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Land Exchange and Vulnerability: A Study focusing on Coupling and Dispossession

Dr. Anooja Chacko

Assistant Professor

Department of Economics

Zamorin's Guruvayurappan College

Kozhikode 673014

Kerala, India

The research paper is an attempt to explore how 'vulnerabilities' are constructed on the basis of land-exchange in tribal premises. It tries to address certain questions on the spatial dimensions of assets and its influence on possessing and dispossessing land through monetized as well as non monetized exchange. The legal restrictions on the exchange of tribal land intensify the complexities associated with it. The external intervention on geo-spaces brings out changes in social as well as economic formations. Thus these manipulative land exchanges serve as power- embedded practices on the basis of possession, coupling of power and command over assets. These externally driven practices often end up in unequal exchanges and vicious circle of vulnerability to the resource poor communities. The present paper unfolds this livelihood tragedy in the context of a tribal community of Kerala, India.

Keywords: Vulnerability, coupling, decoupling, land exchange, power, possession, dispossession

Introduction

In a broader context, land may be treated as the outcome of a 'social construct' (Brara, 2006). The outcome may be reached through continuous socio-economic negotiations and hegemonic power restructurings. These iteration processes may be different in various communities. This difference is obvious among the forested societies and outer societies. The forested communities generally occupy their living space in the broader extensions of forested wilderness (Brara, 2006). This may either be settled in nature or nomadic. However the spatial dimensions of the outer communities is more or less in a settled structure with either a rural or non –rural structure.

Both these communities attach different notions of values to land. Outer communities consider land as a 'factor of production' or input for various activities. The command or control over land is considered as a valuable asset with both 'use value' and 'exchange value'¹. The use value of land is more visible in agricultural societies. Land is an indispensable component for them. They utilize farm lands for cultivation practices either meant for self consumption or market supply. Thus this natural capital serves as an instrument for productive as well as income generating asset.

Besides cultivation, it also serves as a financial asset at times of contingencies. The resource poor people in rural areas with limited command over other assets treat land as a collateral security or asset which is capable of exchange. They may pledge their land to others in order to raise immediate funds. In utmost emergencies they may force to sell the land itself. The exchange value is generally yielded with the 'coupling' of markets². Proximity to better infrastructure, presence of urban centers, nearness to markets etc. may bring increased market value. The exchange of land requires legal entitlement over land. The legal entitlement not only dispenses legal rights to cultivate but the 'power of ownership to exchange land at their will' (Chacko, 2018).

However the forested communities who live in the 'inner forests or at the fringes' (Chacko, 2018) follow a different set of indigenous value systems, customary rights and power relations. These are generally premised on their age-old traditions and rooted on their natural environment (Edison & Devi 2019). Hence they provide more importance to 'use value' of their land. They treat forest as a unique 'socio-

¹ Value can be expressed both in terms of use value and exchange value. Use value derives the worthiness of something in terms of its direct use and utility derived out of it. Exchange value refers the capacity or value of something when it gets exchanged. This may be expressed in terms of market price

² Coupling of market is the integration with markets. Here the uncertainties, price changes and the associated vulnerabilities are prone to those attached to market. The vulnerable sections in the absence of proper covering mechanism may find it hard to cope with it

cultural space' of sacredness (Chacko, 2018). Subsistent agricultural practices, sustainable collection of forest products and non-market livelihood patterns are still persisting in the aboriginal communities even though at times they share their territories with other communities. These 'overlapping territorial claims' (Kannabiran, 2016) have showed only limited command over redefining their customary rights and value systems.

The land rights accorded to them is based on the 'state definitions of backwardness' (Oskarsson & Luomas, 2020). Legal entitlements of these lands are vested with the government and not with the tribes. Hence they are deprived of the ownership benefits of land enjoyed by other segments of the society (Baviskar, 2005). This limits the capacity to sell and mortgage land and thereby questions the exchange value as well as economic value of land. Even though they can cultivate and eke out a living out of it, the exchange is restricted even for raising funds at emergencies.

