights and without a modicum of self-determination are denied the place and opportunity to maintain themselves with a distinctive cultural identity in a post-colonial, globalised world. Indigenous peoples with land rights and a modicum of self-determination are individuals and societies with an enhanced choice about how to participate in the life of the nation state and the global economy, while being guaranteed the place and opportunity to maintain their cultural and religious identity with some protection from state interference and from involuntary assimilation into the predominant postcolonial society.³⁰

In lieu of the native titles rights to land, the Adivasis of Jharkhand forced the British to enact the *Chotanagpur Tenancy Act (CNTA)* of 1908. This “provided not only for the creation and maintenance of land records, that also ensured that land comes under a special tenure category of *Mundari khuntkattidars* (considered to be the original settlers of the land among Mundas) and restricted the transfer of tribal land to non-tribals”.³¹ More importantly, “the CNTA provided for the recording of various customary community rights in land and other resources, such as the right to take produce and to graze cattle, as well as the right to reclaim wastes or convert land into *korkar*”.³² However land reform during zamindar abolition altered the tenure system in Jharkhand. The Bihar Land Reforms (BLR) Act of 1950 “provided for the vesting in the state of all lands, estates and interests (other than raiyati lands), abolishing all intermediate tenures, and the transfer of all land recorded in the names of zamindars and other tenure-holders to the state”.³³ The 1954 amendment

²⁹ See Footnote 55. [1975] ICI 12, 39, in Frank Brennan, ‘Confessions of an Erstwhile Land Rights Advocate’, 23, at <http://classic.austlii.edu.au/au/journals/NewcLawRw/2008/2.pdf>, accessed January 18, 2021.

³⁰ Brennan, ‘Confessions of an Erstwhile Land Rights Advocate,’ 28.

³¹ Carol Upadhya, ‘Community Rights in Land in Jharkhand,’ at file:///Users/jojodear3054/Desktop/2019/TALKS%202021/Carol-Community_rights.pdf, accessed 24 January, 2021.

³² ‘Korkar’ refers to upland, jungle or wasteland that is converted into don or rice land by terracing or embanking, but in legal parlance it refers to any land reclaimed by raiyats of a village who are not khuntkattidars. The CNTA provides for the right of every cultivator or landless labourer resident in a village or contiguous village to convert land into korkar with prior permission of the DC. See Upadhya, ‘Community Rights in Land in Jharkhand,’ 4435.

³³ Upadhya, ‘Community Rights in Land in Jharkhand,’ 4436; Malhotra, V and R Ranjan (2002), *Commentaries on Bihar Land Reforms Act, 1950* (Patna: Malhotra Books, Patna 2002), 7.

to this act ensured that *bhuinhari* and *mundari khuntkattidari* tenancies were exempted, resulting in only two categories: the *mundari khuntkatti* and “vested” (*raiyati*) land tenure.

Subsequently the *Chotanagpur Landlord, and Tenants Procedure Act* of 1879, and then the *Commutation Act* of 1897 were enacted to “supersede and consolidate the Acts in force, to improve and amplify the procedure, and to improve and complete the substantive law by embodying in it certain provisions of the Bengal Tenancy Act, 1885, including some additional provisions” which affirmed “local customary rights and usages”, and extended legal rights to land and its produce for the first time to women.³⁴ The *Bihar Scheduled Areas Regulation* of 1969 was adopted to amend Section 71 of the CNT Act of 1908 and Section 20 of the SPT Act of 1949, aimed at initiating a process of “restoration of land belonging to the members of the Scheduled Tribes that has been unlawfully ceded by fraudulent means transferred to members of other communities and castes within the period of last thirty years from the date of the said amendments”.³⁵

In the same period, the *Forest Rights* movement and the *Anti-CNT and SPT Acts Smendment* movements managed to ensure that the state process continued to respond positively to the demand of the people for their rights to forest, land, and participation in decision making with the legislative approval of three radical legislations: the 73rd and 74th Amendment of the Constitution 1992; Provision of Panchyat Extension in Scheduled Areas Act 1996, and Scheduled Tribes and Other Traditional Forest Dwellers (Forest Rights) Act 2006, which was amended in 2012. Moreover, ‘The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (also Land Acquisition Act, 2013)’ was passed to replace the colonial Land Acquisition Act of 1894.³⁶

