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Resisting Subjugation: Law and Power Amongst the Santal of India and Bangladesh, 2002-2004

USER GUIDE
INTRODUCTION

Why do the most underprivileged consistently find themselves in positions of subordination despite the efforts of law and policy to ameliorate their situation? This question provides an underlying frustration for any academic or activist working in the fields of human rights and social justice. These frustrations can translate into conclusions that the subjugated are failing to help themselves, are beyond help or inert with no inherent capacity for resistance. Studies of subaltern resistance such as the Subaltern Studies Series\(^1\) and James Scott’s work in Malaysia\(^2\) have helped to promote a different picture of a fighting, conscious subordinate.\(^3\) But this leaves us back at the start: why, where there are laws in place to assist and an inherent will to resist, do poverty, inequality and injustice persist?

I attended the annual session of the UN Human Rights Commission in 1997 when the Draft UN Declaration on the Rights of Indigenous People was in its 3\(^{rd}\) year of consideration before the Commission. The governments that had accepted to negotiate on it were seeking to soften its language to avoid costly obligations towards well-organised indigenous and tribal peoples. Some countries took advantage of the draft Declaration’s aim of ‘self-determination of indigenous people’ to intimate that the draft Declaration did not apply to them as

\(^{1}\) Guha eds 1982-

\(^{2}\) Scott 1985

\(^{3}\) I use the noun ‘subordinate’, but this should be read to mean ‘one who has been constructed as subordinate’ – ie. one who is ‘subordinated’.
governments since they represented the victory of self-determination from their Colonial rulers. The resultant exclusion of some indigenous people from the benefits of the draft Declaration was mirrored on another level.

The Draft Declaration had been drafted by representatives of indigenous people and was unquestioned as an authentic expression of the their wishes and concerns. In fact it reflected the agenda of organisations predominantly from Latin America, Canada and Australia. Indigenous people from the continents of Africa and Asia had little representation and it seemed to me that the draft Declaration did little to address the different priorities of indigenous people in these continents. The exclusion of adivasis from the debate was not only a problem of representation but was symptomatic of their unprivileged position in the international tribal rights movement and in the state. I felt there was a need to examine the question of adivasi rights in its socio-political as well as legal context, to understand the forces behind their exclusion.

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4 E.g. Report of the Working Group established in Accordance with Commission on Human Rights resolution 1995/32, E/CN.4/1997/102 para 52 – Bangladesh. Bangladesh also made a statement to the 13th session of the WG on IPs that IP excluded certain groups ‘principally in the hill tracts of the south-east’ from being ‘indigenous’. Furthermore they stated: “The distinctiveness of the latter groups…does not give them an indigenous status vis-a-vis the rest of the nation, who…are very much indigenous to the land, indeed more indigenous….: (cited in Thornberry 1998:60).

5 The Chakma of the Chittagong Hill Tracts in Bangladesh were one of the few exceptions.

6 Adivasi means original inhabitant and is commonly used to refer to tribal people in India (Hawkins R.E., Common Indian Words in English, OUP, New Delhi, 1984). I use the terms adivasi and tribe interchangeably.
I chose to examine the position of the Santal tribe, the largest tribe in East India and second largest in Bangladesh. The Santal have little political representation in either country and their economic and social position remains weak despite over a century of legislation to reduce exploitation of adivasis. Bangladesh and India provided two contrasting contexts for my study of the Santal. Although the countries were part of British India until 1947, attitudes towards adivasis in the two countries post 1947 and legal protection given to them, has differed greatly: while India has extensive rights for Scheduled Tribes, Bangladesh does not even recognise adivasis in the Constitution. I wanted to use the different contexts to help identify how legal protection impacts on the status and socio-economic position of the tribe, and to understand what other factors are at work. In fact I found that although there was greater insecurity in Bangladesh, the village Santal in both countries were in a similar position of poverty and dis-empowerment.

This meant that there were underlying structures in both countries that perpetuated the Santal’s underprivileged position in spite of legislative attempts to assist them. I began to look at how laws, rules and codes provided fluid boundaries to the Santal’s behaviour and the behaviour of those benefiting from their subordination. Within these boundaries I discovered a constant struggle between the Santal, resisting their subordination, and those seeking to control and dominate them. Studies of power and resistance helped me to analyse the forces that affect the Santal’s ability to resist subordination. I also found that it was not sufficient to look only at the relationship between the Santal and the state. The same forces that worked to maintain inequality between the Santal and non-adivasis in the state also existed within the tribe, creating privilege and
subordination between members of the tribe and within the family. These three sites of struggle (state, village community and family) each hosted common patterns of power relations and struggles of resistance.

In studying these forces of power and resistance amongst the Santal my aim was to provide a different way of approaching the question of tribal rights, to highlight the need to move away from assessing tribal rights as a study of rights claimed and problems of access,\(^7\) to see how the narratives of ‘power’ and ‘resistance’ could bring us into a new understanding of the problematic of tribal rights. From this new problematic we may look towards what Fitzpatrick identified in Foucault’s work as “a new form of right with which to resist disciplinary power” (1988:185). Formulating such a right has been beyond the scope of the present study but I have laid the foundations for this by identifying the way in which the forces inherent in power relations perpetuate inequality and affect the subordinate’s ability to resist.

**Research Methodology**

My research situates the Santal’s actions in the historico-geographical context of colonialism, partition and migration, the socio-political and ethnomethodological context of legal pluralism, and the ethnographic context of village life. My aim

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\(^7\) Work on access to justice is concerned with people’s ability to ‘access’ the judicial system to get certain protections. But the concern with access to justice – which usually focuses on education, ability to meet financial costs etc – often fails to take into consideration the inherent complications in using law to address inequalities and injustices which power structures permit and perpetuate.
has been to theorise resistance as a totality\(^8\) taking assistance from a variety of theoretical and methodological disciplines to assist me.

*Data Collection*

I used anthropological and sociological methodologies to formulate methods of data collection and analysis. Whereas a traditional anthropological or ethnographic study would have involved a long period of stay in one village with greater emphasis on studying Santal society and customs, this is a rapid ethnographic study based on shorter periods in several villages gathering data on experiences, perceptions and patterns of interaction. I used the fieldtrips to give me a variety of contexts in which to consider differences in patterns of resistance. The different contexts (India/Bangladesh, minority/majority Santal area, mixed/homogenous village etc.) gave me a more nuanced insight into the life of the Santal.\(^9\) Because of this my work has less thick description than a traditional anthropological study but rather uses a combination of data collected through interviews, focus groups and participant observation triangulated with primary and secondary materials, as a basis for analysis.

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\(^8\) Fraser and Honneth use this term to describe their work together which connects moral philosophy, social theory and political analysis in a critical theory of capitalist society (2003:4).

\(^9\) My sample was too small to generalise on the effect of each context. But where there were patterns in the data I have discussed these in my analysis.
I carried out my data collection during fieldtrips lasting a total of 9 months over 2 years.\textsuperscript{10} During my principal trip I stayed in four villages, spending one month on gathering data from each village (this included initial visits to gain access and permission to stay and then living in the villages for 2-4 weeks). In addition I spent four weeks visiting the state courts, carrying out unstructured interviews and looking through case files. Details of data collection on each trip are produced in Table 1.

