

Contemporary contestations and questions of indigeneity and differentiated citizenship in Northeast India

Shubhanginee Singh, Research Scholar, Centre for Political Studies, Jawaharlal Nehru University, New Delhi

Abstract

In multicultural and multi ethnic societies, indigenous identity serves as the underlying foundation for the claims to differentiated status within the polity. As the determination of authenticity of indigenous identity acquires importance it becomes evident that the issue of indigeneity is not only a matter of status or identity but it is also a political question, because it is closely bound with claims to political, economic and social resources within a territorial frame. So, the issues of political, social and economic justice around which practices of indigeneity is shaped are also issues which concern practices of citizenship. This paper is an attempt to examine such claims to differentiated citizenship conveyed in the language of indigenous identity by ethnic minorities territorially concentrated in the north eastern states of India. This paper also engages with contemporary issues associated with demands for autonomous territorial councils which have become central to the mobilisation of the indigenous identity of people in Northeast India, with special reference to Arunachal Pradesh.

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I. Introduction

This paper focuses on the contestations surrounding 'indigeneity' in Northeast India, so it becomes important to elucidate the term 'indigeneity' and 'Northeast' with reference to Indian context. Even though India state addresses the demand of historically marginalised tribal communities by attributing them 'Scheduled Tribe' status, more often than not, the 'native' people in states of Northeast India frame their claims and demands for differential treatment in language of indigenous belonging to the land. With reference to Northeast India Rajesh Dev writes "that in the determination of the justifiability or legitimacy of claims by non-dominant groups it is not residency but 'indigeneity' that determines a group's claim and inclusion as full social and political actors in the state" (Dev, 2004, p. 4750)¹. Emphasising on the recent origin of the term, Partha S. Ghosh notes that the term Northeast India was first used in the wake of creation of Northeastern Council in 1970s (Ghosh, 2009, p. 3). The term 'Northeast' holds meaning as a relational term for geographical location of states of India, when the vantage point of reference is 'mainland' India. The term 'Northeast India' is used to refer to eight states i.e., Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura, and Sikkim. T. Subba notes the inappropriateness of the term as a geographical reference because location of most of the capital cities of Northeastern states such as Imphal, Shillong, Aizawl, which are positioned as southeast of Delhi (Subba & Wouters, 2013, p. 6). The demographic composition of the Northeast India makes it an apt site for engagement with issues of identity, indigeneity and citizenship. The northeastern states of India encompass diverse ethnic communities who identify themselves with 'indigenous' identity, and are recognised as Scheduled Tribes by the state for official purpose, with few states having as high as 60 percent tribal population².

II. Indigeneity and differentiated citizenship

The term 'differentiated citizenship' has been defined by Niraja Jayal Gopal as, "of more recent origin, used by political theorists to signal their discomfort with universalist notions of citizenship that entail the recognition of individuals as constitutive units of the polity, and as bearers of equal rights without any

¹The best example to illustrate this would be the tea tribes of Assam who were brought as plantation workers by colonial rulers back in 19th century from Central India. Till now the community has been struggling for recognition of Scheduled Tribe status in Assam but they are continued to be regarded as 'outsiders' in the state as their ancestral origin lies elsewhere and not in Assam.

² In Northeast India Mizoram, Nagaland, Meghalaya, Arunachal Pradesh are predominantly tribal states where Scheduled Tribe population constitutes more than 60 percent of the population (Census of India 2011).

consideration of inequalities in their wealth, social status or identity” (Gopal, 2011, p. 186). She argues that a discourse of citizenship which is ‘liberal’, ‘homogenising’, and ‘difference blind’ leads to concealment of the historical disadvantages and inequalities faced by citizens, and fails to unmask the failures of state’s policy of neutrality (Ibid.). On the other hand, the discourse of ‘differentiated citizenship’ recognises diversity and provides for its accommodation through various legal and political measures. These measures which facilitate state’s pursuit of differentiated citizenship include allowing exception to communities from observance of certain laws owing to their special status, affirmative action, asymmetrical rights, and imposition of restrictive rules on non-members of the indigenous or ethnic communities.