In a market driven economy, money has a predominant role in defining and molding the economic as well as political power. Those who are denied of it are compelled to stay in the lower stratum of power hierarchy. Moreover it accelerates the dispossession of the community by siphoning their political and economic command off in a systematic way. Absence of exchange value and individual rights over their 'property' offers an undue advantage for the illegal purchasers. It becomes easy for the intruders to encroach these properties with the influence of money power as well as political power. Since the tribes do not possess valid documents to prove their legal claims, more often they will be at the losing side (Balagopal, 2007; Rupavath, 2009; Agarwal & Levien, 2019, Edison & Devi 2019). The legal restrictions intended to protect them against the exploitation of non tribes disguisedly serve as a misery for this power deficit section of the society.

The invasion by settlers into their living space is not uncommon in tribal settlements. The invasion may either be triggered by state capital for 'development projects' or by private individuals and corporate for self interests (Reuter et al, 2020). It often results in dispossession of their ancestral land. It further denies them executing their own interests and requirements for the betterment of life. These persistent 'historical social injustices' damage their livelihood security to a significant extent (Rupwath, 2019; Agarwal & Levien, 2019).

Premise and Problem of Research

The study is premised on the 'Mannan' community of Idukki district. Idukki is a part of the Western Ghats³, one of the thirty four ecological hotspots⁴ in the world. Idukki is the second largest district of the Kerala state. It has an area of 4356 Sq. km which constitutes 11.6% of the total area of the state. It lays between 9° 51' North Latitude and 76° 56' 24" East Longitude. The high land area (High Ranges) constitutes around 96% of the total geographical area of the district.

Mannans, literally means rajas are clustered in the High Ranges of Idukki district. They stay mainly in the forest and in plots allotted from the government. They are mainly located in Devikulam taluk⁵ of Idukki district. They belong to 'negretoid' ethnicity having origin in Tamil Nadu and a migratory group in high ranges of Kerala. They are the largest populated tribal community in Idukki district (Census 2011). They live in 46 settlements spread across Idukki district (43 settlements) and Madurai district in Tamil Nadu (3 settlements).

Several textual evidences and oral narratives support their emigration to the high ranges of Kerala mainly on three grounds. The most prevalent opinion is related to Chola-Pandya battle in early 19th century. Thurston (1975) opines that Mannans were the subordinates of Pandya King. As a result of the defeat in war they lost their claim in Madurai and were forced to migrate to High Ranges. Here Poonjar Raja took their patronage and awarded them claim to live in Western Ghats region (Iyer, 1909, 1937; Thurston, 1975). This seems to be the most credible proof regarding their habitation in the Western Ghats region.

The second view is based on an oral narrative (Chacko, 2018). According to it they were the inhabitants of Mannankotta near Madurai. They held all privileges and claims over the land and it was ensured through a bronze title. But however it was occupied by a merchant through illegal means. After this they were forced to leave the place and emigrated to high ranges. According to this narrative the beginning of their habitation in Adimali (earlier Mannankandam) dates back to 1833-1835.

³ Western Ghats comprises of parts of six states and one union territory in India namely Kerala, Karnataka, Tamil Nadu, Maharashtra, Gujarat, Goa and Dadra & Nagar Haveli. It consists of 64.95% of the hotspots in India. Western Ghats Ecology Experts Panel (WGEEPP) calculates the total area of western Ghats as 129037km², whereas High Level Working Group (HLWG) defines the spread of total area as 164280km². Relative share of Kerala forests is 17%.

⁴ Biodiversity hotspots are the areas rich in terms of flora and fauna which face the threats o extinction

⁵ Largest taluk in Idukki district having largest amount of forest cover

Following the fierce Chera- Pandya war in the end of the 10th century A D, Pandya King migrated to Vadakkumkur (earlier local kingdom in Kerala) with his people availing the support of the King. After that they were awarded land in Western Ghats along with full rights and control. Since the forefathers of *Mannans* were the subordinates of Pandya King, they automatically came under the patronage of Poonjar Rajas. Thus Poonjar Rajas became the patron of these locations in Western Ghats. The transaction of tribal land is illegal in Kerala. In order to prevent the unauthorized exchanges and betrayal, government has legally prohibited the exchange of tribal land to non- tribes.

Notwithstanding anything to the contrary contained in any other law, or in any contract, custom or usage or in any judgement, decree or order of any court, any transfer effected by a member of the scheduled tribe, of land possessed, enjoyed or owned by him on or after the commencement of this Act, to a person other than a member of a Scheduled Tribe, without the previous consent in writing of the competent authority, shall be invalid.

