

# Indigenous People and Their Right to Health

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## Abstract

*The indigenous concept of health means physical, mental, emotional as well as spiritual elements taken from individual as well as communal point of view and involves political, economic, social and cultural aspects. It is shaped by the indigenous peoples' historical experiences and various world views, and then they are expressed in the rules and norms that are applied in the community and practiced by its members. To promote health and prevent illness, as indigenous community seeks to recuperate and maintain its interior and exterior equilibrium, including the harmony between community members who are sick and the world around them. The traditional knowledge which the indigenous people possess in terms of health are carefully structured and are complex to understand as far as their content and internal logics are concerned. They are characterized by a combination of practices and knowledge about the human body and co-existence with other human beings, with nature and with spiritual beings. Almost all aspects of health promotion are involved which are prevention of illness and treatment and rehabilitation, but differ from most western health systems in that they take an integral or holistic approach.<sup>1</sup> Many of the indigenous families have various different approaches and methods when it comes to dealing with illness. A variety of approaches and practices are there to be followed for the treatment of the ill person by using either traditional or western medicines, or a combination of the two. It may so happen in some cases that the treatment proves to be insufficient and so in such cases it becomes necessary to make a choice, which is generally made by the women in the house, who is the prime decision maker in this particular arena- who then has to take up a decision as to whether the treatment will be done further by the traditional practitioner or will a western practitioner will be called in for help and for treating the ill patient. This particular practice is very rare as most of these people believe in their traditional knowledge and are not very keen to visit the modern day doctors and hospitals for the treatment.*

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<sup>1</sup> It is important to present working definitions of the terms "Western" and "traditional" medicine. Western medicine, also called Occidental medicine, biomedicine, conventional, allopathic, or orthodox medicine, is a system of medical practices that use an approach of treating illness through remedies that produce effects that oppose the symptoms of the illness. The Pan-American Health Organization (PAHO) has defined traditional medicine and indigenous health systems to "include the entire body of ideas, concepts, beliefs, myths, procedures and rituals (whether explainable or not) connected with the maintenance of health or health restoration through the treatment of physical and mental illness or social imbalances in a particular individual, community, or people. This body of knowledge, grounded in the people's cosmic visions, explains the etiology, nosology and procedures for the diagnosis, prognosis, cure, disease prevention, and health promotion". See PAHO (1997).

Article 25(1) of the Universal Declaration of Human Rights says that Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. This particular Article starts with everyone which shall also include indigenous people. However there is a separate declaration which talks specifically about the indigenous people. The United Nations Declaration on the Rights of Indigenous Peoples states that “Indigenous people have an equal right to the enjoyment of highest attainable standard of physical and mental health and states shall take all necessary measures in the full realization of these rights, as it is the basic human right to life and health and must be provided to each and every person. Indigenous people also have the right to protect and preserve their culture, traditions and ancient methods and state must give full participation in the same. The indigenous people have the full right to preserve their traditional medicines and maintain their various health practices and they have full access to all health and social services.<sup>2</sup> The declaration therefore, establishes a framework for addressing the health situation of indigenous peoples that includes the obligation of states to provide the quality health care and to respect and promote indigenous health systems.

Now if we look at the real picture then these goals have not been fulfilled by the government and they have fallen short in addressing the health disparities that persist in the indigenous people and other poor and marginalized group. The cultures and the views of the indigenous people is not taken into account, which leads to the poor health conditions of the indigenous people all over the world. Therefore in order to improve these situations there must be a fundamental shift in the concept of health so that it incorporates the cultures and world views of indigenous people when it comes to designing and managing the state health systems.

The United Nations has not adopted an official definition of indigenous because of the diversity of the various indigenous peoples who are residing all over the world. There are an estimated 370 million indigenous people living in more than 70 different countries worldwide. They represent a rich diversity of cultures, traditions, histories and religions but still continue to be among the world’s most marginalized population groups. The government of India refers to indigenous peoples as scheduled tribes. Another term which is used to refer to them is adivasis which is a Sanskrit word which means original people. The health status of these people varies significantly from that of non-indigenous population groups in countries all over the world. If we are to understand about these

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<sup>2</sup> Thornberry P, *The Cultural Rights of Indigenous Peoples: In Search of a Glass-Ball Country* (Manchester University Press 2002).