\textbf{Table 1: Methodologies Used During Fieldtrips}

<table>
<thead>
<tr>
<th>Fieldtrips</th>
<th>Methodology</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary</td>
<td>UI</td>
<td>With academics, activists, lawyers and government officials.</td>
</tr>
<tr>
<td></td>
<td>CSM</td>
<td>From libraries and specialist book stores.</td>
</tr>
<tr>
<td></td>
<td>CPM</td>
<td>From government departments.</td>
</tr>
<tr>
<td>Pilot</td>
<td>SI</td>
<td>Ten pilot interviews with Santal villagers.</td>
</tr>
<tr>
<td></td>
<td>UI</td>
<td>With possible gatekeepers.</td>
</tr>
<tr>
<td>Principal</td>
<td>PO</td>
<td>Living in four villages.</td>
</tr>
<tr>
<td></td>
<td>SSI</td>
<td>With village Santal who had had cases in the state court, judges, clerks and lawyers.</td>
</tr>
<tr>
<td></td>
<td>SI\textsuperscript{11}</td>
<td>48 in total with villagers;\textsuperscript{12}</td>
</tr>
</tbody>
</table>

\textsuperscript{10} Preliminary: two months (Bangladesh January 2002, India February 2002); Pilot: one month (September 2002); Principal: five months (Bangladesh mid-October 2002 to January 2003, India mid-January to April 2003); Post-principal: one month (December 2003).

\textsuperscript{11} See questionnaire (Appendix A).
Interview with Manjhi of each village.

UI
With local government agents.

FG\textsuperscript{13}
With women (one focus group in each village).

CPM
Cases from courts;
Profile of village, details of HH, map of family assets, plan of village.

Post-Principal
CSM/
CPM
Additional information on tribe. Census and other materials for writing up.

Although this is not a study in legal anthropology my methodology includes examination of disputes and cases. Disputes form a crisis point in a relationship and reveal tensions and manifestations of resistance. Examining resolution of disputes, can reveal the social imperative behind the reasoning of the case and the power struggles which form the context for the dispute. As such studying disputes and dispute resolution proved a valuable tool for this study of resistance.

\textsuperscript{12} Equal numbers of men and women, under 40s and over 40s, in positions of privilege and subordination in the village.

\textsuperscript{13} These consisted of an informal voluntary gathering of 10-20 women from the village in a neutral place in the village with no men except my assistant present. I asked questions about their lives as women and recorded the answers.
Access

Gaining access to the villages was often complicated. I wanted to avoid any perception that I was directly connected with NGOs, politicians or others whose agendas may have affected my work in the village – any of these identities would have affected the way I was perceived and how villagers answered my questions. I often used snowballing techniques to get access to a village through someone unconnected with any significant political agenda. For example a relative in Rajshahi university introduced me to a Santali student\textsuperscript{14} who gave me access to my first village where he and his family lived. In another village I got an introduction through the brother of an employee of an NGO working in another district. I generally kept several options open for accessing the village until I had made a choice so that I would not have to rely on any single gatekeeper but could choose the introduction that allowed me maximum independence.

Inevitably the nature of my introduction will have had an impact on how I was viewed in the villages, and even where I seemed to have no connections to authority – such as Dhanban where I was introduced through a Santal from Thakurban and an adivasi village NGO worker who had relatives in a neighbouring Orao village – some would nevertheless have suspicions about why I had come and who I was working for. I tried to minimise any suspicions by talking openly about my research and by participating in village life in a way which distinguished me from NGO workers, missionaries, government agents, local politicians and other researchers. I participated in household chores, collecting water, preparing meals etc. and slept on the floor, eating with the

\textsuperscript{14} Students can be very politically active, but in this case he was not.
family and avoiding any changes to their daily routines. I maintained little contact with those outside the village and apart from a compulsory visit to the thana police or Union Chairman to give notice of my stay in the village I kept away from government officials during my stay.  

Language

Language was an important factor in carrying out the research. I am half Bengali and took private tuition in my first year to improve my Bengali vocabulary and grammar. This allowed me to communicate with NGO workers and activists and many of the Santal villagers. In each village I chose an assistant who could speak Bengali to assist me in my work. During the second year of the PhD I also taught myself Santali. Once I was in my first village I was able to build on my knowledge and use of the language. My Santali was good enough to conduct the

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15 I had to take some precautions for my safety because the villages were remote and I was a female and an outsider. There were also political groups working in some of the areas who would have seen my presence as a threat – such as the Naxalite movement in Santal Parganas. I generally made sure I could access a phone once a week to confirm with a relative or friend that I was safe.

16 In Bangladesh most men and some women spoke Bengali. In India older men and women spoke some Bengali and some younger men and women who had worked in West Bengal also spoke the language well.

17 I took a young male assistant in each village who had at least some secondary education and was not connected to anyone holding a position of authority in the village. My assistant helped me to record information about the village and its inhabitants and helped me with interviews. Some assistants also introduced me to Santals in neighbouring villages who had had contact with the government or had been involved in court cases.
questionnaire in Santali\textsuperscript{18} and understand the responses, although I used my assistant to clarify responses and discuss the meaning of ambiguous responses where I was uncertain.

\textit{Key Informants}

Although I did not have a key informant in each village there are a few people who are mentioned frequently in my analysis. Luke, my assistant in Thakurban, Sapha, a very elderly and senior Santal man who had been a member of the Union Parishad, and Suphol, an elderly man I lived with in Thakurban who had some land and had many disputes with dikus. They and others like Mary, had much experience of the SLO and I spoke with them at length during my trip.

\textit{Other Input}

I was invited at various stages of the research to give seminars and lectures on my research,\textsuperscript{19} which gave me the opportunity to make contact with a variety of people working in my subject area and to focus my findings and get feedback from academics and activists working in the area of tribal rights, South Asian studies and anthropology.

\textsuperscript{18} Initially I conducted the interviews in Bengali and my assistant translated. Once I felt he had a good understanding of the information I was trying to obtain he helped me to translate my questionnaire into Santali.

Sites of Struggles

Physical Sites

In the villages I received a different reception in the two countries. In Bangladesh the Santal were on the whole curious and welcoming. Being used to European NGO staff, missionaries and health workers who came to offer them assistance they were less suspicious of me and more willing to befriend me. In the Santal Parganas, India, very few outsiders came to the villages where I stayed to help people, the villagers were more cautious, and the environment more politically charged.20 This meant that I had to work harder to gain their trust.

Village Profiles:21

**Thakurban**22

Thakurban is in Gadagari thana fifty kilometres from Rajshahi town in northwest Bangladesh. The village was established shortly after the turn of the 20th century when many Santal migrated from the Santal Parganas to clear forest land for cultivation. It is a majority Santal village, with a number of Paharia23 families in the village who seemed to cohabit without any tension. The surrounding villages are all adivasi and mostly Santal villages. The land on which the village was built

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20 In both countries I was staying in the villages close to the time of local elections so there were candidates passing through.

