

# **The Role of Customary Laws and Traditional Beliefs in Environmental Management in the Chittagong Hill Tracts.**

**Alpan Chakma**

**Submitted to: ICCCAD**

## **Abstract:**

In an attempt to understand the indigenous knowledge of environmental management in CHT, the focus has been mainly given to the customary laws and practices. While the customary laws are an important part of the indigenous traditional system, limiting or trying to define indigenous knowledge in CHT based on those laws certainly undermines the whole understanding of the idea of local knowledge. Perhaps, an anthropological understanding rather than a scientific one would be more helpful to understand what indigenous knowledge really means in the context of Chittagong Hill Tracts.

While it is important to highlight the customary laws and the local governance system, it is equally important to understand the local beliefs and values which have been crucial part of the sustainable livelihood of the indigenous people in CHT for centuries. It is important to understand what indigenous people believe and practice in their day to day life, how they perceive the natural phenomena such as the forests, rivers, the sky, the earth and how these phenomena relate to their understanding of nature and the environment.

The livelihood of the indigenous people in the Chittagong Hill Tracts is dependent on the nature and the natural resources. Indigenous people associate every aspect of nature with some holy and evil spirits, by doing so they are bound to respect nature and follow some rules. In this way the peaceful Co-existence between nature and humans have been made possible for centuries in this region.

In this time of rapid environmental degradation and climate change it is important to understand these values and their impacts in preserving the environment. These beliefs and values are mostly undermined in understanding the local knowledge of the indigenous communities. This paper attempts to understand what traditional knowledge means in the context of Chittagong hill tracts and its importance in preserving the environment.

## **Introduction:**

The Chittagong Hill Tracts (CHT) in Bangladesh represent a region rich in cultural diversity and environmental significance. Home to various indigenous communities with unique customary laws and cultural beliefs, the CHT presents an intriguing case study for understanding the interplay between traditional practices and modern conservation efforts. The CHT has a complex history marked by colonial rule, conflict, and displacement, leading to the marginalization of indigenous communities and degradation of their environment. The imposition of external governance structures disrupted traditional resource management systems, leading to environmental degradation and loss of cultural practices. Indigenous communities in the CHT have long-standing customary laws and practices governing land use, resource management, and conservation. These customary laws are deeply rooted in cultural beliefs, oral traditions, and spiritual values, emphasizing harmony with nature and intergenerational equity.

The intricate web of customary laws, passed down through generations, governs various aspects of natural resource management, land use, and conservation practices. These laws are deeply rooted in the traditional knowledge systems of indigenous communities, which have evolved over centuries of living in harmony with their surroundings.

Furthermore, cultural beliefs and rituals also contribute to environmental conservation efforts in the Chittagong Hill Tracts. Indigenous communities often view nature as sacred and imbued with spiritual significance. As a result, there is a strong cultural taboo against exploiting natural resources excessively or causing harm to the environment.

Understanding the role of customary laws and cultural beliefs is essential for effective environmental conservation efforts in the Chittagong Hill Tracts. By integrating indigenous knowledge and practices into conservation strategies, policy can foster sustainable development while respecting the cultural practices and rights of indigenous communities.

## **Methodology**

### **Study Area:**

The study was conducted in Chaillatali and Gulshakhali village in Rangamati district. There are 72 chakma families in Chaillatali and 85 in Gulshakhali village. Both of the villages have similar characteristics in term of the geographical setting. However, people in Gulshakhali are more advance economically and many of them have plain cultivable land. All the families in Chillatali are dependent on jum cultivation and very few of them have plain cultivable land. Both of the villages have VCF and majority of the people are dependent on traditional practices. All the people in both of the villages are Buddhist and also practice a complex set of cultural beliefs.

Half of the population in Chailatali village are consists of people who came back from India after the peace accord between the local indigenous political party JSS and the Government of Bangladesh. These people are comparatively poorer that the local people who used to live in this

region. Even 10 years ago there was no established chakma para in this mouja, people used to practice traditional jum cultivation and shift their house every year according to their jums.

### **Data and methods:**

To get a better understanding of the idea of indigenous knowledge in the Chittagong Hill Tracts, this study take a qualitative approach. Interviews were conducted in semi structured and non-structured manner.

Most of the participants in this study are from Chaillyatuli and Gulsakhali village. Data were collected through in person interviews (51), key informant interview (10) and focus group discussion (11). Also 8 key informant interview were conducted outside these areas. Participants were selected through random sampling, snowballing and by identifying key informants.

## **The Historical context of environmental management in the CHT**

### **British Colonial Period**

Before 1857, when the British government took direct administrative control of the region, dwellers in CHT were solely dependent on Jum cultivation (Shifting cultivation). As a result of long exclusion and isolation shifting cultivation remained the only form of agricultural and land use practice before 1857. After the British government took over administrative control from the British East-India Company, the region was declared as a separate zone in 1860, known as Chittagong Hill Tracts. After the British colonization in the region forests and environmental resources were brought under national control, which previously belonged solely to the common indigenous dwellers of the Chittagong Hill Tracts.

