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The Tribal Trump Card: Gaude versus Government

In a dramatic turn of events that has sent ripples through Goa's political corridors, Art and Culture Minister Govind Gaude has once again thrust himself into controversy. This time by challenging the very credibility of a department overseen by none other than Chief Minister Pramod Sawant. What was meant to be a commemorative platform at the 'Perna Din' gathering became a political earthquake, shaking both the government and the ruling BJP to their core.

Gaude's fiery critique of the Tribal Welfare Department; an institution he accused of corruption, inefficiency, and betrayal of its intended purpose, was not merely a rhetorical outburst. It was a public indictment of the system by a sitting minister, and more significantly, of a department under the direct charge of the Chief Minister himself. His declaration that the department serves no real benefit to the tribal community and functions instead as a cesspool of bureaucratic malpractice triggered immediate uproar.

Within BJP circles, there is growing pressure to act decisively. Some insiders advocate sacking Gaude from the cabinet or stripping him of key portfolios under the guise of a cabinet reshuffle. Others believe that a formal "explanation" from him would suffice, as has been the pattern in the past. But such half-measures risk deepening public cynicism toward the government and weakening its authority

The fallout was swift. Sawant labelled Gaude's remarks "irresponsible" and hinted at disciplinary action. BJP State President Damu Naik followed suit, warning of a breach of party discipline. Gaude, perhaps sensing the storm he had stirred, back pedalled after a meeting with the Chief Minister, claiming media distortion and denying any insinuation of corruption against Sawant personally. But the damage had been done, and the question now looms: will Goa's political machinery act, or will this be yet another episode of bark without bite?

This isn't the first time Gaude has found himself at the epicentre of controversy. From defending tenderless renovation of the Kala Akademy by invoking Shah Jahan and the Taj Mahal, to allegedly threatening bureaucrats and mocking rivals, Gaude's career has been a theatre of turbulence. Despite these provocations, he has escaped real consequences raising suspicions about whether Gaude enjoys untouchable status within the party, or if the BJP simply fears upsetting a volatile but influential ST (Scheduled Tribe) leader.

Gaude's rise from defeating Deepak Dhavalikar as an independent in 2017 to becoming a cabinet minister and later joining the BJP has been marked by defiance and identity politics. His latest gambit may be seen as political suicide by some, but to his tribal support base, Gaude has once again emerged as a fearless voice of their grievances. The United Tribal Associations Alliance (UTAA) and other community groups have stood behind him, further complicating matters for the BJP government.

Yet, the larger issue is not merely Gaude's personality or rhetoric it is the state's response to dissent within its own ranks. If Gaude's accusations hold any weight, why hasn't an internal probe been launched into the Tribal Welfare Department? If they are baseless, why is the government hesitating to show him the door? The ambiguity exposes a critical fault line in Goa's governance. A hesitancy to confront uncomfortable truths, especially when they come from within.

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Gaude has become both a symbol and a symptom. A symbol of tribal frustration with bureaucratic and political neglect, and a symptom of a government that struggles to handle internal rebellion without appearing weak or authoritarian. His speech may have crossed a line, but it also forced the government to look into a mirror many would rather avoid.

Ultimately, the final word may come from Delhi, where the BJP high command has the habit of stepping in when state units falter. Whether it will be a show of strength or another exercise in damage control remains to be seen.

One thing, however, is clear: Govind Gaude has triggered a reckoning. The response or lack thereof will reveal far more about the state of Goa's politics than any speech ever could.

comment



MARIAN PINHEIRO

Comunidade system in Goa, an ancient right

"Ancient Rights" refer to the inherent rights, often based on tradition, custom, and historical use, that communities claim over their ancestral lands and resources. These rights, rooted in the belief that people have a long-standing connection to their land and as many ancient practices acknowledge that, land does not belong to man but on the contrary 'man belongs to the land'.