21 I have given the villages different names. Detailed information about the villages is provided in Appendix A.

22 Post Dampura Hat, Deopara Union.

23 The Paharia are one of the poorest and numerically smallest of the adivasis in north-west Bangladesh.
is a mixture of government land, missionary land and land owned by villagers. The area is immensely fertile and although only a few villagers still own their own land they all find work in the area as cultivators (day-labourers, or if they have access to a bull and plough, sharecroppers). The majority of people in the village are Christians and the village has a small church with a Paharia priest from the village and a Santal assistant. It also has a primary school run by an NGO with two women teachers from the village (one a Paharia and one a Santal).

*Dhanban*\(^\text{24}\)

The second village I stayed in is in the same district of Rajshahi in Naimatpur thana, sixty two kilometres from Noagaon town. Unlike Thakurban, Dhanban was, according to the villagers, established in the mid 20\(^{\text{th}}\) century in an area densely populated with Hindus, Muslims and other adivasis. The Santal here have little or no land and mostly work as day-labourers. The village is built on government land and has occasional two story houses owned by Muslims dividing the smaller Santal ones. Exceptionally, the village has a Parganait – one of the highest officials in the Santal village hierarchy – who oversees all the Santal villages of the area. There is a primary and a secondary school very near the village, though these are unaffordable for most and only a few of the Santal children attend. Because of the heterogeneous nature of the area there are always Muslims and other non-Santal in the village. The village has a Santal priest and about five Christian families. Dhanban – unlike Thakurban which is only 1 km from a road with a bus into town – is not well connected to the town. The nearest road is a 2.5 km walk through villages and across paddy fields. From there only

\(^{24}\) Rasulpur Union, Noagaon.
hand pulled carts (called ‘vans’) and rickshaws take you to other nearby towns. The nearest motor transport is 6.5 km away.

**Pahara**

In India the first village I stayed in was Pahara, in Poriya Hat thana, 28 km from Godda town. Situated in an inhospitable area of dry plains land far from the nearest road or transport link, punctuated with cobra and scorpion ridden hills on the Dumka-Godda border, the village offers little local work for the villagers. Many migrate seasonally to West Bengal, Orissa and elsewhere to work as cultivators or unskilled labourers. The area is frequently troubled by malaria and many families have lost children and parents. There were three men in the village who had studied to degree level but none had found jobs. The village has a government school which some children from the village attend. The village and area are, almost completely Santali. The villagers are very politically aware and it was the only village where my presence was challenged in any threatening way. There is no NGO or missionary presence in or near the village. The village land is owned by its occupants.

**Madhura**

My last village was Madhura, in Madhupur thana thirty kilometres by train and sixty two by car from Deoghar town. There are more skilled workers there, many of whom migrate frequently for work. The area is mixed and the village itself has Muslim and Hindu households. The village is built on land owned by its occupants.

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26 Post Jogdeshpur, District Deoghar, Santal Parganas, Jharkhand.
inhabitants. The Pradhan (land revenue collector) of the area is a Santal. The village is situated near to a large fee paying NGO school. The NGO provides jobs for a few villagers and has built a small irrigation system in one part of the village to irrigate one area, which stands out lush green in the sandy desert landscape of the area. There is also a government school in the area, but I was told the teacher rarely works.

**Theoretical Sites**

My study of power and resistance takes place not only in these physical sites of the villages where I stayed but also in three theoretical spaces where relations of power and resistance occur, which I call the Legal Orders (LOs) of the family, village and state. I describe these in detail in Part 2 of the thesis. As I mentioned above my initial concern when starting the research was that I uncover the forces that sustain inequality, from the experiences of the people. Initially my focus was on inequality as it occurs at the level of the state, but my preoccupation with uncovering the forces at work on the individual led me to look at how the village and family work as sites of power and resistance. I represent these in isolation to show how power works in each LO. Further research is needed on how disempowerment in one LO affects empowerment in another.

In my analysis of these physical spaces I have not been able to elaborate on the wider effect of NGOs and missionaries in the way power struggles are won and lost – although I do consider specific NGO interventions in the villages where I stayed. Undoubtedly local, national and international development and human rights organisations and donors affect the balance of power between the
subordinated and the elite at all three levels I discuss. In Bangladesh pro-poor NGO initiatives in rural areas (although not specifically in tribal areas) have had a significant influence on power struggles and in India NGOs have added considerably to intellectual and political debates over tribal rights. Their intervention means that global and transnational power struggles and debates link into micro struggles. This reinforces my conclusion that plural legal orders play a crucial role in resistance struggles, but I do not address its effect here.

**Shaping the Discourse**

*The Gender Dimension*

Women have, in the final analysis, played a fairly central role in my discussion of resistance and power relations. Their position of disadvantage within the family, village and state has made them important subjects for my analysis of power and resistance. When I carried out my research in the villages my focus was on the problems the tribe faced and the role of law in addressing them. It was only as I began to write-up that the women’s situation, which I made an effort to elaborate on in the text, took the prominence it now has in my thesis.

When I carried out my fieldtrips I had not yet formulated my LOs as a structure for analysing the problems of rights. At that time my main focus was on resistance to inequality in the village and in relation to the state. As such much of my material on the family has come from my daily journal and primary and secondary materials. Also it was very difficult in the villages to talk about women’s problems. Because I was an unknown visitor of unverifiable origin I had to be careful in building relations with the villagers and officials which would
not jeopardise my safety but at the same time would allow me free movement in the village and access to men and women. As a result it was difficult to talk in detail to women about their relations with their husbands, as there were always men nearby and the women perceived me first as an outsider and then as a woman. Women’s rights was likely to be an unpopular topic amongst the male adivasis, and as a woman I could easily be seen as taking their side, as an unfair umpire, unable to empathise with the men’s point of view. Because of this I left focus groups with the women until the second to last day of my stay in each village when I could broach controversial subjects without jeopardising the rest of my data collection.\(^{27}\) I also hoped that by this stage the male villagers would know me well enough to trust me to talk to the women alone, and the women to open up to me.

**Structuring the Debate**

I have separated my argument into three Parts. In Part 1 Chapter 1 I introduce the Santal in their historical and geographic context of India and Bangladesh. In Chapter 2 I discuss the theoretical foundations of my thesis, examining the current

\(^{27}\) In Pahara, my focus group session lead to a challenge by the Jog Manjhi to explain my presence in the village. He was a young assertive man and when I called the women for the focus group he appeared and sat cross-legged nearby watching. I said that I needed to speak to the women without any men present and it was only after several comments to this effect that he left the room, clearly unhappy. Later that night a messenger was sent to tell me that the village council wanted an explanation of why I was in the village. I had been very open about my research and chatted to villagers in detail about it so I presumed that the request was a result of my talking to the women alone. I assured the messenger that I would happily talk to them and they had nothing to fear from me. I did so the next day and they seemed satisfied, but I left the village that day.
discourse of power and resistance and showing how I intend to use this for my study. In Part 2 I introduce the LOs of the family, village and state. I identify power relations in each of these and examine the institutions and technologies that create and perpetuate relations of inequality and subordinate certain groups. In Part 3 I look at three possible forms of resistance (which relate to different forms of relations of domination) giving examples from my fieldwork: use of ‘Alternative LOs’ which allows an individual to challenge their disadvantage through recourse to another LO; Counter-Power which allows an individual to challenge inequality they face through the LO which perpetuates the inequality; and Non-Compliance which allows the subordinate to push back the forces of domination and limit it. In each case I introduce the form of resistance giving examples from my fieldwork of how it is performed, and examine in detail the forces inherent in power relations that restrict the individual’s use of this resistance.

