

Folk lore culture among tribes in Kerala -A study on Attappady

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Abstract

India is a land of rich and varied folk art tradition. The folklore is important in passing on the values, beliefs and moral teachings of a society. Since ages, it has been an eternal part of Indian culture. The grass fields, flowing rivers, alluring temples, folklore, culture, heritage and agriculture define the Indian society. The literary and cultural theories represent the life of people in history. The folk and tribal arts of India are simple, ethnic and colorful. It speaks volumes of country's rich heritage.

Key words: folk lore culture, tribes, Mainstreamization

Introduction

Every nation claiming to be a part of the civilized world is proud of its cultural heritage. Folklore is probably the most important and well-acclaimed component of the cultural heritage of a nation. It can reflect the essentials of a nation's cultural attributes as in a mirror and is recognized as a basis for its cultural and social identity. Nations all over the world are quite possessive about this valuable heritage and express very strong sentiments about the management of the rich resource. Respect and regard for products of human creativity, ingenuity, and talent have always been part of human civilization. However, the need for protecting intellectual property as a right of the creator was unknown to the patrons of creativity. In fact, the basic cultural premise was that knowledge and the fruits of learning are God given and should be shared for the benefit of the community. The need for protection of intellectual property (IP) arose as a direct consequence of its potential for exploitation for economic benefits. There was no need for providing for 'neighboring rights' or 'related rights' until phonographic and broadcasting techniques caught up with the world and put at stake the economic returns of the performers and producers of phonograms. The concept of protection of folklore too has a similar history. Technological developments in the 1980's especially in the fields of sound and audiovisual recording, broadcasting, cable television and cinematography, posed a global threat to the hitherto sacrosanct world of cultural heritage. Expressions and elements of folklore were subjected to widescale commercial exploitation without any economic benefit flowing to the community who were the creators and preservers of the folklore. Minimal respect or regard was shown to the custodians of the folklore in the worldwide commercialization process. As a progressive marketing strategy many of the exploiters resorted to mass-scale distortion hurting the cultural and social and even religious sentiments of the communities who had preserved the elements of folklore for centuries as their precious possessions.

Expressions of folklore are defined in the Model Provisions as follows:

"Expressions of folklore" means productions consisting of characteristic elements of the traditional artistic heritage developed and maintained by a community of (name of the country) or by individuals reflecting the traditional artistic expectations of such a community, in particular:

- (i) verbal expressions, such as folk tales, folk poetry and riddles;
- (ii) musical expressions, such as folk songs and instrumental music;
- (iii) expressions by action, such as folk dances, plays and artistic forms of rituals whether or not reduced to a material form; and
- (iv) tangible expressions such as:
 - (a) productions of folk art, in particular, drawings, paintings, carvings, sculptures, pottery, terracotta, mosaic, woodwork, metal ware, jewelry, basket weaving, needlework, textiles, carpets, costumes;
 - (b) musical instruments;
 - (c) architectural forms.

The term 'folklore' was first coined by William Thoms in 1846. He referred to folklore in his letter to the The Athenaeum to replace 'popular antiquities' and 'popular literature.' Initially the word had been used in hyphenated form 'folk-lore,' but later on the hyphen was discarded. William Thoms meant to include manners, customs, observations, superstitions, ballads, proverbs and so on, in the term 'folklore,' which he summarized as the lore of the people. Indeed, the pioneering work done by Thoms did lead to increasing awareness about the characteristics of folklore and the second half of the 19th century witnessed a large interest shown by eminent scholars in understanding the fundamentals of the vast subject. Since the introduction of the term 'folklore,' scholars all over the world put their head together to offer a rational definition of the word.

While going through the definitions one can attribute the reasons for the dispute mainly to the oral tradition of folklore. In a society where the masses are illiterate, the oral tradition is the means through which propagation of the necessary elements of culture takes place. In such a society, scholars used the term 'folklore' to refer to the language of the people, the system of their livelihood like hunting, agriculture, customs relating to marriages, deaths, etc., and the basic code of conduct, all of which are transmitted orally. According to scholars, all elements of learning that are passed through an oral tradition from generation to generation in a society belong to the domain of folklore. However, it may not be wise to consider all that is passed on orally as folklore. It is, perhaps, more reasonable to limit folklore to the creative aspects of a society, as reflected in its day-to-day life and expressed in material or non-material forms, rather than referring purely to the form of transmission, whether written or oral. Alan Dundes observes rightly when he states:

Folklore, thus, is the product of human creativity, creation of people who live in a particular geographical area, sharing the same language, culture, mechanism of livelihood and living conditions. The life styles and traditions of the folk are characterized by a common identity. Folklore is the product of the creative ideas of the people who express such creativity through verbal, artistic or material forms, and this in turn is transmitted orally or in written form or through some other medium from one generation to another, belonging to a literate or nonliterate society, tribal or non-tribal, rural or urban people.

atomic power plants, sky scrapers, super computers, and hi-tech cities serve as a window to the tremendous potential for modern technology and co-exist peacefully with small village settlements and tribal communities. The rhythm and ethos of life are of amazingly different wavelengths, but the unity that emerges through the various diverse cultural forms is unbelievable. The villages and tribal settlements of India are living proof that it is possible for a culture depicting the essence of simplicity, rich artistic creativity, with a proud and historic past to not only exist, but also flourish along with a life style dominated by fast changing, complex technology and highly competitive commercial system.

Tribal culture is one of India's proudest symbols of heritage. Tribal art and crafts, languages, religious beliefs, scientific ideas, agriculture technologies, architectural designs, and medical practices all have had a profound impact on India's past history and constitute a major component of the composite culture of India. A strong value system which manifests itself in the form of self-respect, honesty, integrity, sincerity and contentment is the main force that sustains the tribal communities to tackle the complex problems attendant on human existence even today.

An underlying factor about the diverse types of tribes in India is that there is a common denominator in their social set up. A denominator which indicates a certain economic level, an emphasis on community living as a principle of organization, and a certain smallness of scale. There are millions of tribes in India and they can be divided into three main groups, namely, the North Eastern, the Central and the Southern Tribes. The North Easterners are the tribes like Lepcha, Daflas, Mikir, Naga, Khasi, Garos, Kuki and so on. The Central region tribes include the Santhals, Oraons, Hos, Juang, Gonds, Baiga and the Bhil. The Southern tribes include the Chenchus, Todas, Kadars, Kanis and Badaga, among others.

The tribal communities in India are the primary source of folk culture and folk tradition. Rich folk literature and handicrafts, handlooms, folk painting, etc., contributed by these communities are significant components of the folklore of India. There is a misconception in certain quarters that the cultural traditions of India owe their existence solely to the tribal communities. This is far from being true when one looks at the diverse attributes of the composite culture of India. The contributions of communities from non-tribal belts are significant in the shaping of the vast resources of the country's cultural heritage, both in qualitative and quantitative contents. Folklore traditions in India bear testimony to the co-existence of tribal, non-tribal and even urban culture, many times influencing each other and developing into a common culture.

"Folklife represents the aspect of cultural anthropology which concentrates on the study of one's own national cultural heritage. There is no known human society which does not possess folklore". Nils-Arvid Bringéus (1968) says, "The focus of the study of Folk life is to obtain and understand the present way of life itself. In the future we must not simply be content with reminiscences instead testimonies. We must also study what is alive. The ethnologist is looking for the normal situation. Superficially it may mean that ethnology becomes less historical. But its objectives in the study of society must still be to demonstrate the part played by tradition as the

motor of our culture. Consequently, a historical perspective is needed in an analysis of the present and in planning the future" .

The tribes constitute a rich, unique, varied and critical element of Indian tradition. The folk and tribal arts of India are ethnic, simple, colorful and vibrant enough to speak volumes about the country's rich heritage. Tribal life is an epitome of paradox. Even though, they are living in an enriched environment with full of colors and music, their personal life is an untold agony arising from alienation, deprivation and enslavement.

Attappady – An overview

Attappady is an extension mountain valley of 731 sq.km in area, lying at the Western Ghat ranges. It is located in the mid-eastern part of Kerala on the north-east of Palakkad district, adjoining Coimbatore and Nilgiri districts of Tamil Nadu. The population of Attappady consists of tribesfolk and non-tribesfolk. Attappady got its name from *atta*, the blood leach and *pad*, the habitation. The three major tribal communities of the region, namely, Irulas, Mudugas and Kurumbas, belong to the broad group of Dravidians. Tribal settlements in Attappady are known as Ooru (hamlet). Each Ooru contains, on an average of 50 houses, densely constructed in rows. Tribesfolk of Attappady is the most backward among the vulnerable groups of Kerala. Their economy is traditional in nature, depending mainly on land and forest. The plight of tribes folk continues to be steeped in the morass of ignorance, illiteracy and poverty.