The British Government introduced several policies between 1960 and 1900 which has significant implication on the environment. The British government wanted to replace shifting cultivation with sedentary agriculture after they took control. They introduced several policies and initiatives to encourage plough cultivation, such as providing land lease with various incentives and establishment of villages. They also imposed tax on shifting cultivation, during the early 1880's one fourth of the land in CHT was declared as reserved forests with strict restriction on shifting cultivation. For the first time indigenous people in the region were denied of their customary rights to their land and forests. As a result availability of land for jum cultivation became limited and significant pressure was created to the livelihood of the people and the environment. As forests became limited for jum cultivation, farmers were forced to shorten the fallow period, which became an impediment to restoration of forests and soil fertility. The common forests evolved into secondary forests with only small trees and bamboos, in some regions only shrubs and grasses remained.

The most exploitative policy measure was declaring the common forests as government property in pursuit of increasing revenue from forests resources. In 1871 almost all forests were declared as government property, hence, open for commercial exploitation. Traders from different area were invited and encouraged to cut trees and forests products. The revenue from forests products increased substantially as a result of such policies and deforestation intensified in the region. As a result, within a short period of time numbers commercially valuable trees declined significantly. The British government then imposed another policy to replace natural forests with commercially valuable teak trees. The teak is a foreign species in the region, imported from Myanmar as it has more commercial value. To facilitate the teak plantation natural forests were cleared, which had significant impact on the environment and on the livelihood of the people. Local people protested against such policies which resulted in a conflict between the local people and the forests department. The Forest Act 1927 was introduced to take exclusive control of the reserved and protected forests with strict regulation. Many of the local tree species declined significantly in their numbers as a result of ruthless extraction of timber for commercial purposes.

### **Pakistan Period**

Every government had their special economic interest in CHT. After the independence from the British colonization in 1947, Pakistan was born with its new geopolitical territory and CHT being a non-Muslim area surprisingly fell under the Pakistan government. Pakistan government took different development initiatives in the region than the British, which were more aggressive and destructive for both the local indigenous communities and the environment. They emphasized on industrial development in the region. To meet the demand of electricity for industrialization the government of Pakistan constructed the hydro-electric dam on the Karnafuli, river in the early 60's. As a result 22,000 hector of plain cultivable land went underwater which is equal to 40 percent of the plain cultivable land in CHT. It has displaced about 10000 people from their land, who resided in the hills and started jum cultivation. It has created huge pressure on the forest lands. Most of the environmental refugees had no other option but resumed jum cultivation by cutting the forests. The pressure on forest and land resources further intensified when the government took policy to migrate people from low-land in CHT. The special status of CHT which prevented outside migration in CHT was abolished. As a result between 1951-1961 huge numbers of lowland people migrated in CHT. Indigenous people were further marginalized when the government declared some forests as protected forests, with strict prohibition on jum cultivation and resource extraction from these areas. As a result the land for jum cultivation became scarce and it forced the indigenous people to shorten the fallow period of jum cultivation. Previously the fallow period used to be about 15-20 years, which became 3-4 years. It has created huge pressure on the environment.

### **After Independence**

Following the independence in 1971, a significant influx of people from low-land areas migrated to the Chittagong Hill Tracts (CHT) as part of a government resettlement initiative in the late 1970s. This demographic shift not only had adverse environmental effects but also led to social tensions, primarily because many migrants were settled on land owned by indigenous communities. This intrusion by outsiders disrupted the traditional agricultural practices of indigenous groups, compelling them to leave their lands. Consequently, the quality of life for indigenous inhabitants deteriorated further, as they were compelled to relocate to areas with poorer soil quality for their traditional jum cultivation practices. In 1992, the government designated an additional 50,000 hectares of forest land as "reserved forests," while leasing out 4,000 hectares for rubber plantations. Coupled with the ongoing migration of lowland Bengalis to the CHT, this intensified pressure on land resources, compelling jum cultivators to shorten the fallow period.

The government's policy of relocating people from the plains to the Chittagong Hill Tracts (CHT) has intensified pressure on the already diminishing forest resources. In 1978, the Bangladesh Government initiated a resettlement program in the CHT, resulting in approximately 25,000 Bengali families being resettled in unclassified state forest areas. This influx of people, coupled with limited alternative livelihood opportunities, forced shifting cultivators to significantly reduce fallow periods, exacerbating deforestation. Even after the country's independence, forest depletion persisted as the government lacked the necessary resources and technical capacity to effectively manage them. The lucrative profits from timber due to supply shortages and high demand incentivized widespread poaching of forest products. Despite a ban on commercial logging, influential individuals in business and politics continued the activity, often colluding with forest department officials and other agencies. As a result, over 100,000 hectares of CHT reserve forest were transformed into barren land. The rampant logging not only devastated the forests but also caused extensive ecological and environmental harm.

### **Importance of cultural beliefs in sustainable environmental management:**

In the realm of environmental management, addressing complex ecological challenges requires more than just scientific knowledge and technological advancements. Cultural beliefs, deeply ingrained in societies worldwide, play a pivotal role in shaping attitudes, behaviors, and decision-making processes concerning the environment. Acknowledging and understanding these cultural beliefs is crucial for devising effective strategies for sustainable environmental management.