I should mention a limitation to my research here. While I assert that each form of resistance impacts on the relation of domination to some degree (ALO challenges the dominator’s authority, counter-power forces an increase in the subordinate’s rights gained from the relationship and non-compliance limits the dominator’s ability to subjugate) my fieldwork does not permit me to evidence the impact of resistance in detail. This is because I had not formulated these categories of resistance before I carried out my fieldwork – they came from the findings. To have given evidence that using a form of resistance led to a given impact on the relationship would have meant testing out the resistance and
calculating its impact on the power relationship in light of other variables. My discussion for now, therefore, remains theoretical in this respect.

The layout of the chapters creates several false distinctions, which I should correct here briefly. I assess each LO separately and each avenue of resistance separately so as not to overcomplicate my analysis, but I do refer to their interrelationships at various points in the discussion. I also create a false distinction between ‘power’ discussed in Part 2 and ‘resistance’ discussed in Part 3 in order to draw out how each functions. However, as I explain in Chapter 2 power and resistance coincide in time and space, one cannot exist without the other. This becomes more apparent through my discussion of the effect of power on resistance in Part 3.
Map 1: Physical Sites of the Research

### Response Sheet

<table>
<thead>
<tr>
<th>Age/Sx/Cat.</th>
<th></th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Questionnaire No.</th>
<th></th>
</tr>
</thead>
</table>

### Consent

#### Country of interview:
- India
- Bangladesh

#### Village:
- 1
- 2

#### Sex of Respondent:
- male
- female

#### Age of Respondent:
- 30 – 45
- 46 +

#### Surname/Clan:

#### Occupation:

#### Land ownership:
- bigas
- enough to live off

#### Any position s/he holds in tribal society/ government:

#### Religion:
- Christian
- Hindu
- Santal

#### How many years of schooling:
- 0
- 1-3
- 1-5
- SSC
- HSC
- uni
- post

#### How often leave village:
- where to:
- purpose:

#### (Women only) village of birth: name:

#### distance from main town:
- bus connection
- tv/radio: santal /ors
- missionaries: in vill/close by

#### NGO presence:
- often/occas.
- visitors from town: ______ links with town: ______

#### How often do they go home?:

### RIGHTS

Q1
Q2

<table>
<thead>
<tr>
<th>Easy to answer</th>
<th>difficult</th>
<th>vague about response</th>
</tr>
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<tbody>
<tr>
<td>Q3a Y</td>
<td>N</td>
<td>DK</td>
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Q3 b

<table>
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<tr>
<th>Confidently</th>
<th>unsure</th>
<th>vague</th>
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<tr>
<td>Q4</td>
<td></td>
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</tbody>
</table>

Q5 Y | N | DK

Q5 b

Q6a Y | N | DK

Q6 b

Q7 Y | N | DK

Q7 b

Do they get them?

**DISPUTE RESOLUTION**

Q8a

Q8b

Q9
<table>
<thead>
<tr>
<th>Q10a</th>
<th>Y</th>
<th>N</th>
<th>DK</th>
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<tbody>
<tr>
<td>Q10b</td>
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| Q11  |   |   |    |

| Q12  |   |   |    |

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<tr>
<td>Q14</td>
<td>Y</td>
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| Q15  |   |   |    |

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</table>
Q17b/

Q18 Y N DK

Q19 Y N DK

Q19y

EDUCATION

Q20a Y N DK

Q20b

Q20b i

Q20b ii Y N DK

Q21

Q22 Y N DK

Q22b

Q23

Q24

Q25
Q26  Y  N  DK

b/ Details of case:

Q27

Q28  Y  N  DK

Q29

Q30  Y  N  DK

Q30 b  Y  N  DK

Civil / criminal  description:

Q30 b/ y

Q31  Y  N  DK

Q32  Y  N  DK

Q32/y

Q32/yi
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<td>Q43 a</td>
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<td>Q43b/</td>
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**IDENTITY**

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<p>| Q46 |</p>
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<td>Q55</td>
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<td>Q57</td>
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<td>state law</td>
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<td>Q58b</td>
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<td>Q62</td>
<td>own needs</td>
<td>village needs</td>
<td>other</td>
</tr>
<tr>
<td>Q63</td>
<td>their benefit</td>
<td>village benefit</td>
<td>theirs then village’s villages and theirs</td>
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<td>Q64</td>
<td>Y</td>
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<td>Q69b</td>
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## Village Profile:

<table>
<thead>
<tr>
<th>Category</th>
<th>Details</th>
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<tbody>
<tr>
<td>Address</td>
<td></td>
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<tr>
<td>Year village est.</td>
<td></td>
</tr>
<tr>
<td>Eco. Position of first inhabitants</td>
<td></td>
</tr>
<tr>
<td>No. of HH</td>
<td></td>
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<tr>
<td>No. of people</td>
<td></td>
</tr>
<tr>
<td>Distance from town/court</td>
<td></td>
</tr>
<tr>
<td>Bus connection</td>
<td></td>
</tr>
<tr>
<td>NGO presence</td>
<td></td>
</tr>
<tr>
<td>Missionaries</td>
<td></td>
</tr>
<tr>
<td>TV/Radio</td>
<td></td>
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<tr>
<td>Newspapers</td>
<td></td>
</tr>
<tr>
<td>Government employees contact with village</td>
<td></td>
</tr>
</tbody>
</table>
Visitors from town (frequency):

Links with town/travel to town:

% /no. Christians:

how many generations:

No. of tubewells:

Ownership of village land:

Ownership of ponds:

No. of children in school/college:

Source of funding:

Remoteness & proximity to dikus:

Income source of villagers:
I am a PhD student from England carrying out research into the Santal in India and Bangladesh. I am looking at the problems that the Santal face and how these are resolved through the law. I would like to interview you to find out your experiences and your views. The answers you give will be available for other researchers to use but they will be anonymous which means they will not know your full name, only the answers you have given. Is this okay?

The interview will take one to two hours but we can stop at any time and continue later in the day if you would like to. Do you have any questions for me? Are you happy to continue with the interview?


Nia kuli mit ghonta khon bar ghonta lagao darea, nia oktere am men lekhan nia kuli bondo hotarok’a tainomte ar ho ehop kate mucha dok’a. Amak’ jahan menjon taken khan daya kate rorme. Nithok’ do ehop hoyo’a?

What is your name?
Apnar nam ki?
Cet am do nutum?

How old are you?
Apnar boyush kotho?

F/ What is your occupation?
Apnar ki kaj koren?
Cet [chit] am kamia?
G/ Do you own any land? y/ Is it enough to live off?
Apnar nijer jumi ache? Eta joteshto jiboner juno?
Amak’ khet menak’ea? Nia do jingi asulo lagit, dhir se kom?

H/ Do you hold any position in the village?
Grame ki apnar kono podth ache?
Atoren jahani koo doho akat’mea? Jog Manjhi, Naike…

I/ What is your religion?
Apnar dhormo ki?
Dhorom cet?

J/ How many years of schooling have you had?
Apni koi bochor schole gechen?
Tinak’ bochor esculem calao lena?

