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Reclaiming Indigenous Sovereignty through Postcolonial Discourse in the Global South: Land, Knowledge, and Self-Determination Beyond Colonial Modernity

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Abstract

This paper examines the relationship between postcolonial discourse and indigenous sovereignty reclamation in the Global South, with historical attention to the Indian subcontinent. It argues that political independence from colonial rule did not resolve the structural dispossession of indigenous communities, most acutely the Adivasi populations of India, from their lands, epistemologies, and customary governance systems. The colonial legal architecture inaugurated by British forest and land legislation in the nineteenth century was substantially preserved within the postcolonial Indian state, perpetuating historical injustice in new administrative forms. Drawing on postcolonial theory (Fanon, Spivak), decolonial thought (Mignolo, Quijano), subaltern studies (Guha, Chakrabarty), and indigenous sovereignty scholarship (Smith, Coulthard), the paper proposes a three-dimensional sovereignty reclamation model comprising territorial, epistemic, and cultural-governance dimensions. This framework is applied comparatively across four Global South cases: the Adivasi movement in India, the Maori struggle in Aotearoa New Zealand, the Maasai land rights contestation in East Africa, and the Latin American plurinational movements in Bolivia and Ecuador. The analysis demonstrates that colonial modernity continues to operate through postcolonial state structures, legal regimes, and epistemic hierarchies. Postcolonial discourse enables indigenous communities to contest these structures by rewriting history, challenging colonial legality, recovering suppressed epistemologies, and asserting alternative governance identities. The paper concludes that epistemic justice is non-negotiable for meaningful sovereignty reclamation, and that indigenous sovereignty is not a nostalgic regression but a contemporary decolonial political project of enduring historical legitimacy.

Keywords: Indigenous sovereignty, postcolonial discourse, Adivasi, decolonial governance, Global South, subaltern studies, epistemic justice, coloniality of power

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I. Introduction: Colonial Persistence and the Unfinished Decolonial Project

The transfer of political sovereignty from British colonial authority to the newly independent Republic of India in 1947 was widely celebrated as the culmination of one of the most consequential anti-colonial struggles of the twentieth century. Yet for the approximately ninety million (Adivasi people) India's Scheduled Tribes, constituting roughly 8.6 per cent of the national population independence effected no fundamental redistribution of the colonial order. The Indian Forest Act of 1878, the land settlement regimes of the colonial revenue system, and the administrative apparatus of Scheduled Area governance were not dismantled at independence. They were inherited, consolidated, and in many respects intensified by the postcolonial developmental state, which pursued its programme of national modernisation at the direct expense of Adivasi territorial sovereignty (Guha, 1989; Bijoy, 2008). As Ramachandra Guha and Madhav Gadgil observed in their foundational work on Indian ecological history, the colonial state's transformation of forests into state property and the criminalisation of customary Adivasi forest use was not a rupture repaired at independence, but a structure reproduced within the new republic's development paradigm (Gadgil and Guha, 1992).

This paper is premised on the recognition that indigenous sovereignty, understood not merely as territorial autonomy but as a multi-dimensional reclamation involving land, epistemology, law, language, and governance constitute an unfinished and urgently contemporary decolonial struggle. The experience of Adivasi communities in India is paradigmatic, but it is not unique. Across the Global South, from the Maori of Aotearoa New Zealand to the Maasai of East Africa to the indigenous nations of Bolivia and Ecuador, colonial modernity has operated through territorial expropriation, legal imposition, epistemic hierarchy, and administrative assimilation to transform indigenous communities from self-determining peoples into governed subjects of the postcolonial nation-state (Fanon, 1963; Mamdani, 1996). The intellectual and political resources through which these communities contest this condition constitute what this paper calls postcolonial discourse a body of critical theory, historical revisionism, legal advocacy, and indigenous intellectual practice that provides the vocabulary and the analytical tools for identifying, challenging, and beginning to dismantle the structures of colonial persistence.

The paper advances two central research questions. First, how does postcolonial discourse enable the reinterpretation and reclamation of indigenous sovereignty in the Global South, and particularly in the Indian historical context? Second, is indigenous sovereignty reducible to territorial autonomy, or does it necessarily encompass epistemic and juridical dimensions that challenge the foundations of the postcolonial state? In addressing these questions, the paper draws on comparative postcolonial textual analysis, critical discourse analysis, and transnational case study interpretation, and proposes

a three-dimensional sovereignty reclamation model that integrates territorial, epistemic, and cultural-governance dimensions into a unified analytical framework.

The paper makes three principal contributions to the existing literature. It situates the Indian Adivasi experience within a comparative Global South framework, demonstrating that the structural commonalities of indigenous dispossession across diverse colonial contexts are more illuminating than the national peculiarities typically emphasised in area-studies scholarship. It synthesises postcolonial and decolonial theory with subaltern studies a tradition whose Indian origins give it particular relevance for readers of this journal into an analytically tractable sovereignty model. And it insists on the centrality of epistemic justice to any meaningful account of sovereignty reclamation, arguing that the recovery of indigenous ways of knowing is a political project of historical importance equal to the recovery of land.