Land reform needs to ensure land security that honours the communal, relational, religiocultural, and political meaning of indigenous homeland:

The land belonged to the lineage or in some cases to the village community. That was the time people cleared the forest, settled villages, and prepared cultivable fields in cooperation with one another. Families were the usufructs of the land, not the owners. Land was considered to be a part of Mother Nature that demanded regular propitiation of the guardian spirits. Swidden and settled agriculture gave rise to a distinct cultural life along with the spiritual significance of land. New settlements developed a political system of decision-making on the basis of consensus about the usage and management of land.³⁷

³⁴ Mullick, ‘The Land the People and the Law In Jharkhand,’ 26.

³⁵ Mullick, ‘The Land the People and the Law In Jharkhand,’ 35.

³⁶ Mullick, ‘The Land the People and the Law In Jharkhand,’ 57-58.

³⁷ Mullick, ‘The Land the People and the Law In Jharkhand,’ 13.

Land is the space for the full flourishing of the ancient heritage of indigenous cultures. FT points to an “art and culture of encounter” with indigenous peoples and encourages us all to be “passionate about meeting others, seeking points of contact, building bridges, planning a project that includes everyone. This becomes an aspiration and a style of life” (FT 215, 216). This aims at building a polyhedral society in an open world symbolized as “a many-faceted polyhedron whose different sides form a variegated unity, where the whole is greater than the part”.³⁸

This is a society where differences coexist, complementing, enriching and reciprocally illuminating one another, even amid disagreements and reservations. Each of us can learn something from others. No one is useless and no one is expendable. This also means finding ways to include those on the peripheries of life. For they have another way of looking at things; they see aspects of reality that are invisible to the centres of power where weighty decisions are made. (FT 215)

Correspondingly, a polyhedral society will reject “a false openness to the universal, born of the shallowness of those lacking insight into the genius of their native land or harbouring unresolved resentment towards their own people” (FT 120). What is called for is the constant need “to broaden our horizons and see the greater good which will benefit us all” through “sinking our roots deeper into the fertile soil and history of our native place, which is a gift of God that beings on a small scale, in our own neighbourhood, but with a larger perspective [...] The global need not stifle, nor the particular prove barren” (FT 120). By contrast, “intolerance and lack of respect for indigenous popular cultures is a form of violence grounded in a cold and judgmental way of viewing them. No authentic, profound and enduring change is possible unless it starts from the different cultures, particularly those of the poor” (FT 120).

Therefore, land reform has to “begin by creating institutional expressions of respect, recognition and dialogue with native peoples, acknowledging and recovering their native cultures, languages, traditions, rights and spirituality” for “recognition and dialogue will be the best way to transform relationships whose history is marked by exclusion and discrimination”.³⁹ Indigenous peoples must be regarded as “principal dialogue partners, especially when large projects affecting their land are proposed”.⁴⁰ Only dialogue engenders the “need to respect the rights of peoples and cultures, and to appreciate that the development of a social group presupposes an historical process which takes place within a cultural context and demands the constant and active involvement of local people *from within their proper culture*” (FT 144).

³⁸ Apostolic Exhortation *Evangelii Gaudium* (24 November 2013), 237: AAS 105 (2013), 1116.

³⁹ Address of the Holy Father, Apostolic Journey of His Holiness Pope Francis To Chile And Peru (15-22 January).

⁴⁰ Address of the Holy Father, Apostolic Journey of His Holiness Pope Francis To Chile And Peru (15-22 January).