Jx/ Do you ever go out of the village?
Apni kokono kokono gramer birey jaben?
Am do atobarhertem calak’ gia?

Jxi/ Where to? Do you ever go to the town?
Kothai? Apni di shohore jaben?
Okare? Am do shohortem calak’ gia?

Jxii/ What for?
Ki korar juno?
Cet lagit?

K/ (Women only) What village were you born in?
Kon gramer apnar jonmo?
Oka atore am dom janam lena?
K1/ How far is it from here?
Apnar gram ekan teke kotho dure?
*Amak’ ato shohor bajar khon tinak’ saninre?*

K2/ Is it connected to the town by bus?
Apnar okan teke shohore jawar juno kono bus ache?
*Amak’ ato khon shohor calak’ lagit motor bus hajuk’gea?*

K3/ Did you have tv or radio there?
Apnar e grame kono television othoba radio ache?
*Amak’ atoren radio tv henak’a?*

K4/ Are there missionaries in the village?
Gramer kono Christin missionary ache na ki?
*Atoren isea father sister ko hijuk’gea?*

K5/ Do NGO workers come to the village?
Kono NGO ashe na ki?
*Ar jahan NGO/Somiti ren horko hijuk’gea?*

K6/ Do people from the village go to town? What for?
Gram teke ki lok jon praie shohore jai? Ki juno?
*Ato khon hor kudo shohore ko calak’ hijuk’ gea? Cet lagit?*

K7/ Do people visit the village from town?
Shohor teke lok ki apnader gramer ashey?
*Shohor khon jahai horko hijuk’gea?*

**RIGHTS**

1/ What are the biggest problems you think the Santal people and society face? B1 (C5) (C6)
Apnar mothe Santal jonogusthir shobche boro shomosah gule ki ki?
*Amak’ hudiste Santal koak’ ar santal somagre maran shomosha kodo cet’ cet’?*
2/ What do you think the government should do to help? B1, C5, 6
Apnader shahajo korar juno, sarkarer ki kora uchit, apni mone koren?

*Ape goro lagit shorkarak’ cet’ cekai jarur?*

3/ Will making a new law help? B1, C5, 6
Nuton ain pronoyon korle, ke shahjo hobe?

*Nawa an ari hulen khan cet’ goro hoyoa? Ona an do cet’ goroi em kok’a?*

4/ What rights do you want for the Santal people? B1 (C5 and 6)
Santalder shahjo korar juno, apnar mothe ki ki odikar chwa uchit?

*Santal ko bhalai lagit sharker khon cet’ cet’ aidaribon khoja?*

5/ For your children’s progress, which identity is better, Hindu or adivasi

Apnar Santander unother juno kunta porichoy bhalo, Brarotiye na adivasi?

*Amren hoponkoo lahanti lagit’ okatak’ nitumok’[porichoy] bhage, Hindu se adivasi?*

5b/ why?

*kano?*

*cedak’ [chidah]?*

6a/ What rights facilities do men and women have according to Santal customs in this village?

Santal somager ba garongre rithi onushare purush ebong mohila ki ki shobida ache?

*Santal somage ba gharongre kora gidra se kuri gidra cet’ cet’ shujuko nameda?*

7/ Do you know of any rights you have according to national law? A9

Desher procholitho ain unoshare apnar ki ki odikar ache, apni ki janen?

*Disomreak’ an ari cet’ cet’ aidari menak’ tama, badae giam?*

b/ What are they?

*Egulo ki ki?*

*Nia kudo cet’ cet’?*
DISPUTE RESOLUTION

8a/ Who would you go to if you had problems over land with a Santal? C8
Santal kar shathe apnar jomi shonkramtho kon shomosha nia apni car kache jaben?
Santal ko mudre khet nia shomosha hoilen khan okoe tenen calaak’a?

b/ Who would you go to if you had problems over land with an outsider/‘diku’?
Dikur kar shathe apnar jomi shonkramtho kon shomosha nia apni car kache jaben?
Diku ko mudre khet nia shomosha hoilen khan okoe tenem calaak’a?

9/ What makes you think they would make the right decision? C8
Apni kano mone koren ekane shotic bichar powa jabe?
Am do cedak’ em hudiseda onde do bhagi bicar hoyo’a?

10/ If a diku tried to interfere with your land would the village people help you? C11
Judi apnar jumi dikura hostake kote chai/jhore kore nite chai, tobe gramer lok ki apnake shahajo korbe?
Amak’ khet diku ko juraimot amak’ khet ko hatao lekan atoren hor ko gorowama?

b/ why?
Kano?
Cedak’

11/ If you had a difficulty over inheritance who would you go to to resolve it? C8
Judi apnar shompothi shonkramtho uttoradika shomosha hoi tobe ke apnake shahajo korthe pare, bole apnar mone hoi?
Babaoa shompoti baku emam khan okoe tenem calaak’a?

12/ If a Santal stole something from another Santal household, what would happen? C8
Judi ekjon Santal, Santal bare theke kitchu churi kore tobe, tarpor ki hoi?
Jahai Santal, Santalak’ jahan jinise kumro likhan ce ka yeyako [chikai yakup’]?

13/ Would anyone tell the police? Y/N C8
Keo ki police ke janabe?
Jahai police/thana ko badae ucu koa?
14/ Would they ever do that without talking to the Manjhi first? Y/N C8 keo ki manjhi ke na jane police jabe? Jahai manjhi ban bade ucu [uchu] kate police tenko calaak’a?

15/ Why? C8 kano? Cedak’

16/ If a diku stole from you would you go to the police? C8 Judi ekjon diku, apnar bare theke kitchu churi kore, tobe tarpor ki apni police ke janabe? Jahai diku amak’ ko komro lekhan police ko bade ucu koa?

y/ If yes: what would they do? police ki korbo? Police do ce ka yeyako?

n/ If no: why? kano? Cedak’?

17/ What about if someone was killed, would people tell the police? C8 judi keo (nihothohon) hota kole tokon ki hoi? Police ke janano hoi? Jahai ko goc’ [gwot’] ucu lenkhan police ko bade ucu koa?

18/ Would they get the consent of the Manjhi first? Tader ke ki eketreo Manjhir motha moth prothom nithe hoi? Unjokhen Manjhi ho ko bade ucu ye? na?

17b/ what would happen if a Santal killed a Santal? C8 Ar judi ek jon Santal, Santal manushke mara felley tokon ki hoi? Jahai hor, hor goc’ ucu lenkhan cet’ hoiya?
19/ Do people ever go to court after the Manjhi and the village has given them a decision in a dispute? C8

Kono bibader nispothi judi gram Manjhi kore den tar poro ki lok adolate bicharer jono jai?

Jahan babotre Manjhe galmarao khan jahai kote [kort] ho ko calak’gea?

y/ If yes: What do you think about this? Why? (probe: Manjhi has resolved the dispute but one of the parties even then goes to the court, what do you think of that?)

E bepare apnar mothe ki? Eta bhala na bhala na? Kano?

Amak’ hudiste unko kote ko cala’ khan, nia do moj se baric’? Cedak’?

EDUCATION

20a/ Do you know if there is a local court where would you go if you needed to bring a case against someone? Y/N A7

Apni ki janen, apnar elakai, kono court/adolot mamla korar juno, ache ki na?