II. Historical Foundations: Colonial Modernity and the Dispossession of Indigenous Sovereignty

2.1 Land Expropriation and the Colonial Legal Architecture

The systematic expropriation of indigenous lands was the material foundation of colonial modernity across the Global South. In the Indian context, this process was accomplished through a series of legislative and administrative instruments whose consequences persisted well beyond formal independence. The Indian Forest Act of 1878 one of the most consequential pieces of colonial legislation for Adivasi communities established the category of Reserved Forests as state property, extinguishing the customary use rights through which Adivasi communities had for generations organised their livelihoods, governance, and ritual lives. The Act classified Adivasi forest-dwellers not as rights-holders but as encroachers on state land, criminalising the very practices collection of minor forest produce, shifting cultivation, sacred grove maintenance through which communities had sustainably managed forest ecosystems for centuries (Guha, 1989; Xaxa, 1999).

The Indian Forest Act was followed by a series of colonial land settlement operations the Permanent Settlement of 1793 in Bengal, the Ryotwari settlements of the Madras and Bombay Presidencies, the Mahalwari settlements of the North-Western Provinces that imposed alien categories of private property ownership on societies with diverse, often communal, traditions of land use and governance. In tribal regions, these settlements often produced the rapid alienation of land from Adivasi communities to non-tribal moneylenders and zamindars, producing the conditions of exploitation and debt

bondage that drove the great tribal rebellions of the nineteenth century: the Santhal Hul of 1855-56, the Munda Ulgulan of 1899-1900 led by Birsa Munda, and the Bastar rebellion of 1910 (Singh, 1982; Dasgupta, 1999). These rebellions were not merely economic protests but assertions of territorial sovereignty against the colonial disruption of indigenous governance orders.

This colonial legal architecture had lasting consequences. Fanon (1963, p. 37) described the colonial world more broadly as “a world cut in two, whose dividing line is the barracks and police stations.” In the Indian forest context, the dividing line was the boundary of the Reserved Forest, which transformed Adivasi communities from inhabitants and governors of their territories into subjects of the Forest Department, a colonial bureaucratic apparatus that exercised greater effective sovereignty over Adivasi lives than any other arm of the colonial state. This spatial division was not abolished at independence; it was reproduced within the institutional architecture of the Indian developmental state, which continued to treat forest land as national property to be mobilised for industrial development rather than as the ancestral territory of self-governing communities.

2.2 The Postcolonial Developmental State and Continuing Dispossession

The continuity between colonial and postcolonial dispossession of Adivasi communities is one of the most significant and least adequately acknowledged facts of independent India’s development history. The Nehruvian model of planned industrialisation, which dominated economic policy from independence through the 1980s, identified forest and mineral-rich tribal regions as the strategic resource base of national development a logic that required the displacement of the communities inhabiting those regions. Large dam projects, mining operations, wildlife sanctuaries, and industrial forestry schemes collectively displaced an estimated 50 to 60 million people from their territories in the first four decades of independence, with Adivasi communities bearing a disproportionate share of this burden: approximately 40 per cent of all development-displaced persons, despite constituting less than 9 per cent of the national population (Fernandes, 1999; Bhatia, 2005).

The intellectual critique of this pattern was articulated with particular force by scholars associated with the subaltern studies project, Ranajit Guha, Partha Chatterjee, Dipesh Chakrabarty, and their collaborators who sought to recover the agency and political consciousness of peasant and subaltern communities that had been rendered invisible by both colonial and nationalist historiography. The idea of a subaltern studies project, which asserted the ‘historical consciousness’ of marginalised communities as a ‘historical problem’, a concern that was not a mere ‘regrettable but necessary cost of national development’ but set up the intellectual premises for a ‘postcolonial historiography’ (Guha, 1982; Chakrabarty, 2000), was an intellectual development of the project. Propositions of difference

and vulnerability for Adivasi communities were important ones that were acknowledged through the constitutional protection of the Scheduled Tribe communities in the Fifth and Sixth Schedules, the reservation of seats in legislatures and public employment and the statutory protection of the Panchayats (Extension to Scheduled Areas) Act of 1996. However, they were not acts of recognition of Adivasi sovereignty. They were responsible for administrative control of the Adivasi communities within a structure that assumed they were wards of the developmental state, not self-determining peoples with a legitimate right to territory and governance processes. Virginius Xaxa (1999) made his point of the politics of recognition in his influential account of the concept of the Scheduled Tribe, which while recognising their distinctiveness, denied their ability to achieve self-determination, and failed to grant them full sovereignty.