The recognition by the Indian state of distinctive existence of territory of Northeast India, cultural specificities of its people and their historical marginalisation, has laid the foundation for their differential inclusion in the Indian state through reservation in education, public sector employment, and promotion to ensure equality of opportunity to these communities. In order to ensure adequate to historically marginalised tribal communities, constitution also provided for reservation of seats in state assembly and Lok Sabha. In order to protect these communities in their territorial habitat, state practices also necessitated restricting the rights of rest of Indian citizens to move freely, reside and settle in any part of India. Recognizing the importance of distinguishing historical and cultural existence of people in determination of citizenship one enjoys writes that, Anupama Roy writes that, “Even among members or those who legally ‘belong’, socio-economic and cultural contexts would ultimately determine the terms of inclusion so that even when citizenship makes claims to being a horizontal camaraderie of equal members, it embodies in actual practice, a range of graded and differential categories and corresponding lived experiences of citizenship” (Roy, 2008, p. 245).

As we explore Northeast India as the site for practises of citizenship in societies with dominant indigenous population, we become familiar with a conception of citizenship which is permeated with narratives of indigenous belonging. The ‘native’ citizens in states of Northeast India have been vocal in their demand for establishing the entitlements of political economic citizenship dependent on legal recognition of individuals as ‘indigenous’ to their place of residence. This is suggestive of the limitations of the liberal framework of citizenship in recognition and accommodation of diversities in indigenous societies. If we take the case of Arunachal Pradesh in Northeast India it becomes evident that people of the state not only enjoy entitlements based on their indigenous belonging to the land but also strive for expanding those rights. They argue in favour of expanding the individual rights guaranteed to citizens in the Indian Constitution to recognise and accommodate the identities of citizens as members of indigenous communities through protective legislations like Inner Line Regulations and land legislations which bestows exclusive formal and ownership rights on them in the state.

As we argue in favour of the broadening of the liberal framework of citizenship to recognise the specificity of individuals which arises from their belonging to indigenous communities and having a history of marginalised isolation, we also note this process of recognition is fraught with many challenges. The experiences of tribes in Arunachal Pradesh as Lisus, Mikirs, Deoris is reflective of the complexity involved in the process of recognition of indigenous roots of people has been explained. The challenges in the process of recognition of ‘natives’ of the state for designating them with APST status arises from absence of written history of tribes, obscure official records and as the process of recognition itself is a continuous one in tribal societies it becomes impossible to fixate the number of tribal communities. We thus become aware of the challenges involved in recognition of indigenous identity as a legal category as a determinant in endowment of several entitlements like permanent residence, land ownership, practice of trade, which has implications for lived experiences of citizenship of individuals.

There have been multiple concerns associated with the practice of differentiated citizenship, first and foremost being that recognition of identities of individuals as members of communities will lead to hardening of these identities which may undermine the unity of polity and goal of realising civic citizenship. Kymlicka and Norman note the existing opposition between diversity and citizenship in multiethnic societies, “there are legitimate concerns that some minority groups, perhaps in response to the rigid conception of citizenship advanced by the majority, have appealed to notions of identity and difference that leave little room for the promotion or nurturing of these aspects of democratic citizenship and social unity” (Kymlicka & Norman, 2000, p. 11). They argue that politicisation of ethnic identities occludes any form of communication between minority communities and the state, and in extreme situations these minority communities even resort to rejection of the citizenship of the state to assert their demand for autonomy or secession. In such circumstances any form of solidarity between the minority communities and rest of the citizens of the state escapes from public discourse. The experience of Northeast India instantiates the arguments advocated by these scholars with reference to differentiated citizenship.