Cultural beliefs influence how communities interact with their surroundings, including natural resources. These beliefs often stem from traditions, spirituality, and collective experiences passed down through generations.

## **Results and Discussion**

### **Customary Laws and traditional practices**

#### **The Administrative Context:**

The administrative structure of the Chittagong Hill Tracts (CHT) encompasses formal governmental bodies alongside semi-formalized traditional offices, including those held by 'circle' chiefs (rajas), headmen, and village chiefs or elders (karbaries). Similarly, the legal framework in the CHT combines codified laws with customary practices.

At the top of the local customary system is the three circle chiefs in three districts. Below them are the headmen who are in charge of a mouza. A mouza can consist of one or more villages, every village has a karbari.

According to the customary system there is no owner of the lands, the land and the natural resources are collectively owned. When it comes to utilizing natural resources (jum cultivation, timber and bamboo extraction etc.) the mouza headman takes the decisions with the suggestions of the mouza people. Ideally, everyone has to take permission from the headman to extract any forests resources and land use. The headman decides which part of the mouza will be used for jum cultivation and which part will be preserved as village common forests. Although the headman has the power, people have the scope to give their opinion in decisions making.

#### **Village Common Forest:**

According to the customs of the people of CHT communities, forest and lands were the common property of a specific clan or village community. The concept of land rights (including forest lands) and individual ownership was governed by the prevailing customs of the respective communities. These were all oral traditions rather than written laws institutionalized in the form of social codes or norms mutually upheld by the community. Reviews of related literatures suggest that the development of VCF in the CHT by the tribal communities started due to some socio-political and administrative reasons. First, the nationalization of forests and declaring one fourth of the CHT land as reserve forests by the British colonial government denying the customary rights of the indigenous people have restricted most of the open access resources to the tribal communities and eventually opening the forest for commercial exploitation where the government encouraged the extraction of forest products and invited traders to extract timber from forests. Before the nationalization, the community had the responsibility to conserve forest resources within their jurisdiction where there were community sanctions and respected rules and norms. After the declaration of the reserved forests, indigenous communities lost their rights over forests resource. In response to these situations indigenous communities have considered VCF as security of rights and daily necessities. However it is the widespread deforestation both at state and individual levels that paved the way for the development of VCF in CHT.

Initially, VCF addresses the requirements for bamboo, timber, medicinal plants, fuelwood, and various minor forest products crucial to many indigenous people (Chakma, 2005). Additionally, it generates economic surplus for the communities, making the protection and preservation of VCF essential for the livelihood, environmental stability, medicinal resources, cultural heritage, and religious practices of indigenous groups. Despite the significant deforestation experienced in Bangladesh, particularly in the CHT, over the past two decades, VCF continues to fulfill the environmental, medicinal, cultural, and religious needs of indigenous communities in a sustainable manner. VCFs serve as repositories for food, biodiversity, and medicinal herbs and plants. Furthermore, the management of VCF sets a noteworthy example of sustainable forest management.

### **Management of VCF:**

The indigenous communities are managing VCF around their homesteads with the objective to maintain tree cover and protect the environment in the face of rapid deforestation, to maintain a diversity of plants and animals (including herbs and plants used in herbal medicine), to sustain a supply of wood and bamboo required for house construction and fuel consumption, to reduce the pressure on government managed reserved forest for forest products, and finally to ensure the source of water by keeping annual and perennial springs and small rivers into sustained flow and secure sustainable access to livelihood resources.

The VCF are managed, protected and utilized by indigenous village communities under the leadership of the mauza head man or village karbaris. Use and extraction was need-based with each person taking only what was required, in order not to deplete the natural resources of this forest which existed for the benefit of the entire community. There are no written rules for VCF management but there are traditional rules which differ with different ethnic communities and also with local condition. However, some rules are common for all the VCF that are strictly followed with the provision of penalties or sometimes exclusion from the clan in case of rules violation such as, jum cultivation and hunting are strictly prohibited, all sorts of fireworks and unpermitted access are restricted in the VCF area. Community members including patrolling the forests on rotation. Village Common Forests thus managed by indigenous communities have set a standard model for the protection of biodiversity, environment and natural resources in CHT and as such the indigenous people have proved themselves to be efficient managers and custodians of forests in CHT and elsewhere.

In my research field both villages have VCF, which are helping people in various ways, such as providing resources, economic and medicinal benefits. Also, the VCF in Chaillatali is helping to balance the environmental degradation in the region. Over the last 10-15 years the area has gone through a lot of environmental degradation. The respondent identified two main reasons for the environmental degradation. First, the uncontrolled extraction of forest resources such as bamboo and timber extraction by the local Bangalis for commercial purpose. Second, the over use of land for jum cultivation. As mentioned earlier, all the families in this village are dependent on jum cultivation. In recent time the population pressure has forced the local community to shorten the fallow period of jum cultivation and people are using the same lands after one or two

years. Also the cultivation pattern of the local people has changed, previously jum used to be mainly to cultivate paddy and seasonal vegetables. In the last 10-12 years people are practicing monoculture in jum cultivation, cash crops have become more popular among the local community, because, people are not getting expected yield from paddy cultivation.