2.3 Epistemic Violence and the Delegitimisation of Indigenous Knowledge

Epistemic violence and the delegitimisation of Indigenous knowledge are all described in the same way. Epistemic violence and the delegitimisation of Indigenous knowledge are all defined in the same manner. Colonial attacks on indigenous sovereignty were not limited to the territorial and legal aspects. It reached the systematic delegitimisation of the indigenous knowledge systems that were the accumulated intellectual traditions that gave communities their sense of place, understanding of their lands, their understanding of natural resources, their understanding of social resources, their understanding of their identities and how they were passed to future generations. Gayatri Chakravorty Spivak's (1988) notion of epistemic violence – the colonial violence that was experienced through the colonial education system, science production, and colonial administration – happened at the same time. The most significant means of Macaulay's educational system was the school he devised, one that, in his own words, "should produce a class of persons Indian in blood and colour...English in taste, in opinions, in morals, and in intellect." The colonial school system introduced English as the language of instruction, European epistemological narratives as the authoritative frameworks for legitimate knowledge, and indigenous languages, orality and knowledge systems as stumbling blocks to civilisational progress. The effects on the knowledge systems that depended on Adivasi self-determination, such as, ecological, governance, and legal, were especially harsh because they had to be passed orally from one generation to the next, through ritual performance and as embodied in the relationship of Adivasis to their territories (Thiong'o, 1986; Smith, 1999).

III. Theoretical Framework: A Three-Dimensional Model of Sovereignty Reclamation

The paper suggests a three dimensional model of reclamation of indigenous sovereignty, which takes

a more expanded notion of sovereignty than the one that conventionally relies on the territorial approach, making room for epistemological and cultural-governance aspects. This model aims to embody all the aspects of indigenous sovereignty claims in the Global South; it is meant to serve as a diagnostic instrument to determine how deep indigenous sovereignty claims are in different contexts; and it is intended to shed light on the structural interdependence of the three aspects of indigenous sovereignty claims.

Territorial Sovereignty is the right of indigenous peoples to control of their ancestral lands, territories and natural resources. This dimension is most directly engaged in international indigenous rights discourse through UNDRIP's provisions on free, prior, and informed consent and the right of indigenous peoples to maintain and strengthen their distinctive spiritual relationship with their traditionally owned territories (United Nations, 2007). Fanon's analysis of colonial land appropriation as the material foundation of colonial power provides the theoretical anchoring: the colonial world is constituted through spatial division, and territorial reclamation is necessarily the starting point of any decolonial project. In the Indian context, this dimension encompasses the Adivasi struggle for community forest rights, the resistance to development-induced displacement, and the assertion of customary territorial governance traditions against state forest department authority.

Epistemic Sovereignty refers to indigenous communities' claims to the legitimacy and authority of their own knowledge systems, ways of knowing, and modes of inquiry. This dimension is theorised most directly by Spivak's (1988) concept of epistemic violence the colonial destruction of indigenous epistemologies and by Mignolo's (2000) concept of colonial difference, which identifies the epistemological asymmetry that sustains colonial relations of power. Linda Tuhiwai Smith's (1999) programme of decolonising methodologies argues that the recovery of indigenous research priorities, methods, and knowledge systems is a political act with direct implications for self-determination. De Sousa Santos' (2014) ecology of knowledges provides a framework for recognising diverse knowledge traditions including indigenous ecological knowledge, oral history, and spiritual practice as epistemologically legitimate without subordinating them to Western scientific frameworks. In the Indian context, this dimension encompasses the recovery and recognition of Adivasi ecological knowledge, the revitalisation of tribal languages and oral traditions, and the integration of indigenous knowledge into formal educational curricula.

Cultural-Governance Sovereignty refers to indigenous communities' claims to organise their political, legal, and social institutions according to their own principles, norms, and practices. Quijano's (2000) coloniality of power illuminates how colonial governance structures were reproduced within the postcolonial state, which inherited colonial legal codes and bureaucratic structures without

dismantling the racial-administrative hierarchies on which they rested. In the Indian context, this dimension is engaged by the PESA Act of 1996, which formally recognised the governance authority of Gram Sabhas in Scheduled Areas, and by the Forest Rights Act of 2006, which recognised community forest resource rights though both laws have suffered significant implementation deficits that this paper addresses in subsequent sections.

These three dimensions are analytically distinct but structurally interdependent. Territorial sovereignty without epistemic sovereignty is precarious: communities whose ways of knowing are delegitimised cannot effectively defend or manage their territories within colonial legal frameworks. Epistemic sovereignty without cultural-governance sovereignty is largely symbolic: the recognition of indigenous knowledge in educational curricula does not translate into self-determination if governance structures remain colonial in character. And cultural-governance sovereignty without territorial sovereignty is hollow: communities displaced from their ancestral territories lose the material and spiritual foundation of their governance traditions. The three-dimensional model insists on simultaneous progress across all dimensions, and provides a diagnostic tool for assessing the depth of sovereignty reclamation in the diverse Global South contexts examined in this paper.