Furthermore, land reform needs to promote the flourishing of indigenous social identity. In Asia, a Filipino Jesuit anthropologist of Ateneo de Manila University, Dr. Albert Alejo, draws attention to what he advocates as indigenous “strategic identity assertions”:

We need to allow the unfolding of the many selves in the indigenous people’s self-determination, and this could point the way to the corresponding multiple ways that local, national, sectoral, and global actors can engage in conflict or solidarity with these strategic identity assertions. Solidarity work, then, should and could be diversified, strategized and aligned – but not necessarily simplified – in response to the evolving multiple identities which globalization paradoxically both endangers and engenders.⁴¹

The failure to recognize indigenous strategic identities, Alejo argues, results in the emergence of “a complex juxtaposition of frustration and despair expressed in the eruption of spontaneous acts of tribal defiance with sympathetic external elements providing resources, organization, and knowledge of the outside system”.⁴² The eruption of defiance is in opposition to the concerted efforts of the expressed solidarity of the Church, other cause-oriented organizations, and tribal support networks, which can be perceived as serving “as agents of colonization, control, and normalization deployed by the state, hiding behind an image of compassion and legitimized by a discourse of development”.⁴³

Women-led movements like *Chipko*, *Narmada Bachao andolan*, *POSCO Pratirod andolan*, *Niyamgiri pahar bachao andolan* and in recent times the *anti-Koel-Karo* movement in Jharkhand have enhanced the gendered strategic identities of Adivasis women.⁴⁴ They ensure that Adivasi women continue to gain more grounds in the clan exogamy and patrilineal inheritance of cultivable land through “communal ownership of means of production, and dependence on forest as livelihood resources, which was largely the domain of women”, as well as surplus production that has provided women with more opportunities to engage in agriculture and thus gain a foothold in the male-dominated economic structure.⁴⁵

Ultimately, land reform needs to work within a political framework known as the *Radical Ecological Democracy* or RED, which is “a framework of social, political and economic arrangements in which all citizens have the right and full opportunity to participate in decisions impacting their lives; and where such decision making is based on the twin principles of ecological sustainability and human equity”.⁴⁶ The realization of this political framework depends on a political charity that “is also

⁴¹ Albert E. Alejo, ‘Strategic identity: Bridging self-determination and solidarity among the indigenous peoples of Mindanao, the Philippines,’ Thesis Eleven, 2018, 145(1), 38–57, here 50.

⁴² Alejo, “Strategic identity,” 50.

⁴³ A. Contreras, ‘The discourse and politics of resistance in the Philippine uplands’ in *Kasarinlan: A Philippine Quarterly of Third World Studies* 7, 4 (1992): 34–50, here 50; Alejo, “Strategic identity,” 50.

⁴⁴ Mullick, ‘The Land the People and the Law In Jharkhand,’ 107.

⁴⁵ Mullick, ‘The Land the People and the Law In Jharkhand,’ 104.

⁴⁶ Aseem Shrivastava and Ashish Kothari, *Charming the Earth: The Making of global India* (New Delhi: Viking, New Delhi, 2012), 256; Mullick, ‘The Land the People and the Law In Jharkhand,’ 59.

expressed in a spirit of openness to everyone. Through sacrifice and patience, they can help to create a beautiful polyhedral reality in which everyone has a place [whence] something else is required: an exchange of gifts for the common good” (FT 190).

Conclusion

The idea of “the politics of land” can be understood as a territorial resource contestation, with interlocking complexities, within the ancestral homeland of the indigenous peoples of Asia. Examining territorial contestation via an ethic framework, we can see that federal and local encroachment of land with its resultant dispossession, displacement, and destruction of indigenous livelihood and outmigration, is a wanton violation of the dignity and inherent value of the ancestral land and all the resources contained therein. Social justice and popular outcry for total well-being have to guide government policy. Development and land reform needs to draw inspiration from the idea of a “polyhedral” society and effectively promote the strategic identities of the indigenous communities through RED (*Radical Ecological Democracy*). In this way, governments may respond more justly to the popular demands of the indigenous movements for the eventual restoration of their territorial integrity, for food security, and for the flourishing of the indigenous religio-cultural wisdom, social identities and spiritualities that uphold the sacredness of their homeland in Asia and in our common home.