Gulshakhali is also facing similar problems in term of environmental degradation and change in the cultivation pattern. Apart from the problems caused by excessive extraction of bamboo and timber and jum cultivation, this area is facing another burning issue that is teak plantation. The lands that are no longer suitable for jum cultivation are turning into teak plantation. As a result the local tree population is declining and the practice of monoculture is becoming more and more popular. However, planting teak has been banned by the local authorities in these regions in recent time, it has not stopped because of lack of monitoring.

### **Challenges of maintaining VCF:**

Although VCFs have been proved to be a sustainable way of environmental management, there are some challenges in these regions to maintain the VCFs in a sustainable manner.

- 1. Lack of monitoring of timber and bamboo extraction by the local Bengalis:** Both Chaillatali and Gulshakhali village are demographically dominated by the Bengalis. Since there are no ownership of the forests and the trees in the hills the local Bengalis extract timber and bamboo without any obstacles. Although it is a known fact among the Bengalis as well that, bamboo and timber cannot be extracted from the VCFs for commercial purpose, it has been very difficult to stop the extraction because the local Bengalis are not following the rules of VCF. Also because VCF is totally managed by the local indigenous communities, the local Bengalis does not feel the importance of following the rules and regulations. One of the complains of some of my respondents was that, when a chakma cut a tree or bamboo the rules of VCF apply to them but it is not the same for the Bengalis. According to the local authorities it is not always possible to keep monitoring as the VCF is far from the village.
- 2. Elite capture:** One of the problem VCFs are facing is elite capture in term of economic benefit from the VCFs. In Chaillatali one of the rules of managing the VCF is to use the money for community purposes after harvesting bamboo. After every 3 or 4 years some bamboos are harvested from the VCF and the money is usually used to buy resources for the use of the entire community. However, my respondents from both villages shared that, the headmen often keep the money to themselves and use for their own purpose.
- 3. Lack of proper monitoring:** Because rule for maintaining VCFs are very informal, there is a lack of proper monitoring. In case of Chaillatali and Gulshakhali it is more difficult to monitor and check as the VCFs are far from the villages. Some respondents shared that, people collect bamboo shoots during the season from the VCFs, although it is banned to do so.



## **Sustainability Issues in Village Common Forest**

**Sustainability Challenges in Village Common Forests** In addition to the ecological significance of Village Common Forests (VCF), the economic aspects are gaining increasing importance, especially given the rising prices of wood and bamboo. The growing economic demands pose a potential threat to VCFs, as many of these communities are economically disadvantaged and lack alternative livelihood sources. The over-extraction and sale of mature trees have already led to the degradation of numerous VCFs. To ensure the long-term sustainability of VCFs, it is crucial to gauge how well local communities recognize the utility of VCFs in their daily lives. Despite the numerous benefits derived from VCFs, a significant portion remains underappreciated.

Currently, the sustainability of VCFs faces challenges such as population pressure, the scarcity of agricultural lands, and a general lack of awareness about the benefits associated with VCFs. Addressing these threats requires active participation from the villagers themselves, with external agencies potentially playing a supportive role. Achieving long-term sustainability necessitates a focus on capacity building and raising awareness, both for the VCF communities and regional policymakers.

## **Cultural Beliefs and Practices**

Cultural beliefs and practices are often ignored when it comes to the understanding of traditional knowledge among the indigenous communities. While focusing on customary laws are important to understanding the local governance of the indigenous communities, it is equally important to understand their belief system and practices in their day to day life. Customary laws and cultural beliefs

Although Chakma's are Buddhists, their traditional livelihood beliefs and practices like all the other indigenous communities in the Chittagong Hill Tracts are mainly based on the nature.

### **The forests and the owner:**

Many indigenous traditions around the world have their own beliefs and explanation about the natural phenomena. Among the nature dwellers forests are the heart of their life and livelihood, which provide them with necessary resources, from housing to food and even spiritual connections.

According to the Chakma traditional belief, the forests have an owner, who looks after its resources and the lives that are dependent on the forests. Chakma people refer to this spirit as "Jhar o Bhut", means the ghost of the jungle. The idea of ghost is very vast in Chakma traditional belief, in this case ghost refer to the spirit of the forest. The spirit of the forest however is not a very clearly defined entity, nor is it celebrated or worshiped unless it is necessary, in most cases

the worship of the forests spirit are related to health and illness. It is believed that, the Jhar o Bhoot looks after the resources of the forest, he is considered as the “Giroj”, means the owner.

If the spirit or the ghost of the forest feels violated or exploited it can bring punishment in the form of illness, sometimes the illness is mild and sometimes it can be deadly.

If people exploit the forests resources or kill the lives living in the forests more than it is needed, the spirit becomes angry. This entity however is mostly associated with evil, it is not worshiped rather feared.

### **Ritual:**

Daali (Sacrifice): When the spirit or the entity of the forest feels violated, he becomes thirsty and demands blood. So, he brings illness upon the people who violate his rules. Sacrifice of animal (usually a male chicken) is needed to perform through a ritual under a large green tree and the fresh warm blood is offered to the spirit to satisfy his thirst.

If this ritual is not performed, the illness will be prolonged and eventually it can lead someone to dead.