IV. Postcolonial Discourse as a Tool of Indigenous Sovereignty Reclamation

Postcolonial discourse understood as the body of critical theory, historical revisionism, legal advocacy, and indigenous intellectual practice that analyses and contests the persistence of colonial structures within nominally independent states performs four distinct and interrelated functions in the service of indigenous sovereignty reclamation.

The first function is the rewriting of history. Colonial historiography represented indigenous peoples as peoples without history inhabitants of a pre-political, pre-modern world who were rightly incorporated into the progressive temporality of colonial civilisation. In the Indian context, this representation was challenged most powerfully by the subaltern studies project, which sought to recover the agency and political consciousness of peasant and tribal communities that colonial and nationalist historiography had rendered silent. The recovery of the Santhal Hul, the Munda Ulgulan, the Rampa Rebellion of 1879-80 in the Godavari region, and the numerous other tribal rebellions of the colonial period not as primitive reactions to colonial disruption but as sophisticated political assertions of territorial sovereignty against an encroaching colonial order provided historical grounds for contemporary Adivasi sovereignty claims (Guha, 1982; Arnold and Hardiman, 1994).

The second function of postcolonial discourse is the challenging of state legality. By demonstrating

that colonial land and forest law was itself a form of violence a legal system imposed without consent that criminalised pre-existing indigenous territorial regimes postcolonial critique enables indigenous communities and their advocates to contest the legitimacy of that law and to assert the continuing validity of indigenous territorial rights that colonial law purported to extinguish. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006 represents a legislative moment at which this postcolonial discourse of historical injustice achieved formal legal recognition: the Act's preamble explicitly acknowledges the historical injustice done to forest-dwelling communities by colonial forest law, and frames the Act as a mechanism of rectification rather than a grant of new rights (Ministry of Tribal Affairs, 2007). This framing restitution for historical wrong rather than state benevolence is itself a product of the postcolonial historical consciousness that Adivasi activists and their scholarly allies had cultivated over decades.

The third function is the recovery of suppressed epistemologies. Smith's (1999) decolonising methodologies programme, de Sousa Santos' (2014) ecology of knowledges, and Mignolo's (2000) concept of border thinking all provide frameworks for the rehabilitation of indigenous knowledge systems as legitimate, and in some cases richer and more ecologically and socially sustainable, alternatives to Western knowledge paradigms. In the Indian context, this function is exemplified by the growing recognition of Adivasi ecological knowledge in community forest management, the recovery of tribal oral histories and performance traditions, and the campaigns for mother-tongue education in Adivasi regions. The Indian government's Tribal Sub-Plan and the programmes of the Ministry of Tribal Affairs represent partial, contested, and often inadequate institutional responses to the demand for epistemic recognition.

The fourth function is the assertion of alternative governance identities. Rather than accepting the identity of Scheduled Tribe or backward community identities constructed within colonial and post-colonial administrative frameworks Adivasi movements have increasingly asserted sovereign identities as distinct peoples with inherent rights to self-determination. The Jharkhand movement, which ultimately produced the creation of a separate Jharkhand state in 2000, represented a sustained assertion of Adivasi regional sovereignty within the Indian federal system not a demand for secession but for political self-governance within a recognition of Adivasi territorial and cultural distinctiveness (Singh, 1982; Bose, 2000). Mignolo's (2000) concept of epistemic disobedience names this move: the refusal to occupy the subject-position assigned by the colonial-administrative episteme, and the assertion of alternative ways of knowing and being as the ground of political agency.

V. Comparative Case Studies: Sovereignty Reclamation across the Global South

This section applies the three-dimensional sovereignty reclamation model to four comparative indigenous contexts in the Global South, with particular attention to the Indian case and its resonances with movements elsewhere.

5.1 Adivasi India: Forest Rights, Historical Justice, and the Limits of Recognition

The Adivasi case is the paper's primary historical context and provides the most sustained illustration of the three-dimensional sovereignty model. The Forest Rights Act of 2006 represents, in principle, a transformative recognition of all three dimensions of indigenous sovereignty. Its recognition of individual and community forest rights over historically occupied lands addresses territorial sovereignty; its implicit recognition of Adivasi customary knowledge and governance as legitimate bases for forest management addresses epistemic and cultural-governance sovereignty; and its explicit acknowledgement of historical injustice situates it within the postcolonial discourse of restitution that this paper analyses (Bhullar, 2008; Springate-Baginski et al., 2013).

In practice, however, the FRA's implementation has been chronically inadequate. Systematic rejection of community claims by state forest departments which retain a bureaucratic and institutional interest in maintaining Reserved Forest jurisdiction inadequate documentation processes, and the routine prioritisation of forest department authority over community governance have meant that the FRA's transformative potential has been largely unrealised more than fifteen years after its enactment. A 2019 Supreme Court order directing the eviction of millions of Adivasi families whose claims had been rejected under the FRA subsequently stayed after mass protests illustrated the acute vulnerability of Adivasi territorial sovereignty within the Indian legal system, and the insufficiency of formal legislative recognition without institutional transformation (Bijoy, 2019). The PESA Act of 1996, which recognised Gram Sabha authority over minor forest produce, land use, and customary resource management in Scheduled Areas, has been similarly inadequately implemented, with state governments routinely circumventing its provisions to facilitate industrial and mining projects in tribal regions.