Need and significance of the study

The low literacy rate of Scheduled Tribes is a serious threat to Indian education. It is significant even to Kerala, the state with highest literacy rate. The intensity of the problem is reflected by the SSLC (Secondary School Leaving Certificate) examination results of March 2013 where the Palakkad district has scored the less pass percentage of 84.04. The increase in the number of failures and drop outs in the schools of Attappady is discussed as major cause for the fall by educators and proponents of the State. The observation has impacted the Researchers to undertake a study on the Educational backwardness of Tribal learners of Attappady with reference to English Language Learning and Teaching.

According to Israel (1998), recognizing the community as the unit of study is an important principle of any research. A pilot study is carried out to generate an understanding of the community members' perspectives and needs, According to Richard.M.Dorson(1965), "in the objectives to study about a society, a historical perspective is essential in an analysis of past and in planning the future ". The knowledge of past is important to understand the present and predict the future. The study of folklore is one of the means to understand the folklife. The observations and data collected in the Pilot study is being discussed.

Tribes folk in Attappady

There are three different Tribesfolk in Attappady : Irulars, Mudugars and Kurumbas

Kurumbas who constitute less than five percent of the total population lies in the interior of the northern area of Attappady. They were the first group of Adivasis to settle in the place.

Mudugas are believed to have immigrated from the Coimbatore district of Tamil Nadu. They had lived in the northeastern part of Attappady under the leadership of Kovai (Coimbatore) Moopen.

Irula is a Dravidian tribe spread over the three state of Tamil Nadu, Karnataka, and Kerala, whom are also known as Eruvalla, Iruliga, Illiga, Kasova, Urali, Kadupujari and Velliga. The term Irular is derived from the word Irul meaning darkness. Irulas are rigid in their customs and manners.

The dialect of tribesfolk is known as Aadivasisibasha. It remains only in its spoken form without a written script. For the tribesfolk, the transmission of oral literature from one generation to the next lies at the heart of cultural practice. The local language act as a vehicle for the transmission of unique cultural knowledge.

Tribal values culture & practices

Culture

Eco values are integrated as feminine values. Tribesfolk are the custodians of a culture, rooted in integrated values of a perspective that women and nature are one. The wisdom of tribesfolk tells that the earth meets the needs of not only humans but also the whole creation. According to them, forest and nature as their mother. Unlike non-tribes, a distinct characteristic of tribes is that they have an ethic of enough. Nothing is taken from nature, other than what is essential. The bare-foot folk dance is a life celebration of their oneness with nature. The Divine is perceived in the trees, mountains, streams, animals and in all creation. Earth is mother God and God is not to be bought or sold. They approached the land with great respect. For tribes, joining with nature is a celebration which all of them celebrate together as Kootake and Kampla. The Mannakkaran, who before sowing

the seed leads the worshipping of the earth and sowing, planting, weeding, and harvesting are done in a festive mood.

They are the originators and contributors of unique system of nature and indigeneous medicine. The entire hybrid in food crops, medicinal plants and animals all over the world are those developed from the rich variety of life species preserved from ancient times by tribesfolk. It is an irony that our modern society perceives tribes as uncivilized and uncultured. For centuries, Kadu (forest) and its fertile land were owned by the tribesfolk. They never privatised them, nor did they destroy them in the name of development. Their life is need-based and not greed-based. They have not become money-minded. They go for work for two or three days a week and spend the rest of the days in total relaxation. When the money gets exhausted, they start working again.

Socio-cultural structure

Tribes folk lack written language of their own, but it has not prevented them from passing of their rich culture and customs from generation to generation. They speak their own dialects. Children are given names on the seventh day after birth and is usually named in accordance with family tradition. Tribes bury the dead in areas set apart as burial ground. Dance and songs accompany funeral ceremonies. The people have strong belief in the spirits of ancestors. In the hamlet, there is a special house for worshipping the Kara Deivam. Whenever, there is some incidence of disease, they perform Pooja. On Shivaratry day, they observe abstinence and take food only after seeing the light on Malleswaram mount.

Tribal songs and dances

The tribesfolk play a vital role in transmitting the history, cultural traditions, and the way of living to new generations. Tribal songs and dances are the main media by which transmission is done.

Laws for Protection of Folklore

Irrespective of the constitutional provisions envisaging protection and preservation of distinct cultural groups, there is no special law prohibiting the exploitation of folklore of these communities without permission. There are many customary norms in these communities prohibiting the use of some of their folklore by outsiders and of those that are confined only to customary practices. For example, some of the folklore practiced by the communities are confined to religious or social occasions such as marriages, death rituals, or birth ceremonies, etc. These are not to be used out of the definite context. As there is no law prohibiting the use of such folklore by outsiders, increasingly they are being used for commercial gain.

