

# Chapter 11

## Constitutional Provision in Protecting and Managing Indigenous Knowledge Systems: A Case From Rakhain Community in Bangladesh

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### ABSTRACT

*Methodologically, this study aligns with the analytical philosophy and the indigenous standpoint and cultural interface theory. This study found that the education system itself is contaminated with colonial legacy and historical ontology of 'State'. The recommendations are the participation of indigenous people in deciding their education and making curricula. Although the location of this study is remote and rural, this phenomenon occurs in many countries. Therefore, this research would contribute to efforts in this regard over the world to merge humanity.*

## **INTRODUCTION**

This chapter explores a few constitutionals asking on protecting and managing indigenous knowledge systems, of the Bangladeshi Indigenous perspective. When constitution is for equality, harmony, and justice, this study found that the constitutional provision the cultural, political, and social interfaces that caused social unrest, hinders development, majority-minority tension, and social justice. Methodologically, this study aligns with the analytical philosophy and the Indigenous standpoint, and cultural interface theory. This study found that the education system itself is contaminated with colonial legacy and historical ontology of 'State.' The Recommendations are the participation of Indigenous people in deciding their Education, making curriculum. Although the location of this study is remote, rural, this phenomenon occurs in many countries. Therefore, this Research would contribute to efforts in this regard over the world to merge into humanity.

## **THE ONTOLOGY OF MINISTER (IF MINISTER IS A SPOKESMAN OF THE STATE)**

**Extract -1** *“Dr Dipu Moni, the [then] Foreign Minister of Bangladesh, said in a meeting held on 11 April 2010 with Renata Lok Dessallien, the outgoing UN Resident Coordinator and UNDP Resident Representative in Bangladesh, that ‘Bangladesh does not have any “indigenous population” as meant in the UN’ jargon’ and ‘Bangladesh rather has several ethnic minorities and tribal population living in all parts of Bangladesh’ in harmony with the Bengalee population’ (Barman& Chakma, 2010, p. 17).*

In our constitution of Bangladesh (March, 2005) ensured our free primary and mass education; and the state will take proper measurements to guarantee the time befitting education for her citizens accordingly to the Article 17. Above and beyond of that the government formulated so many acts and policies to give the indigenous protect and managing their knowledge Systems Such as –

1. The Small Ethnic Groups Cultural Organization Act-2010
2. National Education Policy-2010
3. The Wildlife (preservation and Security) Act-2012
4. Bangladesh Biodiversity Act-2017

Yes, to discuss all constitutional provisions it is not easy at all; in this chapter but we captivated those facts which are more thematic to the title, however, ignore the fact of the inequality in Education (IE), torture, and inequality in Education. Many works are available on inequality in Education (Dynarski, Libassi, Michelmores, & Owen, 2018; Madigan, & Curran, 2020; Parviainen, Aunola, Torppa, Lerkkanen, Poikkeus, & Vasalampi, 2021). Instead—a little unorthodox—we explain how Education creates inequality—on which Bangladeshi scholars often give less attention than the issue of IE. Over two decades, we see a few works are raising voices that the education system or schooling strategies itself is widening the gap in societies (Brown, 2017; Mettler, 2014), particularly when it comes to Indigenous setting (Cajete, 1999; Smith, 1999; Smith, Tuck, & Yang, (Eds.), 2018; McKinley, & Smith (Eds.), 2019; Smith, 1999; Daza, & Tuck, 2014), and other vulnerable communities (Spivak, 2004). Over a decade, we reviewed leading works of literature and feel that it is a growing issue in the academic world (Zhao,

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