The epistemic dimension of Adivasi sovereignty reclamation in India remains the least developed. Despite extensive advocacy by tribal rights organisations and some academic support for the recognition of Adivasi ecological knowledge and oral traditions, there has been no systematic integration of indigenous knowledge systems into educational curricula in tribal regions, no legal recognition of oral history as evidence in land rights proceedings, and no adequate institutional support for the revitalisation of the estimated 700-plus tribal languages, many of which are critically endangered (Xaxa, 1999). The cultural-governance dimension has made some progress through the PESA framework

and the FRA's Community Forest Resource provisions, but the implementation deficit means that Gram Sabha authority remains nominal in most Scheduled Areas.

5.2 Maori Sovereignty in Aotearoa New Zealand: A Comparative Model

The Maori case is instructive for Indian scholars and policymakers precisely because it represents the most advanced example of indigenous sovereignty reclamation within a common law system the legal tradition that also underpins Indian jurisprudence. The Treaty of Waitangi of 1840, between Maori rangatira and the British Crown, has become the central instrument of Maori sovereignty discourse, with the Maori text's guarantee of tino rangatiratanga (full chieftainship) increasingly interpreted by the Waitangi Tribunal as a promise of substantive co-governance rather than a cession of sovereignty (Walker, 2004). The Tribunal process a historical commission empowered to investigate and report on Crown breaches of Treaty obligations provides a model of institutionalised historical justice that has no equivalent in the Indian context, despite the vastly larger scale of Adivasi historical grievances.

The Whanganui River settlement of 2017, which granted the river legal personhood on the basis of the Maori ontological understanding of the river as an ancestor, represents a remarkable integration of indigenous epistemological frameworks into New Zealand law. In the Indian context, the recognition of community forest governance under the FRA's Community Forest Resource provisions represents a partial analogue, though it falls far short of the ontological recognition embodied in the Whanganui settlement. The Maori language revitalisation programme supported through Kohanga Reo (language nests), Kura Kaupapa Maori (Maori-medium schools), and state broadcasting provides a model for the institutional support of indigenous language recovery that Indian tribal language policy has not yet approached.

5.3 Maasai East Africa and Latin American Plurinationalism: Further Comparative Perspectives

The Maasai experience of conservation-based dispossession in Kenya and Tanzania offers a comparative perspective on the way in which colonial categories in this case, the category of pristine wilderness requiring protection from human habitation continue to operate as mechanisms of territorial expropriation within postcolonial states. The establishment of national parks in Maasai territories without indigenous consent or compensation, and the systematic exclusion of Maasai communities from governance of what had been their territories, is structurally parallel to the Indian wildlife sanctuary and Project Tiger regimes, under which Adivasi communities have been displaced from protected areas in the name of conservation (Brockington, 2002; Igoe, 2006). The postcolonial discourse

deployed by Maasai advocacy organisations asserting Maasai ecological knowledge and customary land management as superior conservation tools to exclusionary state management resonates directly with Adivasi assertions of forest management expertise in the Indian context.

The Latin American plurinational experiments in Bolivia and Ecuador represent the most ambitious constitutional responses to indigenous sovereignty claims yet attempted anywhere in the Global South. The recognition of Buen Vivir (sumak kawsay) as a constitutional principle in Ecuador's 2008 constitution and Bolivia's 2009 constitution integrating indigenous ontological frameworks of relational well-being and ecological kinship into fundamental law represents an epistemic sovereignty achievement of the first order. The recognition of Pachamama as a rights-bearing entity in the Ecuadorian constitution pushes further, providing a constitutional basis for indigenous ecological ontology that challenges the anthropocentric assumptions of liberal constitutional jurisprudence (Gudynas, 2011; Acosta, 2012). For Indian constitutional scholars, these experiments raise important questions about the adequacy of the Fifth and Sixth Schedules as mechanisms of tribal self-governance, and about the possibilities of more substantive constitutional recognition of Adivasi governance traditions.

Table 1: Comparative Global South Indigenous Sovereignty Movements

Context	Primary Dispossession	Key Legal Site	Epistemic Claim	Postcolonial Discourse Deployed
Adivasi (India)	Colonial Forest Acts; development displacement	Forest Rights Act 2006; PESA 1996	Sacred ecology; customary resource governance	Fanon's colonial subject; Spivak's epistemic violence; subaltern studies
Maori (Aotearoa NZ)	Land alienation; linguistic erasure; treaty violations	Treaty of Waitangi 1840; He Puapua 2021	Matauranga Maori; tikanga; whakapapa	Smith's decolonizing methodologies; Treaty constitutionalism
Maasai (East Africa)	Conservation displacement; pastoral land loss	African Charter; UNDRIP 2007	Ecological stewardship; oral governance	Subaltern geographies; anti-colonial conservation critique
Bolivia/Ecuador	Resource extraction; governance exclusion	Constitutions 2008-09; CONAIE declarations	Sumak kawsay; Pachamama ontologies	Mignolo's pluriversality; Walsh's interculturality

Source: Author's compilation from comparative case study analysis.