In India the legislation that takes care of the rights relating to literary and artistic works, sound-recordings, films, and the rights of performers and broadcasting organizations, is the Copyright Act, 1957. The Act has been amended a number of times with the most recent update in 1994. The Indian Copyright Act does not contain any provisions for the protection of folklore or expressions of folklore. There is also no separate legislation along the lines of the Model Provisions, to serve the purpose of offering legal protection to expressions of folklore.

It is obvious, in my view, that there is no scope for the protection of tangible elements of folklore under the Patent Act or Designs Act.

Under the amendment incorporated in the Copyright Act in 1994, a certain amount of protection is offered to the performers. As per the Act, a performer includes, “an actor, singer, musician, dancer, acrobat, juggler, conjurer, snake charmer, a person delivering a lecture, or any other person who makes a performance.” Again, performance, in relation to a performer’s right, is defined as “any visual or acoustic presentation made live by one or more performers.”

It is to be noted that the concept of a performer is not limited to ‘one who performs a literary or artistic work’, as per provisions of the Rome Convention, rather the performer as per the Indian Act can be any one who makes a performance. To that extent, a person who performs folklore is a performer and his rights are protected under this Act.

The rights of performers given under the Act are limited and offer only the ‘possibility of preventing’ certain acts undertaken without the consent of the performer. Chapter VIII, Section 38, “Performer’s right”, of the Act provides as follows:

- (1) Where any performer appears or engages in any performance, he shall have a special right to be known as the “performer’s right” in relation to such performance.
- (2) The performer’s right shall subsist until twenty-five years from the beginning of the calendar year next following the year in which the performance is made.
- (3) During the continuance of a performer’s right in relation to any performance, any person, who without the consent of the performer, does any of the following acts in respect of the performance or any substantial part thereof, namely:

- (a) makes a sound recording or visual recording of the performance; or
- (b) reproduces a sound recording or visual recording of the performance which sound recording or visual recording was:
 - (i) made without the performer's consent
 - (ii) made for purposes different from those for which the performer gave his consent; or
 - (iii) made for purposes different from those referred to in Section 39; or
- (c) broadcasts the performance except where the broadcast is made from a sound recording or visual recording other than one made in accordance with Section 39, or is a re-broadcast by the same broadcasting organization of an earlier broadcast which did not infringe the performer's right; or
- (d) communicates the performance to the public otherwise than by broadcast, except where such communication to the public is made from a sound recording or a visual recording or a broadcast, shall, subject to the provision of Section 39, be deemed to have infringed the performer's right.

Section 39 deals with certain fair use provisions in relation to performer's rights and the right of broadcasting organization, like private use, and the reporting of current events._

Thus, it is evident that the rights granted under the Act to the performers seek to prevent, as mentioned earlier, certain acts being undertaken without the consent of the performer. However, in the case of audiovisual fixation, the act explicitly states that as soon as the performer consents for incorporation of his performance in a cinematograph film he ceases to have any rights in the film.

The above provisions go to show that although the performance of the expression of folklore can be covered under the definition of performances, the limited extent of the performer's rights itself, to a great extent, limits the operation of performer's rights in expressions of folklore. Thus, even though the expression of folklore as such is not protected in India, the performers of the folklore can claim these limited benefits. This is also not limited to the members of the community. So anyone, whether he belongs to the community or not, can enjoy the benefit of the protection of performer's right in the performance of expressions of folklore. There seems to be a need to limit it to the performers from the community or those who perform with its consent.

The provisions in relation to performer's rights are rather new additions in the Copyright Act of India. There is acute lack of awareness amongst the people about the general provisions of the Copyright Act itself, and much more in respect of the performer's rights. As a result even the limited rights provided to performers are respected in very few selected situations only. The fact that collective administration of copyright and neighboring rights has not taken root here is another factor which makes it difficult for administration and management of these rights.