The large green trees are considered to be sacred, where the spirit of the forest live. It is suggested not to climb the trees at night, as it might make the spirit angry. Children are prohibited to climb trees in the evening by the elders.

### **Sacred Places:**

According to Chakma cultural beliefs there are sacred and haunted places inhabited by spirits, these spirits are mostly associated to evil and not be disturbed. Chakma people call them “*Duj Jaga*”, means haunted place. It is strictly prohibited to use these lands for cultivation or housing. Only a *Bodyo (Shaman)* with tantric power can inhabit or cultivate these lands.

There are two kinds of *duj jaga*, “*dekkhe duj* (curse that is seen in existence of various signs and sybbols)” and “*ahdekkhe duj* (curse that cannot be seen)”. There are many signs to recognize the existence of these spirits. Such as, big holes in the middle of the land (*puri haat*), bat caves, *og gach* (6 tress in parallel with 3 in each side, exactly the way 6 trees are used to build the structure to burn a dead body). To understand the “*ahdekkhe duj*” people collect a piece soil from the chosen land when they go for “*jum bera*”, then they put the piece of soil under their pillow while sleeping at night. If the land is cursed some sign will come through dream. If the signs are too strong people usually leave the place but if the signs are weak they perform a ritual called “*jum mara*”, it is performed to purify the jum from any kind of evil spirit or any potential evil spirit. Some people perform this ritual even when they see no signs because there are curses that that cannot be seen.

The symbols such as bate caves, large hole in the land and *og gach* (6 parallal trees with 3 in each side, just like the structure made for cremation of a dead body) are considered as very strong curses, people avoid cultivation or housing in such lands if these symbols are seen.

If these lands are cultivated or used for housing, dangerous consequences are to be expected. The spirits will bring upon illness and misfortune to the family in most cases the illness will lead someone to death.

Many of the participants have shared incident of such serious illness and death as a result of inhabiting such haunted places, some of them have experienced themselves.

### **Ajha:**

Also known to some people as Haja is a phenomena where yellow and reddish acid comes out of rocks as a result of iron leaching from the rocks. These places are called Ajha in chakma language. The acid that come out of the Ajha's are harmful to the human skin and it can cause skin diseases. People believe these places are sacred and try to avoid going near these places. The hilly streams are very important to the indigenous communities for many reasons, one of them is fishing from the streams. People who are living in the rural areas particularly are dependent on the hilly stream to meet their demand of protein. The population pressure in the recent decades has resulted in overfishing from the streams. The streams are not as resourceful anymore, the number of fish and other river species has declined. The Ajhas maintain the balance in some streams as people do not usually fish from the water bodies if there is an Ajha.

### **Sacred Trees:**

Tress are very important part of the chakma cultural beliefs. Big tress are considered as sacred and it is believed that, the spirit of the forests resides on the big green trees. Banyan trees are considered very sacred among the chakma community people. People feel religious connection with banyan trees, because the Buddha meditated under a banyan tree. Also it is believed that, banyan trees are inhabited by spirits. So, Chakmas don't cut the banyan trees, especially the big ones.

### **Ma Laksmi:**

Laksmi is a Hindu goddess who is deeply associated with Chakma culture and tradition. Like the Hindu's the chakma people belief that Laksmi is the goddess of wealth, fortune and prosperity and therefore she need to be worshiped. Usually the chakma people offer their first crop from the jum cultivation to Ma Lakshmi (Mother Lakshmi), however, people also offers food occasionally to the goddess to get favor in term of wealth and prosperity. Ma Laksmi is the symbol of sustainable consumption of resources.

### **Ma Ganga:**

Goddess Ganga is another Hindu goddess who is an important figure among the Chakma cultural beliefs. She is the owner of all the flowing rivers and streams. According to the chakma traditional belief Ma Ganga resides in the rivers, she can protect you someone and she can also harm someone if she feels violated. Chakma people call it "bhug/bhog lona", which means

taking someone's life by drowning them into the water. She can also bring serious illness to people. People avoid doing unholy things in the rivers, such as taking a natural call. They vow to Ma Ganga after taking a bath in the rivers, so that, no harm is done to them. Traditionally people always respect the rivers and the streams, overfishing from the rivers and the streams are also considered as unholy activity.

Chakma people perform a ritual called "Bhat jora" in the name of Ma Ganga. This is a frequently performed ritual among the chakma people who are still practicing the traditional beliefs, mostly people living in the rural areas. This ritual is performed when someone is sick and if they associate the reason of illness to the spirit of river. A pile of leftover rice mixed with iron is packed in banana leaves and then it is offered in the name of Ganga. Before the offering an elderly member of the family would ask for forgiveness from Ma Ganga while moving the *bhatjora* in circle around the sick person's head.

### **Baap Deva:**

Chakma people calls the sky Deva raj (comes from devaraj indra) or Baap deva (The father sky). The traditional lifestyle of the chakma communities are dependent on jum cultivation. Jum cultivation requires natural irrigation that the rain water provides. The sky is a significant entity among the people, who provides rain, sunlight and all the necessary conditions for jum cultivation.

### **Ma Pittimi:**

The earth is called Ma Pittimi (Mother Earth), Ma Pittimi provides fertile soil and all the necessary elements to survive.