VI. Epistemic Justice and Knowledge Sovereignty

The recovery of indigenous knowledge systems is not an optional supplement to the political project of sovereignty reclamation but its indispensable historical foundation. Colonial modernity constituted

a comprehensive epistemological hierarchy in which Western science, philosophy, and governance were positioned as universal and rational, while indigenous knowledges were classified as local, traditional, irrational, or superstitious. The consequences of this hierarchy were not merely academic: the delegitimisation of Adivasi ecological knowledge meant the marginalisation of Adivasi communities from decision-making about their own forest territories; the dismissal of tribal legal traditions meant the exclusion of communities from governance of their own affairs; the suppression of indigenous spiritual practices meant the severing of ontological relationships between communities and their territories that were integral to Adivasi governance.

The recognition of indigenous ecological knowledge as scientifically legitimate has been a gradual but significant achievement of postcolonial environmental science. Madhav Gadgil and Ramachandra Guha's (1992) *Ecology of India* project documented the sophisticated ecological knowledge encoded in Adivasi forest management traditions, demonstrating that the practices criminalised by the colonial Forest Acts were in many cases ecologically superior to the management regimes that replaced them. This scholarly rehabilitation of indigenous ecological knowledge has provided important support for Adivasi advocacy for forest governance rights, though it has not yet produced adequate policy recognition. Berkes' (2008) broader framework of Traditional Ecological Knowledge (TEK) provides comparative evidence from indigenous communities worldwide that the delegitimisation of indigenous ecological knowledge has produced significant losses in ecosystem management effectiveness.

Language is the primary medium of epistemic sovereignty: it is the vehicle through which concepts, categories, relationships, and ontologies are transmitted, negotiated, and reproduced. The revitalisation of indigenous languages is thus not merely a cultural project but a political one with direct implications for all dimensions of sovereignty reclamation. India's tribal language situation is acute: of approximately 700 tribal languages, many are critically endangered, spoken only by elderly community members without intergenerational transmission. The Eighth Schedule of the Indian Constitution recognises only three languages spoken primarily by tribal communities (Bodo, Santali, and Dogri) among its twenty-two scheduled languages, leaving the vast majority of tribal languages without constitutional recognition or state support. The constitutional and policy framework for tribal language revitalisation remains grossly inadequate, representing a significant gap in the Indian state's acknowledgement of Adivasi epistemic sovereignty.

Oral tradition deserves particular attention in the historical context of this paper. Oral tradition is not merely a pre-literate approximation of written knowledge transmission but a sophisticated epistemological practice that integrates knowledge with social relationships, performative contexts, and mnemonic traditions. The systematic exclusion of oral testimony and oral history from Indian legal

proceedings has been a significant mechanism of Adivasi epistemic marginalisation: communities whose historical claims to forest territories rest on oral tradition rather than colonial documentation are systematically disadvantaged in rights proceedings that privilege written evidence. The FRA's requirement that community claims be supported by documentary evidence produced within colonial record systems, rather than by oral history and community testimony, exemplifies this epistemological injustice (Springate-Baginski et al., 2013).

Table 2: Coloniality vs. Decolonial Governance Matrix

Dimension	Colonial Modernity	Decolonial Governance
Land & Territory	Private property; state expropriation; commodity logic	Collective custodianship; relational ontology; living entity
Law & Justice	Positivist colonial law; imposed codification; Forest Acts	Legal pluralism; customary law; community adjudication
Knowledge	Western scientism; epistemic hierarchy; curricula erasure	Indigenous knowledge systems; oral traditions; plural epistemologies
Governance	Centralised bureaucracy; scheduled tribe administration	Consensus governance; Gram Sabha; elder-council sovereignty
Identity	Colonial subject; assimilated citizen; subaltern	Self-determined people; relational personhood; cultural continuity
Economy	Extractivism; resource commodification; development imperative	Buen Vivir; reciprocity; non-extractive stewardship
Language	Imposition of English; linguistic assimilation; erasure	Revitalisation; mother-tongue education; language as sovereignty

Source: Author's construction based on Quijano (2000), Mignolo (2000), Guha (1989), and Fanon (1963).