Commercial Exploitation of Folklore

There is no provision to protect expressions of folklore in the intellectual property laws or in any other legislation. As such, exploitation of folklore expressions without taking the permission of the communities and compensating the communities concerned, is not illegal. The general outlook of those business interests who extensively borrow from the collection of the folklore of the communities or tribal settlements is that of exploitation of material available in public domain. In the music industry, there is a trend towards greater opportunity for pop music mixed with traditional music. This mix and match products have become very popular throughout the country, including the young music enthusiasts. Albums of popular folk songs orchestrated by folk music instruments like vibrant drums and other wind and string accompaniments are flooding the market. The companies concerned collect the music through the local communities, or many times, the performer himself takes the responsibility of arranging such music from the villages or tribal belts. The musical forms reproduced or adapted from folklore are of religious contents or those related to village traditions like harvest and festivals. Like in the music industry, Indian films also have more of folklore contents in the new productions. High-tech films built on folktales or folk-themes as a basis take special care to shoot in typical tribal or village settlements to add a realistic touch to the films, with a view to earning public applause and entertainment value. Many times, folk dances and rituals are depicted by making use of artists from the communities concerned. In the handicrafts and handloom industry, folk art and craft are also extensively used. In most of the State Governments, there are corporations or cooperatives for handloom products and handicraft items. These organizations play a vital role in the management and development of the community's interests in these traditional forms of folklore from a purely cultural or economic angle. There has been little or no attempt to protect the intellectual property contents of these creations and the communities are subjected to exploitation the hands of large textile and handicrafts companies, which through modern techniques, copy and replicate the artistic creations to the detriment of the interests of the societies concerned. Modern cotton, silk and polyester manufacturing units lose no time in commercially exploiting the famous tribal embroideries and brocade patterns, traditional printing techniques like tie and dye, without even considering the concept of benefit-sharing with the

groups responsible for creation of art/craft forms. Even in the realm of folk tradition relating to sculpture, paintings and architecture, there is mass-scale exploitation resorted to by industrial houses. In clay-modeling and terracotta creations also the modern decorative and utility items are copied from the traditional creations of some tribal settlements. In the absence of any law to protect the intellectual property contents of the cultural heritage, there is no obligation from a purely legal perspective to reward or compensate the communities responsible for development and maintenance of such heritage.

Folklore Studies

Life and Culture of the tribals has also received the attention of the folklorists of Kerala. Folklore studies in Kerala have often been seen as a new version of the colonial ethnography. In addition to the literary sources there are other valuable oral traditions that give ideas about the tribal society. The history of socioeconomic changes of tribals in Kerala can be constructed only on the basis of a very limited number of sources. In such a situation one has no other option but to fall back on what is claimed as tradition in the form of legend, folklore and oral sources. Oral history is a kind of recording and analyses of spoken testimonies about the past.¹²⁷ It enables the lived experience to be recorded of those who lack education, leisure and influence to write. Almost all tribes of Kerala have their own tradition to show their origin and beliefs. But this traditional beliefs and practices are not collated with any literacy evidences but only with their mythical concepts. There accounts are perhaps not congruent with those of literary and official elites.

In the absence of written records the spoken words are perhaps the most well established of all sources. It refers to both a process of research in which the act of remembering is promoted as interview, and to genres writing-usually but not exclusively historical.

The very act of interviewing is seen as empowering because it brings community and gives a voice to socially and historically marginalised group. Unfortunately, the oral tradition of tribal people in Kerala could not be fully utilised for the formation of their history. It is one of the main methods of transforming the knowledge of oral tradition of the past in a non-literate society. It seems impossible to write a social history of non-literate people unless we utilize fully the oral sources. Since the oral tradition of tribal people in Kerala has been neglected by the elite historiography they could no longer be included in the general history of the state. As far as the tribes of Wayanad are concerned, a rich oral tradition existed in their culture to regulate the system of social life of the people. Folklore is part of the oral tradition and it is widely accepted. Today folklore can stand on its own feet, though its definitions have been changed accordingly. Folklore is the study to understand a traditional group of people through everything coming under traditional life.

Conclusion

The tribal people are the bearers of lustrous folklore heritage. As they are typical products of their age and their action have a bearing on the custom and beliefs which prevail in the contemporary society. Even if the folklore of Kerala tribes is rich and fascinating, only a small number of scholars have paid attention to this topic. A survey of tribal songs is essential for a proper understanding of their life and culture in historical perspective. Each tribe has its own songs that deal with particular events at a particular time. The rituals of tribes are also a kind of art form. After independence there is much concern on tribal development policies, but no detailed works on the life and culture of tribals in historical perspective has ever been produced. All kinds of literature mentioned in the above review establish the fact that the ethnographic literature has not discussed the tribal life in historical perspective and historical works on the other hand are silent on these people with the exception of a few studies. Even in the writings of modern historians the colonial concept and frame of reference continue to be echoed even after the dawn of independence.

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