The salience of ethnicity in the polity and society of Northeast India had meant that demands for the recognition of the distinctive identity of individuals and communities have been formulated in language of self-governance and autonomy whose meaning has ranged from secession from the Indian state to territorial autonomy within the state. These demands for territorial autonomy are seen as threat to the democratic

citizenship. However, it is essential to recognise that the individuals in indigenous societies simultaneously hold affiliations to multiple identities. They are citizens of the wider state at the same time they belong to particular internally differentiated indigenous communities with its specific norms, rules and regulations. By virtue of being situated in such a position they make claims based on their own customs and laws, as well as with reference to liberal-democratic legal and political instruments. It becomes important to emphasise that mobilisation of indigenous identity in ethnic societies takes place around issues of political, social and economic justice, these are also the issue which concerns the practice of citizenship. So, recognition of indigenous identity of communities holds importance as it goes beyond the recognition of a status or identity and has implications for political, economic and social well being of individuals living within a territory.

III. Contestations surrounding territorial autonomy within Arunachal Pradesh

The state of Arunachal Pradesh is enveloped by several protective administrative measures as Bengal Eastern Frontier Regulation 1873, Chin Regulations Act 1896 which gives special status to Arunachal Pradesh within Indian state, but the state is not covered under the Sixth Schedule of Indian constitution meant for administration of tribal areas in Northeast through special provisions. The tribal areas of Assam were divided into two part; Part A and Part; B. The Northeast Frontier tract was mentioned under Part B of the Schedule and extension of central rule was made possible in the area. The trajectory towards attainment of statehood for NEFA didn't involve any stage of creation of Autonomous District Councils. In past decade the demand for creation of Autonomous District Councils under the Sixth Schedule has come from two districts in eastern Arunachal Pradesh-Tirap and Changlang, and two districts located on the western periphery of Arunachal Pradesh.-Tawang and West Kameng. To address the demand two committees were constituted namely Patkai Autonomous Region Committee and Mon Autonomous Region Committee to advocate for creation of Autonomous Councils under Sixth Schedule in Patkai (Tirap and Changlang) region and Mon (Tawang and West Kameng region).

The Legislative Assembly of Arunachal Pradesh unanimously approved the proposal for the creation of Autonomous councils twice in 2004 and 2007, after that the proposal was sent to the Union Home Ministry and the matter has been pending there since then. In response the 19 legislators from the four districts demanding Autonomous Councils formed a Joint Legislature Forum to pursue the matter with the Government of India and the state government. It is interesting to note that while the politics of states of Assam, Mizoram, Manipur, and Tripura is dominated by the demands for creation of Autonomous Councils by several ethnic communities; such a demand has emerged in Arunachal only recently. However, the contours of demand for Autonomous Councils have been shaped by arguments for development and cultural preservation, a language which has been used in other states of Northeast India to formulate the same demand. The demand of ADCs in Arunachal is based on the underdevelopment of these districts as they have not received equal resources from the state to prosper on the path of development. The creation of autonomous of councils is seen significant in ensuring financial empowerment and autonomy to these districts. Also, the autonomy of the region is seen significant from the point of preserving the culture and identity of the people (Bath, 2017).

The constitutional protection under Sixth Schedule for Arunachal Pradesh is seen as a protective mechanism for land, identity and ensuring development. So, there is a sense of unfair treatment among the people of the districts whose solution is sought through the same means as adopted in other state. However, this view is not shared by everyone in the state as student body SUMAA opposed this move of the state for fuelling divisive tendencies among other districts of the state as well. Nani Bath questions the legitimacy of such demands in Arunachal Pradesh as he finds such demands to be politically motivated acts for using people's sentiments as a leverage over the central and the state government. He attributes such demands as an administrative cover up for their failure in arresting law and order problems in the Tirap and Changlang districts due to insurgency (Bath, 2017). In absence of any well formulated reasoning for such institutions it appears that the pervading language of necessity of differentiated status to indigenous people in Northeast India propelled the people of Arunachal also to assert similar demands.