VII. Challenges and Contradictions in the Postcolonial Sovereignty Project

7.1 State Co-optation and Legal Tokenism

The ability of postcolonial states to co-opt indigenous rights claims, especially in the context of the Indian situation, is the greatest threat to indigenous sovereignty reclamation in the Global South and in other parts of the world. While developed in a Canadian context, Coulthard's (2014) critique on the politics of recognition is as applicable for India as it is for Canada; the state's formal recognition of Adivasi rights, and its efforts through legislation such as the FRA/PESA to claim that it is providing progressive "governance", serve as a tool to secure the state's claim to progressive governance while simultaneously reproducing the structural conditions of indigenous dispossession. The forest bureau-

cracy has shown resistance to implementation of the Forest Rights Act, documentation processes have proven to be weak, and courts' interpretation of the provisions on community rights has been uneven. The forest bureaucracy has demonstrated resistance in implementation of the Forest Rights Act, documentation processes have been found to be weak, and courts' interpretation of the provisions relating to community rights has been inconsistent. The outcome is the legal tokenism that the paper describes as being characterized by "formal recognition" but without "structural change", a form of neutralisation of the political demands that maintains the status quo of dispossession.

7.2 Development Extractivism and Global Capital

Tribal people's livelihoods and territorial sovereignty are severely threatened by the global commodity market where extraction of coal, iron ore, bauxite, uranium, etc. is ramped up in their home areas. The Niyamgiri campaign, in which communities of the Dongria Kondh successfully resisted bauxite mining by the Vedanta corporation, is a major success of community governance sovereignty as expressed in PESA Gram Sabha resolutions in Odisha. However, it remains the exception and not the rule: in the tribal belt of central India, development projects are displacing Adivasi communities without proper consultations, compensation or alternative. A contradiction between the Indian state's constitutional responsibilities towards Adivasi communities and its economic policy of allowing extractive investments in tribal areas is structural and not something that can be solved by simply formalizing these relationships. This contradiction is captured with precision in the neo-extractivist concept by Gudynas (2011) that marks the continuation of extractivist development by seemingly progressive states. The problem with Postcolonial theory, as with any other theory, is that it is internally heterogeneous.

7.3 Internal Heterogeneity and the Limits of Postcolonial Theory

As with all theories, Postcolonial theory is internally heterogeneous. Indigenous communities are not a unified or homogeneous political entity but are internally divided along gender, generation, class, religious, and political lines. The voices of women have been relegated to the margins of discussions on sovereignty in Adivasi communities, while women's roles are central to forest-based livelihoods and forest rights movements have included them in many struggles for forest rights (Sarin, 2005). There can be conflict between older and younger community members who receive different political orientations in their formal education, and have varying preferences for customary approaches to governance. If the postcolonial discourse of sovereignty is exclusionary, it typically focuses on the

cultural authenticity of the “traditional tribal elder” as the authoritative voice of community sovereignty and marginalizes other points of view within the community. The theory of Postcolonialism is also not a fully fledged tool for indigenous governance. Various critics such as Dirlik (1994) and Ahmad (1992) have pointed to its textualism, preference for discourse and representation over material realities, and relative neglect of practical aspects of governance, including resource management, legal administration, social service provision, economic development and conflict resolution. The issues of practical governance of Indigenous lands and territories in an international capitalist economy and a postcolonial state system are matters that must be addressed by Indigenous communities in pursuit of self-determination. The postcolonial discourse offers tools of intellectual critique to question the terms of that engagement, but is not itself a governance programme.

VIII. Future Directions: Towards Decolonial Governance in the Indian Context

The analysis of this paper suggests several concrete directions for advancing indigenous sovereignty reclamation in India and across the Global South, grounded in the three-dimensional model proposed above.

The most fundamental reform required is the establishment of plural legal frameworks that recognise indigenous customary law as a co-equal legal tradition alongside state law. The PESA Act of 1996 provides a constitutional basis for Gram Sabha authority in Scheduled Areas that remains largely unrealised in practice. Genuine implementation of PESA including the repeal of state legislations that override Gram Sabha authority, the devolution of natural resource governance to community institutions, and the establishment of independent oversight mechanisms would represent a significant advance in cultural-governance sovereignty. De Sousa Santos’ (2007) framework of diatopical hermeneutics, which envisions dialogical translation between different legal traditions that preserves the integrity of each, provides a theoretical model for how legal pluralism can operate without one tradition subordinating the other.

Community-led resource governance in which indigenous communities exercise substantive control over the management of their forests, water bodies, and mineral resources according to their own knowledge systems and governance traditions requires not merely legal recognition but institutional and financial support. The evidence from Joint Forest Management and Community Forest Resource governance under the FRA suggests that community institutions can manage forest ecosystems effectively when provided with genuine authority, adequate support, and freedom from bureaucratic interference (Agrawal, 2001; Berkes, 2008). The scaling up of community-led resource governance

from pilot projects to systematic policy would require a fundamental reorientation of the Indian Forest Department's institutional culture and incentives a reform that will require sustained political will of a kind that has not yet been forthcoming.