(The Kerala Restriction on Transfer by and Restoration of Lands to Scheduled Tribes Act, 1999(1))

However this practice is taking place illegally. Such exchanges often end up in dispossession and erosion of asset base of the aboriginal communities (Chacko 2018; Edison & Devi 2019). There may be differences in the nature and magnitude of such dispossessions. This necessitates local level studies to evaluate the gravity and rootedness of such phenomenon. The present article is an attempt to understand the factors as well as evolution of this in the broader context of vulnerability.

Methodology

Mannans live both in forest and fringe settlements⁶. Each settlement consists of around 40-90 houses called 'kudis'. Primary data was collected from both types of settlements. Two forest settlements namely *Kodakallu* and *Chinnapparakkudy* as well as two fringe settlements namely *Thalamaly* and *Machiplavu* are selected for detailed evaluation. The nature of land exchange is the focal theme of enquiry. 150 families (60 forest settlement families and 90 fringe settlement families) are selected on a random basis from these four settlements. Interviews, case studies and ethnographic enquiry are utilized to collect data. The interactions with heads of settlements, local social activists also supplemented data.

⁶ Forest settlements are remote settlements with are located in the inner forests and exist as part of the forest wilderness. Fringe settlements are located in the outer premises of forests and are mainly the allocated lands from governments. The inhabitants of these settlements co-exist with non tribes and have increased accessibility to external world.

Indigenous Land Rights

Mannans are historically a farming community (Iyer, 1937; Thurston, 1975) and they used to practice shifting cultivation (Iyer, 1912). They enjoyed relatively significant command over land compared to other tribal communities in Kerala. However this command is was not governed by individual ownership rather by 'community management'. 'Ownership right' was always vested with the community whereas 'operational right' was allotted to individual members (Kunhaman, 1985). The head of the settlement allots land to each family for cultivation according to their requirement and capacity. Since land was a 'jointly owned and managed asset' they were least bothered of setting boundaries on individual land. Joint farming with community involvement was the norm of those days. Community labour was used to cultivate and they derived pleasure out of it with immense communal harmony and mutual co-operation. The idea of 'private land ownership' commenced only with the arrival of the Europeans (Dominguez & Luoma, 2020).

Their livelihood was shaped by subsistent farming and collection of minor forest products. They used to cultivate raggy (kurumpullu or kepa), paddy and lemon grass in earlier times. Raggy and paddy were their staple food. Lemon grass was used to extract oil out of it. This serves as a cleaning agent and uses as perfumery in soaps and cosmetics. In addition to cultivation, they also engaged in livestock rearing. Grass lands and forests in their surroundings and hay from paddy fields supported their livestock.

The patronage they enjoyed under the local King as well as the allotment of land by the King helped them to retain land right. Hence the intrusion of outsiders was controlled to a significant extent. Since their migration itself is associated with the illegal snatching of their legal entitlement of their land, they were keener on preserving their land. They are the sole community having a King and their own administrative practices. That organized community life based on indigenous practices and community norms protected their integrity and assets.

History of Land Alienation

The first and foremost disturbance to this harmonious life initiated with the entry of British colonialists. The colonialism served as a 'pillage of resources' (Foster, J B, 2004) from India to Britain and a 'watershed in the ecological history of India' (Gadgil & Guha, 1992). The expansion of railway networks for transferring spices and other resources from inner forests claimed a significant chunk of forests and timbers from the High ranges (Guha, 1983). The presence of wild pepper and wild cardamom, with high export potential, attracted colonialists to the forests of Idukki (Chacko, 2018). Mannans used to extract these spices and therefore British traders used them to extract it from forests (Suresh, 2008). The old

Munnar railway network as well as Munnar- Aluva road served the purpose of transferring these valuable spices to seaport.