These Ancient Rights predate formal legal systems and are tied to customs, spiritual beliefs and lived practices based on land use. They are grounded in the notion that peoples' relationship with their land is both spiritual and practical and that these connections have been maintained over generations. There are contemporary movements in many countries to reclaim land, by people, is a response to centuries of exploitation, displacement and cultural erasure by colonizing forces. Over the years, groups of people around the world have invoked their ancient rights to reclaim their territories and resist the exploitation of their resources.

Some of the well-known and successful claims are: The Mabo Case (Australia) (Mabo and Others and The State of Queensland [No. 2] [1992] HCA 23, [1992] 175 CLR 1) that established that people's traditional rights to land had never been extinguished by colonial or Australian laws. The High Court of Australia recognised the concept of Native Title - the idea that indigenous Australians have rights to land based on their traditional laws and customs.

The Nisga'a land claim in Canada. (Nisga'a Final Agreement Act (S.C. 2000, c. 7) : The Nisga'a people of British Columbia successfully asserted their ancient rights to land. Their claim was based on long-standing occupation of the land in the Nass River Valley and their assertion that their rights had never been ceded through treaties or agreements with the British Crown.

The Black Hills, of U.S.A. (United States v. Sioux Nation of Indians, 448 U.S. 371 (1980)): Various Native American tribes have sought to reclaim land that was taken through illegal treaties, forced removals, and violent encroachments. The US government seized the Black Hills after the discovery of gold, despite a treaty in which the land was guaranteed to the Lakota. In 1980, the US Supreme Court ruled that the US government had illegally taken the Black Hills, and they

awarded the Lakota, \$105 million in compensation. However, the Lakota refused to accept the money, holding firm to their claim that the land is non-negotiable and must be returned.

The Zapatista Movement in Mexico (<https://www.internationalaffairs.org.au/>): It has also invoked ancient rights in their struggle to reclaim land and resist exploitation by the Mexican government and multinational corporations. The Zapatistas asserted their rights to autonomy, land, and cultural preservation, rejecting the neoliberal policies that have dispossessed them of their traditional lands. Over the years, many countries have begun to recognise indigenous peoples' Ancient Rights to land through legal reforms.

The Comunidades of Goa are ancient village-based social communities with deep ancestral roots and a rich heritage. These institutions represent a collective system of social, economic and administrative co-operation that has existed from time immemorial. The Comunidade system of land administration in Goa is unique and historically a form of collective landownership that traces its roots to the pre-colonial period but was institutionalized under Portuguese colonial rule.

The origins of the Comunidade system in Goa can be traced back to the agrarian and village-based systems that existed in the region, prior to Portuguese colonisation. The land was often held in a communal manner. Collective land ownership and the management of common land resources, including agricultural land, forests, and water bodies, by the Comunidade, and the villagers had usage rights, subject to community rules. When the Portuguese colonised Goa in 1510, they introduced changes to the Comunidade system as part of this larger effort to centralise authority. The Comunidade system, as formalised by the Portuguese, was a hybrid of earlier indigenous practices combined with Portuguese colonial needs.

With the liberation of Goa and the enactment of the Goa Legislative Diploma No. 2070 of 1961 and thereafter, The Comunidade Act of Goa, 1974, codified the management of Comunidades. The Act gave more authority to the State Government to regulate leases, transfers and land sales. The Code has been subject to amendments and new rules, which gave a flexible approach to land development, allowing for larger-scale development. With land sharks lurking everywhere in Goa, often with political patronage, accelerated the destruction not just the Comunidade system but destruction of vast tracks of pristine lands, is ringing alarm, because of the extend of corruption that is become a way of life for many official in Goa, who act in collusion with political leadership.

The ordinary members and the local communities are aghast with the transitions and

clamour for so called 'development' taking place even in the remotest villages, destroying the ancient and age-old practice of Comunidade system an Ancestral right of the People of Goa. Revival of this Ancestral Right is a possibility, within the Constitutional scheme of India.

As Article 372 of the Indian Constitution allowed for the continuation of laws and customs in force before the Constitution's commencement. After liberation, the Goa, Daman and Diu Administration Act, 1962 (Section 5) allows the continuation of existing Pre Liberation laws.