The demand for ADCs becomes significant if we see it in the larger context of Naga insurgency which looms large over eastern Arunachal. The history of Naga independence has been one of the longest in the pre independence India but over the years the demand for independent Naga homeland has given way to a greater territory for Nagas within the Indian state encompassing Naga inhabited areas in Assam, Manipur and Arunachal Pradesh. So, interest of NSCN in Arunachal Pradesh also arises from its significant role in the realisation of their dream of 'Greater Nagalim'. In a region where states are mired in perpetual conflict and violence, Arunachal Pradesh successfully comes across as a peaceful state. This fragile peace of Arunachal Pradesh in the eastern border is tied to the fate of Nagaland as well as Assam, and on western frontier it is tied to the actions of China. In past few decades with increasing incidents of insurgency in Nagaland and Assam, territory of Arunachal Pradesh has become a conduit to the hideouts in Myanmar and Bhutan for the insurgent groups like National Socialist Council of Nagaland (Isak –Muivah group), National Socialist Council of Nagaland (Khaplang group), the United Liberation Front of Assam (ULFA) and National Democratic Front of

Bodoland (NDFB). The Tirap and Changlang districts in eastern Arunachal Pradesh which is contiguous to Kachin Independence Army controlled territory in adjoining Myanmar have been used as bases for operations by Naga insurgents. As these districts are also economically and socially backward districts in the state it has facilitated the insurgents in securing support of the local people. The territorial contiguity between Nagaland and Arunachal has not only meant that the latter has been victim of cross border insurgency, rather it has also become the medium for trans-border movement of the insurgents. The interference of the rebels has not only meant threat to the peaceful social fabric of the state but they have not been hesitant to interfere with the political affairs of the state³ (Hussain, 2005). Amidst rising demands for territorial autonomy within the state, it becomes crucial for the central and state government of Arunachal Pradesh to protect to protect the integrity of its territory and address the concerns of citizens in contiguous Naga acclaimed areas.

IV. Conclusion

T.H. Marshall writes about political, economic and social citizenship as universalistic in nature whose realisation is possible in a liberal state (Marshall, 1950). However, the rights and responsibilities of individuals are not abstractly defined and guaranteed rather they are shaped by the social and cultural set up of the polity where the individual resides. The inclusion or exclusion of citizens in the polity is dependent on other identities of belonging as well. In Northeast India the identity of individuals which is associated with belonging to indigenous communities of the state which are recognised as Scheduled Tribes for administrative purposes, gives them an edge over the those who don't belong to such groups and are identified as 'non-natives' or 'outsider' in the state. The participation in the market is not only determined by the skills of the person but also their ethnic cultural identity which in turn becomes the basis of exclusion of individuals from the market. Such a conception of citizenship stands in variation to the notion of citizenship promoted by Marshall which is informed with individualistic principles.

The conception of citizenship informed by recognition to the cultural belonging and historical particularities is expansionary in nature, but it becomes important to examine if such a differentiated experience of citizenship which gives an edge to the natives of the state over 'outsiders' is also successful in ensuring similar socio-economic citizenship experiences within the 'natives' of the state. As the goal is to have a rich lived experience of citizenship for people the questions of inequality and injustice should not be framed in the traditional binaries of 'insider' and 'outsider'. With changing development and demographic scenario in Arunachal Pradesh where development and division of labour in the state is happening on ethnic lines it has become imperative to not reduce the questions of justice in such ethnicised polity to questions of indigenous belonging to solve questions of justice. It has become imperative to take into account the changing realities of society and economy in the state.

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³ In 1999 the elected government of Chief Minister Gegong Apang in the state was overthrown as the legislators from Tirap and Changlang resigned from the assembly in protest of neglect shown to the two districts. This was followed by resignation by legislators from other districts as well. The then Chief Minister Gegong Apang claimed that the ousting of his government from power was a politically motivated act of NSCN insurgents. While the claim could not be verified but subsequent Chief Minister Mukut Mithi also acknowledged the constant threats from NSCN(IM) for toppling his government (Hussain, 2005)