The ruthless exploitation reduced the productivity of forest lands and later it was converted into cultivable wastes (Umadevi, 1984). Such unproductive forests were further allotted to British colonialists for plantation drive (Guha, 1983). Expansion of plantations made use of indigenous tribal labour. The exploitation of forest resources and expansion of tea plantations destructed their habitats and livelihood base. These activities severely affected the indigenous tribes who have been leading subsistent pattern of life with their traditional activities of gathering, hunting and shifting cultivation (Ram Mohan, 1995) and uprooted them from their traditional habitats (Ramesh & Gurukkal, 2007; Amruth, 2008). This is hardly unique to Kerala (Grove & Grove, 1996; Ravi Raman, 1998; Guha, 1999, Sivaramakrishnan , 2009)

The second phase of disturbance can be attributed to the expansion of infrastructure facilities in the High Ranges including roads, tea factories, hydroelectric projects etc. It triggered the conversion of large hectares of maiden forests and accelerated deforestation in the late 19th century (Suresh, 2008; Chacko, 2018). Another serious blow to them was the construction of Mullapperiyar dam on the Periyar River between 1887 and 1895 aimed to divert water to Madras Presidency area. The dam was located on the Cardamom Hills of the Western Ghats in Thekkady, Idukki. Since the Cardamom Hills⁷ were one of the major *mannan* settlements, they had to relocate to fresh settlements by leaving behind their indigenous habitats.

The third phase of disturbance originated with the immigration of settlers⁸ into the High lands of Idukki. This post- colonial move was driven by institutional support. The Great Depression of 1930s and the Second World War created turbulence in the economic prospects of Travancore state ⁹(Chattopadhyay, 1985; Jeena, 1997; CESS, 1997). Moreover the shortage of food grains and famine during this era overwhelmed the ecological conservation. Government began to encourage immigration to High ranges under the 'Grow more food' campaign¹⁰ (Chundamannil, 1993). Forest lands were allocated for

⁷ Cardamom Hill reserves are the area exclusively allotted for the cultivation of cardamom

⁸ Settlers are migrated farmers from Low land to high lands of Kerala for cultivation

⁹ Before the formation of Kerala in 1956, it was divided into princely states namely Travancore and Kochi

¹⁰ During the Second World War period in 1942, British suffered a defeat with Japan and Japan invaded in Burma (present Myanmar). Burma, which was a part of the British India supplied major share of rice, the staple food to India. A cyclone which was hit in 1942 at the east cost of Bengal and Bihar damaged the paddy cultivation severely. It triggered a famine in India during 1943. To tide over this crisis, an all India Campaign named 'Grow More Food' for promoting the production of food crops was implemented across the country. Large hectares of forest lands were cleared for the cultivation of food crops.

cultivation purposes. The intensive food crop cultivation severely questioned the sustainability of forests. Later in 1968, government commenced allotment of forest land to residential purposes under the 'High Range Colonization Scheme'¹¹. It also cleared forest lands which were inhabited by the tribes of the area. Mannan community who were practicing sustainable shifting cultivation practices had to face serious problems from the new settled cultivators. It slowly eroded their cultivation right and subsistent living at their traditional living spaces and pushed them to the fringes. This shrinkage of wilderness areas which have been offering resources to sustain their lives limited themselves to allotted plots.

Nature of Exchange of Land

Land exchange may occur in various forms depending on the nature of exchange, form of intrusion, presence of counterparts etc. Though exchange of tribal land is illegal, inter and intra settlement exchanges¹² still happen in the settlements. Inter settlement transactions generally occur between tribes and non tribes or among different tribal groups. Exchange of limited amount of fertile land to more amount of non fertile land also takes place in such transactions. This is more distress in nature. Sales of land always outweigh purchase of land in such transactions. However intra settlement transactions generally include both sales and purchases and happens predominantly among same tribal community.

Table 1 Nature of Land Exchange

Nature of Exchange	Forest settlement %	Fringe settlement %
Sales	0	18.89
Purchases	0	4.44
Exchanges	20	7.78
Status-quo	80	68.89
Total	100	100

Source: Primary Data

Fringe settlers are more active in this practice. Proximity and coupling with market and more interactions with outsiders open them to such practices. The disgusting feature is that out of these transactions, 18.89% of households sold their property without substituting it with any fresh purchase. Such distress sales make them more vulnerable. The dispossession of their sole asset, land, makes them more deprived.