The integration of indigenous knowledge systems into formal educational curricula at all levels from primary to tertiary is a prerequisite for the intergenerational reproduction of the epistemic foundations of Adivasi sovereignty. This integration requires more than the superficial addition of indigenous cultural content to otherwise Eurocentric curricula: it requires a fundamental rethinking of the epistemological assumptions that structure educational systems in tribal regions, centring Adivasi knowledge traditions as equally valid frameworks for understanding ecology, governance, history, and social life. Mignolo's (2000) concept of border thinking provides a useful framework for conceptualising an educational practice that takes indigenous knowledge seriously without either essentialising it as unchanging tradition or subordinating it to Western scientific norms.

Finally, the participatory constitutional recognition of Adivasi governance traditions on the model of the Latin American plurinational constitutions, adapted to the Indian federal context deserves serious scholarly and political attention. The Indian constitution's Fifth and Sixth Schedules, though significant, were designed as protective administrative mechanisms rather than as constitutional recognitions of indigenous sovereignty. A constitutional amendment that formally recognised the self-determination rights of Scheduled Tribe communities, provided constitutional status to Gram Sabha authority over Scheduled Area resources, and established constitutional mechanisms for indigenous participation in decisions affecting their territories would represent a historic step towards resolving the historical injustice that the Forest Rights Act's preamble acknowledges but its implementation has failed to remedy.

Table 3: Three-Dimensional Sovereignty Reclamation Conceptual Framework

Dimension	Territorial Sovereignty	Epistemic Sovereignty	Cultural-Governance Sovereignty
Definition	Control over ancestral lands, forests, and spatial boundaries	Authority over indigenous knowledge systems and ways of knowing	Self-governance through indigenous legal and political institutions
Theoretical Base	Fanon's territorial reclamation; anti-colonial nationalism	Spivak's epistemic violence; Smith's decolonizing methodologies	Mignolo's pluriversality; Quijano's coloniality of power
Colonial Assault	Expropriation; Forest Acts; conservation displacement	Curricula erasure; scientific delegitimation; oral tradition suppression	Imposed legal systems; Scheduled Tribe administration; assimilation

Reclamation Strategy	Land rights litigation; UN-DRIP; community forest titles	Indigenous education; knowledge revitalisation; oral archives	Legal pluralism; customary law recognition; Gram Sabha empowerment
Indian Exemplar	Adivasi forest land; Jharkhand movement	Adivasi ecological knowledge; tribal oral histories	Panchayats (Extension to Scheduled Areas) Act 1996
Key Challenge	State sovereignty doctrine; development extractivism	Academic co-optation; tokenistic curricula inclusion	Legal tokenism; implementation deficit; internal heterogeneity

Source: Author's conceptual synthesis integrating Fanon (1963), Spivak (1988), Mignolo (2000), Smith (1999), and Indian legislative history.

IX. Conclusion

This paper has argued that indigenous sovereignty in the Global South and in India above all is not a nostalgic aspiration towards a pre-colonial past but a contemporary, dynamic, and decolonially legitimate political project of historical depth and ethical urgency. The colonial legal architecture inaugurated by the Indian Forest Act of 1878, the land settlement operations of the nineteenth century, and the Macaulayan educational system constituted a comprehensive assault on Adivasi territorial, epistemic, and cultural-governance sovereignty that formal independence in 1947 did not dismantle. The postcolonial developmental state reproduced the essential structures of this colonial order in the name of national progress, displacing tens of millions of Adivasi people from their territories while extending the administrative apparatus through which the colonial state had governed tribal communities as subjects rather than peoples.

Postcolonial discourse the intellectual and political tradition represented by Fanon, Spivak, Mignolo, the subaltern studies historians, and indigenous scholars like Linda Tuhiwai Smith has provided the vocabulary and the analytical tools through which this structural persistence has been named, theorised, and contested. The Forest Rights Act of 2006, the PESA Act of 1996, and the constitutional protections of the Fifth and Sixth Schedules represent moments at which postcolonial historical consciousness has achieved partial legislative recognition, but the chronic implementation deficit of all these instruments demonstrates that formal recognition without institutional transformation is insufficient. The three-dimensional sovereignty model proposed in this paper integrating territorial, epistemic, and cultural-governance dimensions insists that genuine progress requires simultaneous advances across all three dimensions, and that epistemic justice is as foundational to sovereignty reclamation as the recovery of land.

The comparative Global South analysis undertaken in this paper has demonstrated that the structural commonalities of indigenous dispossession across diverse colonial contexts India, Aotearoa New Zealand, East Africa, and Latin America are more illuminating than national peculiarities. The Maori co-governance model, the Bolivian plurinational constitution, and the Whanganui River settlement represent achievements that Indian Adivasi movements have not yet been able to secure, but that postcolonial discourse applied with historical rigour and political creativity makes imaginable. The challenge for scholars, advocates, communities, and the Indian state is to close the distance between imagination and institutional reality: to build the plural legal frameworks, the community-led governance institutions, the epistemologically diverse educational systems, and the constitutional protections that would begin to translate the historical justice acknowledged in the preamble of the Forest Rights Act into the living reality of Adivasi self-determination.

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