After India's independence, customary rights continued to be recognized and enforced, especially with certain communities, like the Scheduled Tribes. Interestingly Article 13 of the Indian Constitution equates customary law with other branches of civil law. The Indian legal framework therefore allows for the preservation of community-specific traditions and practices, which showcase the cultural values and norms of local populations. The Comunidade system as existed in Goa prior to its liberation is an Ancient Right of the people of Goa, needs to be preserved and lands restored.

The courts in India, have acknowledged such rights provided they are ancient, certain and not opposed to public policy. Ancient rights, particularly concerning property and worship, find expression in Article 25 and 26 of the Constitution. In tribal areas, the Fifth and Sixth Schedules, and the Forest Rights Act, 2006, recognise customary land and forest usage rights. In Orissa Mining Corporation v. Ministry of Environment (2013), the Supreme Court upheld tribal rights over the Niyamgiri hills against corporate mining interests.

The Indian Constitution does protect Ancestral Rights especially if it relates to preservation of land, natural resources and the environment (Articles 14, 19(1)(g), 21, 49A, & 51(A)(g)). The judiciary, especially the Supreme Court of India, has an obligation to protect and uphold, justice., (Articles 141 & 142)

The marginalisation of the comunidade system in Goa, using legislation and government directive is becoming a Human Rights issue resulting in environmental degradation, and scarcity of essential resources like water, electricity and the dangers of climate change.

India being a democracy, the government and certainly the judiciary, needs to have a people centric approach in enforcing as well as promoting ancient rights, where the fulcrum of leverage should shift from 'development' to 'people's welfare and benefit', to sustain, what was good and useful from the past and preserve the human society at a sustainable level.

(The writer is a Professor of Law and an Education consultant)

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Compensate farmers affected by rains

An unexpected spell of heavy pre-monsoon rain at the end of May has wreaked havoc across South Goa's paddy fields, reportedly causing severe losses for farmers in several talukas. It is learnt that villages like Velim, Assolda, Chandor, Sanguem, Quepem, and Canacona have been among the worst affected.

In Chandor, Rabi paddy was in the process of harvest but reportedly had to be abandoned midway. Farmers across several talukas in Goa are grappling with crop damage, with paddy, fruits, and vegetable cultivations being hit particularly hard. Excessive rainfall can lead to flooding, which can wash away soil nutrients and damage crops. Additionally, too much water can cause crops to become waterlogged, leading to disease.

Farmers were not prepared

for such a sudden downpour. They even left harvested paddy out in the open to dry. The forecast of more rain in the coming days has further unsettled the farming community. It is learnt that the widespread nature of the problem has prompted the agriculture department to begin special surveys to assess the scale of damage across South Goa. Small and marginalized farmers are vulnerable as a result of the unpredictability of the climate. The government needs to act swiftly, not only to compensate affected farmers but also to ensure that future losses are minimized through timely interventions.

It is pertinent to note that in Goa the area of land which is being used for agricultural purposes has reduced considerably. Many farmers could be find-

ing it unproductive to continue with agricultural activities. The government needs to provide financial support to the farmers at times of crisis since climate change has made weather patterns more erratic.

Adelmo Fernandes, Vasco

Feud impacts country's progress

PM Narendra Modi appealing to the Chief Ministers gathered at the recent Governing Council Meeting of NITI Aayog in New Delhi that the Centre and States to come together as 'Team India' to propel the country forward, is a good idea; but it belies reality. Several CMs, especially those from the non-NDA parties attending the meeting expressed their grave concerns about the discriminatory way the Union

government treats them. Currently, the Centre-States relationship is a one-way street where the Centre resorts to a carrot and stick approach to make the States bow with its wishes.

The SC had in a recent historic judgment underlined the right of the state legislatures to legislate and ordered that the governors, the Union government which controls them, have no right to exercise a pocket veto on the laws state legislatures pass.