¹¹ Allocation of land to 8000 families at four destinations in High Ranges

¹² Inter settlement exchanges refers to the land exchanges between different settlements and intra settlement transactions occur within the same settlement

These transactions are driven exclusively by push factors like settlement of debts, livelihood needs and solution of agricultural distress emerged out of crop failure. Often these practices cause an erosion of their meager asset base and plunges them into dispossession and vulnerability.

The social maladies like dowry and increased marriage expenses as well as climate changes and associated crop failure act as contributory factors of distress sale. Absence of legal entitlements for land limits its capacity to serve as official collateral security. It deprives them out of reasonable credit facilities from formal financial institutions. So they are compelled to depend on indigenous money lenders. These plunges those into the spiral of debt trap. They are deprived of command over diversified and good yielding assets. This low asset holding itself serves as the fundamental cause of lower income. The low income often denies enhanced investment in land and therefore livelihood opportunities get shrunk.

These constraints force them to engage in another practice called 'leasing' of land. This is the 'transfer of cultivation right' from owner of land to those who have leased it. This is exclusively for the purpose of cultivation and the land has to be returned to the owner within 3-5 years. The owner will receive a monetary payment in return. However this system functions in an unfair manner in the studied settlements. The educational backwardness and low bargaining power always put the tribes in the losing end. Leasing generally emerges out of push factors like lack of income and contingencies. Thus the leasers consider the land as a collateral security for providing financial assistance to the tribes (Chacko, 2018).

The term of tenure and the rent will be fixed at the leasers' will. Moreover they utilize the tribal labour for cultivation purpose by either paying meager wages or free of payment. It creates an 'invisible bonded labour' with them by fully blocking the labour dynamics. The resultant deflation in income often extends the term of tenure and they sometimes fail to retrieve their land. The outcome is either distress sale or loss of land to the leasers. The accumulation of the outsiders occurs by the dispossession of tribal land. They acquire private property by dismantling the cultivation right and land tenure of the marginalized community. The practice is limited to fringe settlements which are having coupling with external world. Coupling with the market driven economy extends miseries to the deprived class. The entire process triggers a 'vicious cycle of vulnerability' and derails them from livelihood security. The functioning of the same can be explicitly represented using the following figure.

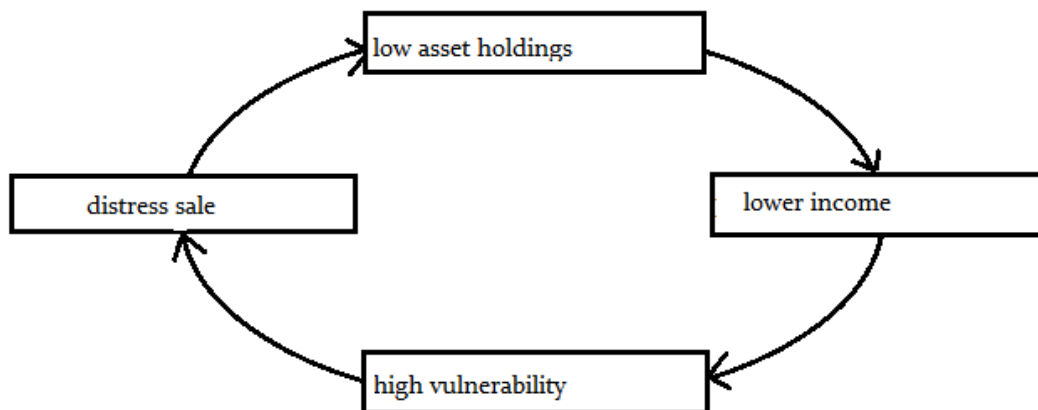


Figure 1 Vicious circle of vulnerability

One ray of hope in the land exchange is that 4.44% of the community could acquire land through this exchange process. This added to their total land holding and all these exchanges occurred in intra-settlement transactions. Families having increased land holding executed such transactions. Their desire for cultivation and land holding prompted them towards it. These were executed with the consent of head of settlements. They raised the funds for the purchases from their earnings from cultivation.