### **The ritual of Gratitude:**

Jum is a heterogeneous cultivation, although rice is the main crop, many others crops and vegetables are cultivated in jums. In different stages of jum the farmers can collect different vegetables throughout the year. When people collect the first crop from their jum it is believe to be auspicious to eat them before offering to the different entities such as the sky, the earth, Ma Lakshmi and even the tools that were used to cultivate and harvest the crops. Every elements that helps the farmers to cultivate their crops are offered the food first. On this day the sky gets its due for providing sunlight and rain, the earth for providing the fertile soil. Ma Lakshmi is worshiped to keep the family in prosperity and all the tools that were used to cultivate the crops.

This practice is an example of the sustainable livelihood practices of the indigenous communities in the CHT. However, this practice is almost lost now among the chakma communities. Even among the people living in Chaillyatuli and Gulsakhali village this practice has lost its value. According to some of my elderly participants, this ritual used to be a very important occasion among the jum cultivators. It used to be celebrated with the joy of getting new crops from the jums. Only few of my participants celebrated this occasion last year. Some of my key informants

think, because of the changing pattern of livelihood and jum cultivation in recent decades has lessened the importance of such occasions and celebrations among the people. The jum cultivators are now more focused on monoculture and cash crops, as the traditional style of cultivation is no more compatible.

## **Sacred Tress and sites in Chaillyatuli and Gulsakhali Village**

Chaillyatuli is a village that has 5 hilly streams in the area which have been crucial to the livelihood of the people in the region. These stream are the sources of water and food of the local people. In recent years these streams are facing various challenges, the water bodies are drying out as a result of deforestation in the region. There is hardly any water in the upper parts of the streams during the summer period. Gulsakhali is also facing similar problem, the three main streams in this mouja are now facing serious problems in term of degrading water level. However, both of the villages have VCF and the streams besides the VCF's have higher level of water bodies.

There are 15 Ajhas in 5 streams in Chaillyatuli and 9 Ajhas in 3 streams in Gulsakhali mouja. All of these hilly streams have faced overfishing in recent time, the economic condition of the people in these regions have resulted in too much dependence on the hilly streams for fishing. The Ajhas in the streams are maintaining the balance in a very small scale. As people do not fish from these places the water species in these places are higher than the rest of the places in the streams. It is evident that the cultural beliefs are still having significant impact in environmental preservation in these regions. According to the key informants from Chaillyatuli the Ajhas are playing a very important role in the current situation. The Ajhas are also important source of minerals for the wild deer, the deer come to the Ajhas to drink the minerals.

According to local people sacred trees are playing vital role in preserving the large tree spices in the regions. There are seven large banyan trees in Chaillyatuli and 5 in Gulsakhali. Currently, this are the few large tress surviving in the region. Nearly all the large trees have been cut down for timber extraction in these region. Few trees large that are left is because they are out of reach and not suitable for timber. There is a place in Chaillyatuli where large banyan trees are situated beside each other. This place is considered a sacred and auspicious place. According to the locals they have experienced the existence of spirits in these trees. These banyan trees are beside a narrow road, people use this road to go to there jums. Many of the local people do not use this road at night, if they have to, they do not go alone. Also beside these trees there are other trees in this place. In Gulsakhali one of the banyan tree is beside the para, it is the only large tree that is left in the para. This banyan tree hold significant importance among the people in Gulsakhali. The banyan trees are also important source of food for the birds, during the season of fruits the banyan trees hosts hundreds of various birds. There are also trees that are preserved for ritual purposes. Because of the belief in spirits, they sacrifice animals under large green trees. There

are 6 such trees inside the headman para in Chillyatuli and 8 in Gulsakhali. These trees are of different species.

According to the local people sacred places (known as *duj jaga*) are playing significant role in preserving the environment and the tree species in the regions. There are two such places in Chaillyatuli that have not been used for jum cultivation in 7 and 11 years. One family cultivated in one of the places 11 years ago, according to family members they have faced serious problems of illness throughout the year. At least one of the family member was always sick, sometimes it is multiple members together. They also used to hear different sound during the nights, sometimes it is sound of an elephant and sometimes sounds of people crying. Usually if sacrifice is given in the name of the spirit, people do not face any problems, if the curse is not strong. A *bodyo* (traditional healer) is needed to perform such sacrifices. The family had made sacrifices several times, but nothing good happened. The local traditional healer finally suggested them to leave the place and after they left the place everything was back to normal within a week. Since then no family has used this land for jum cultivation. Most of these places have higher population of trees and bamboos and other plant species. Also these places are important source of medicinal plants. There many medicinal plant now becoming rare to find, places like this are rich with different plants. Although people still extract bamboos and timber from these places, the other plant species remain undisturbed.

There is one such cursed place in Gulsakhali which has a bat cave in the middle of the land. Bat caves are considered very auspicious in *chakma* cultural belief and it is considered a strong curse. The land has been left abandoned for several years now. One family cultivated the land before, the wife used to dream an elderly women warning her to leave the place. They have stayed in the place for 3 months, but when one of the daughter got sick they left the place with the suggestion of the villagers. Since then, no family used this land for jum cultivation. The family that cultivated the land has move to another village.