The PM who had earlier served as chief minister before moving to the national capital as Prime Minister, must understand the constraints under which states function.

It's time the PM walks the talk, resolves the complaints of the states with respect to the allocation of resources and interven-

people's edit

CLIMATE CHANGE THREATENS MANGROVES WORLDWIDE

ALVARINHO LUIS

Mangroves are vital ecosystems that absorb greenhouse gases, protect coastlines from storms, erosion and serve as nurseries for young fish. Their unique chemical, biological and physical factors help maintain safe water acidity levels, shielding corals and marine life. As the second most carbon-rich ecosystem, mangroves store over 1,000 tons of carbon per hectare in their leaves, wood, and roots.

Mangrove forests are found in 105 countries across five continents, thriving along tropical and subtropical coastlines where saltwater, tides, and sediment conditions support their growth. These ecosystems are especially prominent in regions like Southeast Asia, West Africa, and parts of Central and South America.

Since 2000, global mangrove loss has slowed due to conservation efforts, but declines persist, especially in Asia—particularly Indonesia—where aquaculture, deforestation, and coastal development drive losses. Over the past 50 years, 20%–35% of mangroves worldwide have been lost, largely from 20th-century logging, coastal population growth, and urban expansion. Despite recent progress, mangroves still face threats from infrastructure projects, aquaculture, and pollution, putting these crucial ecosystems under ongoing pressure.

Economic and political focus on aquaculture development has driven widespread conversion of mangrove forests into shrimp and rice aquaculture ponds, aiming to capitalise on the rising global demand. This shift, however, has led to significant loss of biodiversity, disruption of coastal ecosystems and reduced natural protection against storms and erosion.

Sewage and industrial effluents rich in nitrogen and phosphorus cause eutrophication, leading to oxygen-depleting algal blooms that suffocate mangrove roots. Toxic chemicals like heavy metals and pesticides accumulate in sediments, harming root respiration and growth.

Climate change and ocean warming are projected to raise global sea levels, intensify wave energy, and increase both the frequency and severity of extreme weather events like droughts, storms, and tropical cyclones. These changes pose serious threats to coastal communities, ecosystems and the long-term resilience of mangrove forests.

A study led by Tulane University researchers, published in Nature Geoscience, analysed satellite data from 2001 to 2020 and is the first to show that El Niño and La Niña climate patterns impact nearly half of the world's mangrove forest degradation. These climate shifts can lead to prolonged droughts, changes in sea levels and increased salinity, all of which stress mangrove ecosystems and heighten their vulnerability to decline.

El Niño and La Niña are Pacific climate patterns that shift ocean temperatures and winds, disrupting global weather and causing floods, droughts, and hurricanes. El Niño brings warm waters eastward toward the coast of Peru while La Niña brings cooler subsurface waters to the sea surface promoting fisheries and primary production.

El Niño is already linked to coral bleaching, droughts and wildfires, and research now confirms it also significantly impacts mangrove health. The study revealed a seesaw effect: El Niño causes mangrove decline in the Western Pacific and growth in the Eastern Pacific, while La Niña reverses the pattern. Sea level changes drive this trend—during El Niño, lower sea levels in the west raise soil salinity, leading to mangrove die back.

Sustainable development, community forestry, and co-management offer effective ways to restore mangroves, enhancing their role in supporting livelihoods and fighting climate change.

tion in the running of their governments.

Gregory Fernandes, Mumbai

Rafael Nadal honoured

As a lover of Tennis, I am in ecstasy learning that the French Tennis Federation has preferred a novel way to recognise Tennis legend Rafael Nadal. They have etched the foot print of Nadal in the Centre Court, Court Philippe-Chartier in Roland Garros which will remain for ever there.

What a thoughtful recognition to Nadal who with his magic racket in his left hand has mesmerised millions of his fans all over the world!

The legendary Nadal richly deserves this world-long gift which will remain there for ever, motivating the present as well as future tennis greats to follow the foot prints of Nadal who won a record 14 times in the French open.

Tharcus S Fernando, Chennai