Nia adepasere galmarao lagit horko atan tama unkana minak, noa dom badea gea cet’ cet?

(If no: go to q. 24)

b/ What sort of court is it, what is it called? A7

ki dhoroner court egulo? Nam ki ki?

Nutum cet’ cet’?

If Panchayat/UP named above (otherwise go to 21):

i/ Do you know of the UP? What can the UP/Panchayat do for you if you had a case?

Apni ki janen je UP ache? UP apnar mamlar junol ki kote parbe?

Am do UP badea’gea? UP/Panchayat am bicar lagit’ cet’ cet’ cikadare kea?

ii/ Do you know of the Rajshahi court/Dumka court/Madhupur court?

Apni ki janen je Rajshahite adalot ache?

Am dom badea Dumkare/Madhupurre kote hena’a?

(If no go to q. 26)
21/ How far away is the Court? A7

E adolat/court apnar bari theke kotho dure?
Nia kote amak’ orak’ khon tinak’ saninre [sanginere]? 

22/ do you know what the procedure is for bringing a case to the court?

Jekono case, courte nithehole ki ki kote hobe?
Jahan mamla lagit’ kote idilikhan cet’ cet’ jarura?

23/ how long might it take for the court to resolve a land dispute? A7

Jumi nia mamla hole, she mamle shesh hothe kotho din lagbe?
Khet reak’ mamla tinak’ din laga’a?

24/ how much do you think it would cost to bring a case, monthly?

Ar e mamla chalathe kotho koroge hobe, mashe?
Nia mamla idi calao lagit’ tinak’ jang (taka/rupea) lagak’a, mashere?

25/ How do you know this information? A8, C9

Eta ki bhabe janen?
Nia do cekatem badea?

26/ Do you know anyone who has been to court for a case? A10

Apar jana shuna keo ki kote giechilo?
Amak’ badaere jahai kote ko calao lena?

(if no, go to q. 30)

26b/ what was the case about?

Ki mamla chilo?
Cet’ babotre?

27/ What was the decision/ what happened? A10

ki shi dhantho hoechilo?
Cet’ hoe lena?
28/ Do you think it was the right decision? A10
Apnar ki mone hoi shothik shidantho hoi chilo?
_Amak’ hudiste moj hoyelena?_

29/ Why? A10
kano?
_Cedak’?_

30 a / Have you even been to the Panchayat/UP for a case? C3 (A7, A8)
Apni ki kono mamlar juno, Union Parishad/Panchayat giechen?
_Am do jahan galmarao lagit’ UP/Panchayat calao lena?_

(skip b if they don’t know of court and go to q. 32)
b/ Have you even been to the Rajshahi/Dumka/Madhupur court for a case?
Apni ki kono mamlar juno, Rajshahi/Dumka/Madhupur court giechen?
_Am do jahan galmarao lagit’ Dumka/Madhupur kote tem calaak’ lena?_

(if no go to q 32)
y/ if yes: who did you go to for help with applying to the SL court?
Adolate/courte jowar juno kar shahajo apni niachilen?
_Onde calaak’ lagit’ okoe em gorowak’me tahena?_

31/ Did anyone advise you against going?
Apnake ki keo jete nished koreche?
_Am do jahai ko baron let mea?_

32/ Would you go to court/[Panchayat/UP?] for your own dispute/again? Y/N A7/ C8
Apnai ki projon hole aber o kono shomosha nia court otoba UP/Panchayat jaben?
_Am do jahai galmarao lagit’ UP/Panchayat kote em calaak’ a?_
y/ if yes: What action would you take if you wanted to go to court, who would you talk to first?
Judi apni court/UP/Panchayat jete chan tahole ki korbe? Prothom kar shathe alop korben?
Am do UP/Panchayat ba kote calaak’a lagit’ cet’ em ce kaia? Pohil okoy tenem calaak’a?

yi/ Kano?
Cedak’?

n/ if no: Why?
Kano?
Cedak’?

33/ What is the difference between national law and Santal law?
National/shadaron ain ar Santal ain er mothe ki parthoko ache?
Disom reak’ an ari ar Santal koa an ari redo cet’ Juda mena?
Probe: abu hor an ari ar kote reak’ an ari judo cet’?

34/ when might you use the SL courts rather than going to the Manjhi for help? A12, C9, C12
ki obusthai apni bicharer juno Manjhir case na gie, adolater jowar juno shiidantho niben?
Cet’ oktere am do manjhi then ban senkate, kote em calaak’a?

35a/ is it easy for people to use the national courts?
Adoloter jawa ki shohoj na ki?
Kotere calak’ do algagia? (probe: Muskil reak’ ar cet’?)

b/ Why? A13/C9
Kano
Cedak’?

36/ can you get the same benefits from the court as a Muslim/a Hindu? A11
Hindu ba musleman je shujuk pai, apni o ki e shujuk paben?
Kotere diku hinduko okatak’ shujuko nam am ho am ona onkagim nama [nyama]?
36b/ kano?

cedak’?

37/ do you think that lawyers, police, government officers treat you the same as a Muslim/Hindu? A11

Apnar ki mone hoi je police, ba ukilra, Hindu Muslemander je bhave degbe, apnake eki bhave degbe?

Amak’ hudiste police ukil, diku ar Hinduko cet’ lekako nel takoa am ho onkagiko neltama?

38/ how do they treat you? A11

kirokom bebohar paben?

Cet’ leka bebohar em nama?

39a/ do you trust the lawyers b/ police, c/ government officers?

Apnikimukirisha bishes koren?

Am do ukil kom patiau ako gea?

b/ apniki police bishes koren?

Am do police kom patiau ako gea?

c/ apniki sharkarer chakuri bishesh koren?

Am do sarkar nukri patiau ako gea?

y/ why?

Kano?

Cedak’?

n/ if no: if you needed to get their help would you still go to them?

Judi apnar dorkar hoi, apnito or cache jaben?

Judi amak’ jarur hoyok khan, enhom calak’ gea?
40/ do you think that if more people use the SL courts, the Manjhi will become less important?
Apnar ki monehoi je apnara judi courte jan tahole manjhir dorkar kome jabe?
*Amak’ hudiste hor ko do kote ko calaolen khan manjhiak’ jarur kom hoyoa?*

41/ if you have a choice of going to one man who you know is corrupt or another who is honest for help who would you go to? A12/C12
Apnar judi shujok thake ek jon shoth ebong ek jon osoth loker modthe apni kar kache jaben.
*Am do moj, baric’ hor mudre jahan lagit’, okeo tenem calaak’a?*

42a/ If you knew that the corrupt man could give you the decision you wanted, but the honest man would not, then who would you go to? A12
Apní judi janen osoth loker kache gele apnì ja chan thai paben are shoth loker kache gele tha paben na, ta hole, apni kar kache jaben?
*Amem badea likan buric’ hor tenem nama ar moj hor then kondo ban nama, okeo tenem calaak’a?*

b/ if you don’t trust the dishonest man would you still go to him?
Judi apni osoth lok ke bishesh koren na, apni tobo or cache jaben?
*Judi am buric’ hor bam patiauy khan, enho uni thenem calaak’a?*

43/ is it more serious to break (not obey) Santali law or to break state law?
Shadaron ain bhanga boro ornai, na santal ain bhanga boro ornai?
*Disum reak’ ari cali bam manao dher buric, se Santal an ari bam manao dher buric’?*
*Probe: okatak’ dher buric’a?*

b/ Why?
Kano?
*Cedak’?*

IDENTITY
44/ what sort of a person is a diku? C13
Ekjon diku, kirokom lok she hobe?
*Diku doko cet’ lekana?*
45/ If you were describing who you are to an adivasi from another village how would you describe yourself? C13

Apni ono adivasi cache nije ke ki bhabe porichoy diben?