Mutual exchange of land occurs in 7.78% transactions. These are intra settlement land exchanges and dominated by non monetized factors like personal preferences, mutual negotiations, change in fertility of land etc. However these transactions are not fair always. Sometimes large amounts of less fertile land have to be exchanged with limited amounts of fertile land. The negotiations among the same community will be reached in the presence of head of the settlements. These may either be barter system or monetize practices. However in other transactions where non tribes and tribes of other communities involve, even such risk minimizing strategies do not exist. Limited desire for accumulation of assets may accelerate the vulnerability with different magnitude.

Forest settlers exhibit a different pattern of land exchange. They have neither accumulated nor sold land. They are more inclined to their indigenous community practices and norms where private ownership and accumulation are least significant. They pay limited attention to the territorial claims. Moreover they attach a 'value of sacredness' to the land and resources which are being inherited from their forefathers (Mathur, 2009). Very limited families have engaged in mutual exchange of land. This is in line with non-monetized practices. These barter exchanges are exclusively intra settlement practices. All these practices are executed under the monitoring of the head of settlements.

“We live here, our forefathers also lived here ...what ownership?... this land and other resources are the gift of forest...we have to take care of it...no other claims (Nankan, an inhabitant of Kodakallu).

Partner of Land Exchange

The exchange of land may take place either between tribes and non tribes or among different tribal groups. The transactions among the community generally do not follow the market mechanism. It may either be based on prices or barter system. Price is fixed out of mutual negotiations. The gain out of such transactions is mutually shared among the seller and the buyer. Barter system involves non monetized exchanges and land is being exchanged between the buyers and sellers. However in the transactions between tribes and non tribes, price of land is often fixed by the non tribes at their own advantage. The exchange to non tribes is generally unfair and is quiet exploitative in nature.

Table 2. Partner of land exchange

No	Partner of Exchange	Forest Settlements	Fringe Settlement
1	Same community	66.67	60.71
2	Other tribal community	33.33	17.86
3	Non tribes	0	21.43
	Total	100	100

Source: Primary data

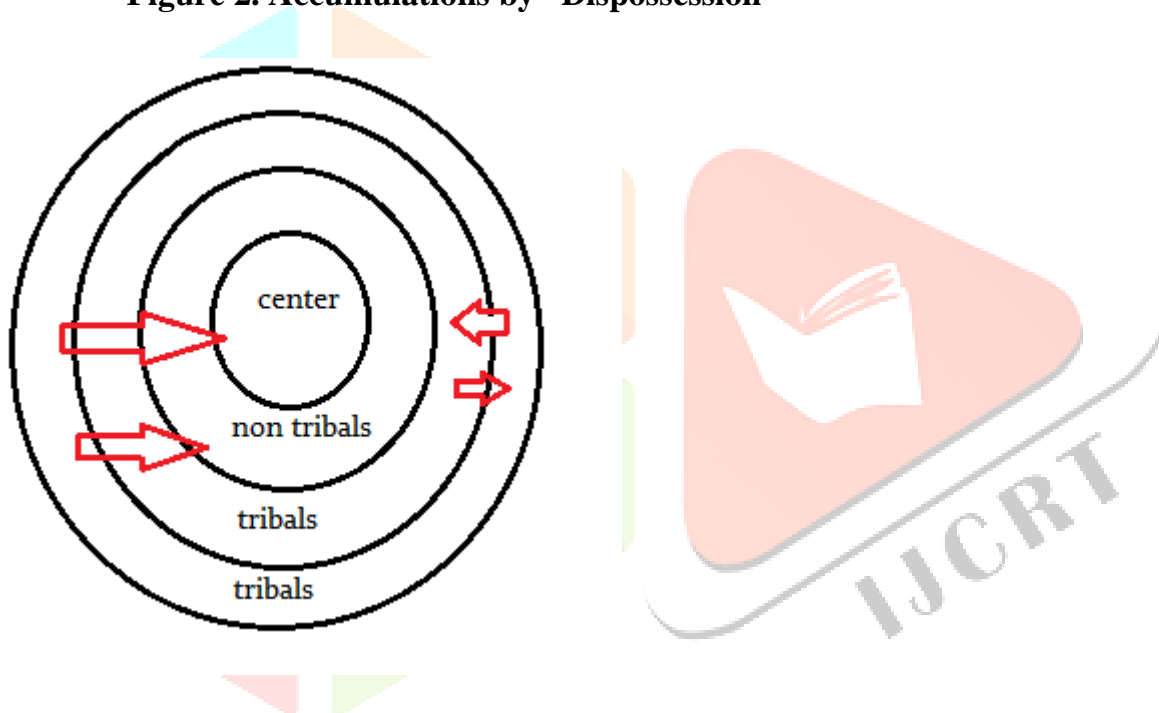
The practice of land transactions uncovers several unfair practices in the community. Even though non tribes are legally restricted from purchasing tribal land, 21.43% of transactions in fringe settlements possess intra-community nature. Though these have done not in the recent past, still it prevails in the settlements. Most of these transactions originated in the late 1970s and early 1980s. All these possess the nature of exclusive sales in line with the monetized practices. Generally non monetized exchanges occur only in inter community transactions and a ‘sense of distrust’ curtails them from engaging in barter transactions to ‘others’.