## **The Declination of Traditional Practices:**

Traditional practices have long played a significant role in environmental management, offering insights, techniques, and wisdom accumulated over generations. From indigenous land stewardship practices to community-based conservation strategies, traditional knowledge systems have offered valuable insights into sustainable resource management, biodiversity conservation, and climate resilience. However, in the face of modernization, globalization, and socio-economic changes, many traditional environmental management practices are declining at an alarming rate.

Life has changed in CHT, as a result of forceful outsider's interventions especially after the independence of Bangladesh, livelihood practices of the indigenous communities changed drastically. These interventions resulted mostly negatively to the indigenous communities in the CHT. Although forcefully and very unequally, people in the CHT got exposed to the outside world.

## Factors Contributing to the Decline of Traditional Practices:

- a. **Modernization and Globalization:** The exposure of the indigenous communities to modern ideologies, market-driven economies, and consumerist lifestyles has marginalized traditional practices. People living in the city areas and the young people specially are getting disconnected from their cultural root.
- b. **The Unjust Development Policies:** Development policies in the CHT have been unjust to the indigenous communities. These development initiatives such as tourism and constructions are affecting the usual livelihood of the indigenous communities. In many cases these initiatives are resulting in displacement and disposition of land that belongs to the indigenous communities.
- c. **Unrecognized customary laws:** The customary laws of the indigenous communities are still not recognized by the government of Bangladesh. As a result the traditional governance system have been suppressed and the indigenous communities have lost their rights over land and forests resources.
- d. **Socio-Economic Changes:** Shifts in livelihood patterns, migration to urban areas, and changing social norms have weakened the intergenerational transmission of traditional knowledge and skills, leading to the loss of cultural practices related to environmental stewardship in the CHT.

## Recommendations:

Incorporating customary laws and cultural beliefs into environmental policy-making in the Chittagong Hill Tracts (CHT) is crucial for ensuring sustainable environmental management in the region. The Chittagong Hill Tracts, known for their rich cultural heritage and unique ecosystems, present a complex landscape where traditional practices and modern environmental policies need to harmonize effectively. Here's a detailed recommendation on how to integrate customary laws and cultural beliefs into environmental policy-making in the CHT:

1. **Community Engagement and Participation:**
  - Initiate comprehensive community consultations involving indigenous peoples, local leaders, traditional elders, and other stakeholders to understand their customary laws, cultural beliefs, and traditional ecological knowledge related to environmental management.
  - Encourage active participation of indigenous communities in decision-making processes regarding environmental policies, ensuring that their perspectives and concerns are adequately represented.
2. **Recognition of Customary Laws:**
  - Recognize and respect the customary laws and traditional governance systems of indigenous communities in the CHT, acknowledging them as valid mechanisms for natural resource management and conservation.
  - Establish mechanisms within the legal framework to incorporate customary laws into formal environmental policies, ensuring that they complement and reinforce existing regulations.

3. **Cultural Mapping and Documentation:**
  - Conduct cultural mapping exercises to document indigenous cultural practices, traditional land-use patterns, sacred sites, and customary resource management systems.
  - Utilize the findings from cultural mapping to inform the development of environmental policies that are culturally sensitive and responsive to the needs and values of indigenous communities.
4. **Capacity Building and Empowerment:**
  - Provide capacity-building programs and training initiatives to strengthen the knowledge and skills of indigenous communities in environmental conservation, sustainable agriculture, and natural resource management.
  - Support the establishment of community-based organizations and indigenous-led initiatives that empower local communities to take ownership of environmental protection efforts.
5. **Legal Framework and Policy Integration:**
  - Review existing environmental laws and policies to identify gaps and opportunities for integrating customary laws and cultural beliefs into the legal framework.
  - Develop specific provisions within environmental legislation that recognize the rights of indigenous communities to manage and protect their traditional territories in accordance with their customary laws and cultural practices.
6. **Monitoring and Evaluation:**
  - Implement robust monitoring and evaluation mechanisms to assess the effectiveness of integrating customary laws and cultural beliefs into environmental policy-making.
  - Regularly review and adapt policies based on feedback from indigenous communities and stakeholders to ensure that they remain relevant and responsive to evolving socio-cultural dynamics and environmental challenges.

By incorporating customary laws and cultural beliefs into environmental policy-making in the Chittagong Hill Tracts, policymakers can promote inclusive and sustainable development that respects the rights, traditions, and aspirations of indigenous communities while safeguarding the region's unique biodiversity and ecosystems.

## **Conclusion:**

Customary laws and cultural beliefs play a crucial role in sustainable environmental management in the Chittagong Hill Tracts region. These indigenous practices have been developed over generations and are deeply rooted in the local communities' connection to the land. In order to understand the traditional knowledge system and the take sustainable initiative to preserve the environment in the CHT it is important to understand and investigate more about these traditional practices. While there has been effort to highlight the customary laws, it is equally important to understand the cultural belief system of the indigenous communities. By respecting and incorporating these traditional systems into the national conservation efforts, stakeholders



can leverage valuable knowledge and techniques to protect the region's fragile ecosystems. Additionally, recognizing the importance of customary laws fosters a sense of ownership and stewardship among local communities, leading to more effective and inclusive conservation initiatives. Ultimately, integrating customary laws and cultural beliefs into environmental management strategies is essential for achieving long-term sustainability and preserving the unique biodiversity of the Chittagong Hill Tracts.