Etak’ adivasi then am do cili mentem lie sodor roa?

46/ If a government officer asked you who you were, what would you tell him? C13

Apnake judi sharkare officer gigish kore apni ke, apni ki bolben?

Am do sarkar cakri hor ko, kuli lem khan, cilim laoa?

47/ Does it matter if you are called adivasi or not? C13

Apnake keo Adivasi bole ba na bole tathe ki kitchu ashe jai?

Am do jahai adivasi se adivasi do bako metam khan asket kok’ am?

y/ why?

cedak’?

48/ When did you first hear this term? C13

Apni kokon adivasi bole prothom ulekorthe shunesen?

Am do tis khon adivasi mente ko menet’ am mem disaeda? (pohil, first)

49/ Do you feel that you are a Santal? C14

Apni ki nobhob koren je apni ekjon Santal?

Am dom bujgia je am dom Santal kana mente?

50/ Do you also feel that you are Indian? C14

Apni ki nijeke ekjon Bharotiye mone koren?

Am do Bharotren (atkaram) kanam?

51a/ How important [is being Bangladeshi/India] to you? C14

Bharotiyo e porichoy apnar cache kotho gurutho porno?

Bharot ren kanam, tinak’ jarur kana? Dhir jarura se kom jarura?

51b/ Why?

Cedak’?
UNITY

52/ do you think that there is unity amongst the Santal in this village and in the area?
Apni ki mone koren je e gramer othoba e elakar santalder mothe ekotha ache? 
Amak’ hudiste nia adivasi Santal ko se nia atoren Santal koak’ mit’ jomok’ minak’ takoa?

53/ why do you think there is unity/is no unity? C11
Kano apni mone koren ekotha ache/nai? 
Cedak’ mit’ jomok henak’ koa/mit’ jomok banuk’ takoak’?

54/ has this changed over your lifetime? y/ How? C11
Apnar boishkale ke kono poribonthon hoeche? y/ Ki poribonthon hoeche?
Nia mit’ jomok’ do lahate khon bodolo kana? y/ Cet bodolo kana?

55/ when was the last time the whole village got together?
Shorbo shesh kobe apnara shokol santal ekothro hoechilen?
Nia lahare joto Santal tispe jarwalena?

56a/ do you think it is important to go to the Manjhi to solve problems? A1, A4, A5
Apnar ki mone hoi je kono shomosha hole shomadhaner juno manjhir cache jawa jaruri.
Am dom badae gea je jahan galmarao lagit’ Manjhi then calak’ jarur?

56b/ Why?
Kano?
Cedak’?

57/ What would happen if you did not follow the Manjhi’s judgement? A1, A4, A5
Manjhir bichar judi apni na manen, tahole ki hobe?
Jahai Manjhia galmarao bai manao lekhan cet’ hoyo’a?

58/ Is it more important to obey Santal laws or State law? A5
Santal ain o desher ain, kunta mana beshi jururi?
Santaly an ari se disum reak’ an ari okatak’ manao jarure?
b/ why?
Kano?
Cedak’?

59a/ if someone was always breaking the Santal laws would people in the village still see him as part of the village and help him in time of need?
Judi keo onoborotho santal ain bhang, ar tarpor she kono bipodthe pore apnara ki take tokono shahajo korben?

Jahai hor Santal ari cali bai manao lekhan, ar jaha leka hoylen khan uni doko gorowaya?

59b/ Why? A1
kano?
cedak’?

60/ if you were forced to leave the village where would you go? A1, A5
Apnake judi gram teke bere kore dowa hoi, tahole apni kothai jaben?

Am do ato khon doe lagalem khan okarem calaak’a?

61/ What sort of life would you have if you were forced to leave the village? A1, A5
Judi grame chere jete hoi, tokon apnar ki hobe?

Ato khon em dar lekhan cet’ lekam tahena?

62/ Which would you give priority, your own needs or the needs of the village? A6
Apni kontike age pradano diben, nifer dorkar, na gramer dorkar?

Okatak’ laham kamia, amak’ jarure se atorenak’?

63/ if a santal person has land then is that their benefit or the village’s benefit? A6
judi kono Santaler jumi take tahole tar nijer shobida na gramer loker shobida?

Jahai horak’ khet’ tahelen khan ayak’ bhagi se atorenak’?
GOVERNANCE

64/ Do you vote? Y/N D3
Apni ki vote den?
*Am do votem em gea?*

65/ What sort of a person will you vote for? (if they are struggling to answer:) How will you chose who to vote for? (circle as appropriate) D3
Ki dhoroner loke apni vote diben?
*Cet' lekhan hor votem emakowa?*

65b/ would you vote for a Santal candidate? Y/N
Apni ki Santali manushke vote diben?
*Am do Santal hor votem emakoa?*

65b/i  Why? D3
kano?
*Cedak’?*

66/ Have you thought about putting yourself forward for election in the Union Parishad/Panchayat or elsewhere?
Apni ki Union Parishader/Panchayater othoba Shadaron nirba chone pathi hoar chinthor bhabna korechen? Chai ki na?
*Am do UP/Panchayat se raja votere tengo em menjon kana?*

n/ if no: why?) D2
cedak’?

y/ if yes: Why have you not become candidate?
Apni kano nirbachone koreche na?
*Cedak’ bam tengo kana?*

67/ What is the role of the manjhi in this village? C8, C10
e grame manjhir kaj ki?
*Nia atoren manjhi ak’ kamido cet’ kana?*
68/ Why are there no women Manjhi? D1
kono mai manjhi nai kano?
Gogo manjhi cedak’ banuk koa?

69/ Why would you go the following for help? D3
Nimne bornitho lokder cache kano jaben?
Lataren numenko khon cet’ cet gorom namkea? Probe: chairman te cet gorom namkia?

  a/ Union Parishad chairman/ Mukia/UP
  b/ Government employee sarkare chakure
  c/ Local politician isthanio rajnithi/ MLA/ putiren hor
  d/ Lawyer ain jibi/ ukil
  e/ Religious leader dhornio netha/ girga master/ father sister/ atoren naike
  f/ Manjhi
  g/ Dumka/Madhupur court
  h/ NGO sansth, voluntary organisation CARE/ somiti
  i/ educated Santal shikitho/’leka pora jana santali’/ parhak’ santal kora, kuri

Tahinda Chabaina
Focus Group Questions

1/ Where you all born in this village? Who was born outside the village?

2/ How is the life of a woman Santal here, is it an easy life?

3/ Do you ever leave the village, to go to work or to visit relatives?
   • Where do you go?
   • How often do you go?
   • Do you ever go to town?

4/ Are you afraid of going outside the village?
   • Would you go alone? To nearby village/ to town?