Transaction of land in these settlements has also carried among tribal communities also. 21.43% of total transactions possess this nature. Tribal communities like *Ulladans* and *Mala Arayans* who are having

better economic prospects have purchased land and co-exist in fringe settlements. All these transactions resulted in net fall in total land holding to the community.

These inter community land exchanges possess the nature of ‘accumulation by dispossession’ at grass root. The better off communities dispossess the worse off communities and accumulate wealth out of such transactions. Those in the periphery are dispossessed by the centre communities. A move to the centre increases the level of accumulation. It transfers more surpluses from periphery to centre. However the accumulation from inter community exchanges are more compared to intra-community land transfers. The unfairness and level of exploitation present in such transaction determines the magnitude and gravity of accumulation. The following figure represents this phenomenon.

Figure 2. Accumulations by Dispossession



The level of accumulation is represented by the distance between circles. When it is more distanced, it is an indication of higher level of accumulation. The accumulation comes down with the decrease in the distance between circles. The level of exploitation as well as accumulation will be comparatively higher in centre and hence the circles are more distanced. When it comes to periphery, the exploitation and consequent accumulation decreases which leads to close occurrence of circles.

The land exchanges in forest settlements are comparatively low. Non tribes have not entered into the sampled forest settlements. The decoupling of markets and less interaction with outsiders serves as a shield against the accumulation of outsiders. Similarly the monitoring and intervention of forest officials is comparatively high in such settlements. The presence of outsiders could easily be detected here. Loss of some non mannan settlements to outsiders has raised the concern of forest officials. Therefore majority

of the transactions are intra community in nature. The exchange of cultivation rights with mutual consent is still visible in such transactions. It can be treated as a different form of shifting cultivation. The forest settlers still retain attachment with their traditional land management practices. The subsistent nature of cultivation and livelihood practices has limited their livelihood requirements.

Inter community exchanges are not quite uncommon. The *Ulladans* and Mala arayans who co –exist with the community too involve in this cultivation right exchange practice. These transactions do not result in dispossession and vulnerability because of their spatial existence. Since the forest settlements are under the close surveillance of forest officials the transfer of surplus is very limited.

Conclusion

The process of land exchange tends to be fruitful only when the benefits are proportionately distributed among the stakeholders. Legal command over land as well as attachment to higher power structure may enable them to attain such an un-skewed distribution. However such capabilities are yet to be evolved in a reasonable manner. They are still at the lower stratum of power and which deters them from the fruits of development and social progress. The coupling with market economy and outsiders exposes them to several unfair practices. Predominantly it results in ruthless exploitation. The sad thing is that coupling with empowering official institutions are still at the budding stage. Coupling with formal financial institutions, effective connectedness with power holding administrative mechanisms and access to grievance redressing mechanisms are yet to be strengthened in the community.

The accumulation of tribal land occurs at the expense of dispossession of their natural capital. Even though it is illegal, power holding communities succeeds in encroaching and maintaining tribal land at their wish. Leasing as well as unequal exchange of land often put them at the losing side. All these vulnerabilities are exogenously constructed and endogenously suffered by the community. It siphons off the meager command over their sole asset-land. It is high time to reverse the lethargic attitude of society and governments towards tribal land issues. A transparent mechanism has to be implemented for assuring legal entitlements to their land as it will alleviate several perplexities in their livelihood. The sense of deprivation and alienation of the community has to be replaced with capabilities and entitlements.

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