Customary laws and cultural beliefs play a vital role in environmental conservation efforts in the CHT. They provide a framework for sustainable resource management, biodiversity conservation, and resilience to environmental change. Practices such as sacred groves, community-managed forests, and traditional agroforestry systems contribute to ecosystem restoration and maintenance of biodiversity.

## **References:**

Barua, B.P., 2001. Ethnicity and National Integration in Bangladesh: A study of the Chittagong Hill Tracts. Har-anand Publications Ltd., New Delhi, India.

BFRI, 2000. Forest Statistics of Bangladesh. Bulletin 4, Forest Economics Division, Bangladesh, Forest Research Institute, Chittagong, Bangladesh.

Gafur, A., 2001. Effects of shifting cultivation on soil properties, erosion, nutrient depletion and hydrological responses in small Watershed of the Chittagong Hill Tracts of Bangladesh. Doctoral dissertation, The Royal Veterinary and Agricultural University, Copenhagen, Denmark

Gain, P., Moral. S., 1996. Land Rights, Land-use and Ethnic Minorities of Bangladesh. Society for Environment and Human Development (SEHD). Dhaka, Bangladesh.

Huq, M.M., 2000. Government Institutions and underdevelopment: a study of the tribal people of Chittagong Hill Tracts, Bangladesh. Center for Social Studies, Dhaka University, Dhaka.

Khan, N.A., 1998. A Political Economy of Forest Resource Use: Case Studies of Social Forestry in Bangladesh. Ashgate, Aldershot, UK. Khisha, A.L., 1982.

Parbatya Chattogram Jhum Chash: Otit, Bartaman oh Vabishat (in Bengali) [Shifting Cultivation in Chattagong Hill Tracks], J. Tribal Res. Vol. 1, June 1982.

Mohsin, A., 1997. The Politics of Nationalism: The case of Chittagong Hill Tracts, Bangladesh, the University Press Limited, Dhaka, Bangladesh.

Rahman, M., 1998. Genesis of problems in Chittagong Hill Tracts. Paper presented in an international conference on peace and Chittagong Hill Tracts held in Dhaka, Bangladesh on 20-21 June 1998.

Rasul, G., 2003. Factors Influencing Land-use Change in Areas with Shifting Cultivation in the Chittagong Hill Tracts of Bangladesh. Ph.D. dissertation, Asian Institute of Technology, Thailand.

Rasul, G., Thapa, G. B., 2003. Shifting cultivation in the mountains of south and Southeast Asia: Regional patterns and factors influencing the change, *Land Degrad. Develop.* 14:495-508.

Roy, R.C.K., 1996. Land rights of the indigenous peoples of the Chittagong Hill Tracts, Bangladesh. *Jumma Peoples Network in Europe (JUPNET)*, pp. 135.

Roy, R.D., 1995. Land rights, land-use and indigenous people in the Chittagong Hill Tracts. In *Bangladesh land forest and forest people*, Society for Environment and Human Development (SEHD), Gain, P. (Ed.), Dhaka, Bangladesh, pp.53-118.

Roy, R.D., 2002. Sustainable and equitable resource management in the Chittagong Hill Tracts. In *Farming Practices and Sustainable Development in the Chittagong Hill Tracts*, Khan, N.A., Alam, M.K., Khisa, S.K., Millat-e-Mustafa, M. (Eds.), CHTDB and VFFP –IC, Chittagong, 135 –154

Roy, D., and Halim. S. 2001. Valuing village commons in forestry: a case from the Chittagong Hill Tracts. *Draft Report*.

Rasul, G. 2007. Political ecology of degradation of forest common in the Chittagong Hill Tracts of Bangladesh. *Environmental Conservation*. 34: 153-163.

Nath, T. K., & Inoue, M. (2009). Forest based settlement project and its impact on community livelihood in Chittagong Hill Tracts, Bangladesh. *International Forestry Review*, 11, 394-407.

Halim, S., Roy, R. D., Chakma, S., Tanchangya, S.B. (2007). Bangladesh: The interface of customary and state laws in the Chittagong Hill Tracts. In H. Leake (Ed.), *bridging the gap: Policies and practices on indigenous peoples' natural resource management*.

Rasul, G. (2005). *State policies and land use in the Chittagong Hill Tracts of Bangladesh*. IIED Gatekeeper Series 119. London: International Institute for Environment and Development.

Roy, R. C. K. (2000). *Land rights of the indigenous peoples of the Chittagong Hill Tracts, Bangladesh*. Copenhagen: International Work Group for Indigenous Affairs (IWGIA).

Saha, P. S. (2010). Parbattya Chattagramer Mouza Ban: Prachin Praggyar Arek Rup. In P. Gain (Ed.) *Dharitri*, 11th issue, an occasional SEHD magazine (Bangla). Dhaka: Society for Environment and Human Development (SEHD).