5/ (if mohila parishad) when was this mohila parishad first started?
   • How has it helped you?
   • Has life changed since the MP was set up?

6/ Is there a woman leader in the village, someone you consider the most senior woman in the village?
   • What about the Manjhi’s wife is she a leader – would you go to her in times of trouble?

7/ why do you think the Manjhi is a man and not a woman?
8/ Do you participate in the village council meetings?
   - When there is a case do you go and give your opinion?
   - What about when the Manjhi and Naike etc are being elected do you go then and vote?
   - If you don’t go does your husband ask you your opinion and tell it to the council?

9/ If a woman tells you her husband is beating her what would you tell her? He gets drunk and hits her, or he says she’s lazy and not doing her work properly.
   - Then what would happen – probe fully for all possibilities and most extreme cases?
   - If a woman wanted to stop her husband from beating her who would help?

10/ What would her parents think if she left the village and asked them for help?
   - Could she go back to her parent’s village alone – if not who would go with her?

11/ What would the village people think of her, would they support her?

12/ Would the Manjhi support her?

13/ would she go to the SL courts or Panchayat for help?
14/ Is it ever okay for the husband to beat his wife, say if she is not doing her work properly, or if she is lazy?

15/ What if he didn’t stop, could she get a divorce [bhugi]?
   • Who would perform the divorce?
   • Would she remarry afterwards/ what sort of a life would she have?

16/ If she wanted to go to court, what would she have to do, who would she have to speak to first?

17/ If your dad has land and he leaves it to your brothers to inherit and tells them to give you some but they don’t give you any, what would you do? Who would you go to?
   • Would you take the matter to court?
   • Do you have money of your own you could use to pay the fees?
   • What if your husband didn’t support you because he had promised your brothers not to make trouble with them.
   • What if the Manjhi didn’t support you, would you still go to court?

18/ Which is better State law or Santal law?

19/ If there is a sudden death in the village, a young man dies with no explanation, what will happen, who will be blamed?
20/ What if some people said that the death was caused by a witch. Have you heard of any such cases? What happened?
I am a PhD student from England carrying out research into the Santal in India and Bangladesh. I am looking at the problems that the Santal face and how these are resolved through the law. I am particularly interested in your role in resolving disputes in the village. My research is about if and when people in the villages use not only the village council but also the UP/Panchayat and the court to resolve disputes and problems. Firstly I want to ask some questions about this village and about your role in resolving disputes. Then I have some questions about when people use the courts and UP/Panchayat.

The answers you give will be available for other researchers to use but they will be anonymous which means they will not know your full name, only the answers you have given. is this okay?

The interview will take 30 or 40 minutes but we can stop at any time and continue later in the day if you would like to. Do you have any questions for me? Are you happy to continue with the interview?

Q1: how long have you been Manjhi here?
Apni kotho din dhore Manjhi?

I want to know a little more information about this village.
Ami apnar kas theke e grame shomporke aro kitchu jante chai.

Q2: Do any of the people in the village work in or go regularly to the town? C1 Gramer kono lok ki shob shomoy shohore jai ba shohore kaj kore?
Q3: do you have any radio, television or newspapers in the village? C1
Apnar gramer ki radio television ache, ba koborer kagoch ashe?

Q4: Do you have close ties with other Santal villages in the area? What contact do you have with people in that village? C1
Unano Santal gramer shathe apnar ki shob shomoy joga jog ache? E joga jog ki juno hoi?

Q5a: is there a Parganait? C1
Apnader elakai bicharer juno ki kono Parganait ache?
Apnar court erche ki boro kono courte ache na ki gramer

b/ how often does it meet?
Bochore koi bar she courte boshe

c/ where does it meet?
Ebong kothai boshe

Q6: do you have many people from missionaries or NGOs coming to the village? C1
NGO ba missionari theke onek lok ki gramer ashe?

b/ Who are they? C1
Tara kara?

c/ How often do they come? C1
ashle kotho din por por ashe?

Q7: do Santal people from this village go outside the village often?
E gramer santal lokra ki priye gramer bire jai?

b/ What do people go out of the village to do?
Gramer bire ki juno jai?

c/ how far away do they go?
Shadaronotho kotho dure jai?

d/ How long do they go for?
Ebong gele kotho shomoyer juno jai?
Q8: how many people in the village have become Christians?
Gramer kotho lok Christian hoi che?

b/ do you have a priest in the village?
Ekane ki Christian dhormo jajok (priest) ache na ki?

I have read a little about Santal laws, but there are some more things which I would like to find out.
Ami santal ain to porechi she juno apnar kas theke shantal ain shomporke kitchu jante chai.

Q9: if someone in the village breaks the Santal laws do people accept this behaviour?
Judi gramer keo santal ain bhongo korey, gramer lok ki sheta sho hoj bhabe, menai nai?

b/ And if a person told that they have done wrong but they continue to break the laws then what would be the reaction of the other people in the village?
Judi keo ain bongo kore ebong, thake eta bola hoi, tar poro judi she abar o ain bhongo kore, tobe gramer lokra, thokon sheta ki bhabe nai?

c./ what would someone have to do to be accepted back into the community in that sort of situation?
She obosthai, shomager kasey grohon jogo (accepted) hothe tar ki korte hoi?

Q10: when you are asked to resolve a dispute between people in the village how important is it that the decision you give them brings peace to the village?
Apni jokon kono shidantho den, sheta jathe, gramer shanty roka hoi, sheta apnar kasey kotho gurutho porno?

Q11: how long does it take from the time of the dispute for the village council to make a decision?
Keo nalish (complain) korle tar shomadhan (settlement) dithe kotho din lage?

b/ do the people have to offer anything to the village council or pay any money?
Je nalish kore thake ki grame panchyatke kono fees dite hoi, ba taderke kawa dowa dite hoi ki na?

Q12: how many cases do you consider a year?
Apni bochorey kotho gula mamla /nalish ashe?
Q13: do people in the village ever go to the court or UP/Panchayat for a case?
Gramer lokra kono mamla nia courtey/UP/P ki jai?

b. how many people have used the court or UP/Panchayat in the past three years? C2
Gotho tin bochore apnar janamothey, apnar gramer kothojon lok, tar nalish nie courtey gieche?

Q13: do you think this is good? C10
Apnar ki monehoi ta bhalo?

b. Has this affected relations between people in the village? C10
courtey gele gramer lok der modthe shomporko ki noshtho hoi?

c. what do you think would happen to the community if more people relied on the
court/UP/Panchayat for their cases?
apnar ki mone hoi, judi aro beshi lok, thader nalish nia courtey jai, shomager
upor thar ki probhab porbe?

Q14: is there any difference between your law and the court’s law?
apnar ain ebong courter ain er mothe ki kono parthoko ache?

Q15: Do you think that the role of the Manjhi has changed over your lifetime?
Apnar jibonkale manjhir kajer poridthir ki kono poriborthon hoeche?

Q16: I heard that the Santal have 13 and now 12 clans and that there was a hierarchy
of these clans, with some clans being considered more important than others. Is this
right?
Ami shunichi, Santalder mothe derotha ar ekon baro clan ache, ar ekane kitchu
clan, orno clan theke gurtho purno. Eta ki tig?