

## **Ethno-nationalism and Self-rule: Questions of Federal Institution Building in Northeast India\***

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### **Abstract**

Federalism and democracy are less studied in terms of their complementarity. Even as they have remained 'non-communicating discourses' for a long time, there has been a new thrust in exploring their relationship brought about by an interest in multicultural practices of power-sharing in diverse societies. In this background, the paper analyses the federal imagination of India as it is practiced in the Northeastern states. It argues that these practices have been majorly driven by a national security consciousness, rather than by a respect for democratic values, which has further led to a 'distorted' public sphere in the Northeast.

**Keywords:** nationalism, identity federalism, self-rule, public sphere.

*... the frontier breeds a different type of people.*  
*-Jawaharlal Nehru*

Discourses on the Northeastern states of India usually begin a reference either explicitly or implicitly differences that obtain in relation to "mainstream India", read as the rest of India outside of this region. The Northeast is at once a geographical entity and a cultural construct, besides serving as a category of national security discourse. What is immediately noticeable is a suspicion that the rest of India does not understand the region and its peoples. This suspicion translates into a complaint against 'misrepresentations' as a way of introducing the region and the peoples. At another level, the 'Northeast' is also a concept or a category that needs explanation. It inhabits our minds and imagination as an 'imagery-concept'. Any attempt at 'clarifications' and 'explanations' becomes, simultaneously, an attempt at giving a standard, uniform narrative of the region. If at one level, narrators and experts complain that the region is wrapped up into a homogeneous representation, it is also true that such complaints arise out of a deep underlying angst at the diversity of narratives and representations.

Against the usual complaint that the Northeast is taken as one single unit without appreciating the diversity within, I will be arguing for such a single unit both for immediate political reasons and for an ethical basis of identity. I contend that such a

grouping is neither a moral apology nor a political blunder, but something desirable. The paper makes three contentions. One, the movements in the region — ethnic, separatist, or nationalist, that characterise the region can be understood in two broad categories: a) directed against the Indian state and b) directed against one another. Two, the Indian state has been predominantly concerned with the former and ignored the latter all along. This approach, I argue, is a result of the Government of India's national-security centric view of the Northeast. Three, the second category of conflicts has been accentuated by the responses of the Indian state fashioned by the security centric approach. In the first part of the paper, I analyse with the principle of federalism and offer a brief normative account of the same. In the second, I attempt an evaluation of the practices and innovations in federal institution building in the region. This part argues that the purpose of federalism in terms of combining self-rule and shared rule in Daniel Elazar's words has not been achieved. This is due to the failure of the Indian state to take into consideration the region's specific inner dynamics, inter-community relations, the historical context of their development and the interdependence that has for centuries existed in the socio-economic and political sphere and above all, in their spatial imagination. Lastly, I contend that any genuine exercise of federal institution building in the region has to necessarily confront the local context of inter community relations in a historical time frame. Any such exercise, I argue, will have to be aimed at creating and promoting a shared public space, or a 'public sphere', as Jurgen Habermas calls it, while stressing the need for introducing a shared rule among them.

### **In Defense of Federalism**

Ambiguity surrounds the use of the term federalism as a concept. What it immediately brings to mind is the existence of two or more levels of government and a constitutional distribution of powers between them. It is in the words of K. C. Wheare, "an association of states, which has been formed for certain common purposes, but in which the member states retain a large measure of their original independence."<sup>i</sup> Whereas this definition serves as a general starting point, there are differences as to what types of associations of governments deserve to be properly described as federal. Wheare's definition also presumes and hence, limits the application of the concept to an association whose member-units had been independent at the time of forming the association. The ambiguity of the term however is not to be seen as undermining the richness of the concept as Daniel Elazar says that the "ambiguities testify to the richness of the concept."<sup>ii</sup> This paper follows his definition of federalism as a "combination of self-rule and shared-rule",<sup>iii</sup> for it offers advantages over the structural definitions that follow the classic work of Wheare.

Elazar's definition is capable of being operationalised as a multicultural strategy, while overcoming some of the limitations of the structural understanding. The goal of 'self-rule' and 'shared-rule' does not allow the federal strategies to be arrested within the bounds of

administrative convenience only and facilitates an order towards justice as the goal. The structural definition can be traced to a general tendency among writers to readily identify federalism with the American federation, which has all the structural characteristics, including an association of states with a division of powers between a general government and the associated states, a written and rigid constitution, a judiciary as the guardian of the constitution, a bicameral legislature, etc. The division of powers is such that neither the general authority nor the regional authorities are subordinate to each other. Michael Burgess describes it as “a tangible institutional reality.”<sup>iv</sup> For Preston King, a federation is “an institutional arrangement taking the form of a sovereign state, and distinguished from other such states solely by the fact that its central government incorporates regional units in its decision-making procedure on some constitutionally entrenched basis.”<sup>v</sup> Burgess sees it as an institutionalization of these relationships in a state. Federalism, of course, envisages such a structure, but it should be best understood for social and political ends in a way that the centre and its parts are independent in their own spheres and co-ordinate. They are in other words co-equal.

In a multicultural setting, federalism is propounded as an ideology of shared rule and self-rule, where the political ambitions of self-rule are strongly articulated by various cultural communities. Herein obtains a complex of group-identity politics to which the response of traditional state institutions is generally regarded as inadequate. The federal proponent, however, works on an assumption that the parties involved have a desire both for unity and diversity. Only under this condition, federal arrangements can be put to use to serve as an antidote to nationalist/separatist assertions. Such a goal is achieved by ensuring that both unity and diversity are maintained under the federal regime. The techniques of balancing between centripetal and centrifugal forces that are available in the federal repertoire strongly support its candidacy as strategy of governing a multicultural state with deep social cleavages. However, the federal diffusion of power is not to be undertaken for every possible social formation or groups: the purpose is to reflect “socially meaningful diversity”. For example, a community is to be such that it needs to self-govern itself for reasons of approximating social justice to a case of political exclusion. In such a case, the community is empowered with ‘substantial autonomy’ to enable self-rule. The extent of ‘substantial’ is to be decided keeping in view the necessary existence of unity between various units of the federation. The federal state, as opposed to a unitary state, has its sovereignty split and shared. Hence, it possesses an “infinite capacity to accommodate and reconcile the competing and sometimes conflicting array of diversities having political salience in a state”.<sup>vi</sup>

In the light of this understanding of federalism, one can analyse and evaluate the processes of federal institution building in Northeast India. The questions of how much power constitutes ‘substantial autonomy’ and which are the communities that need self-rule are questions that need to be seriously addressed. While federalism can accommodate

competing claims, it should not, at the same time, be allowed to encourage diversity that promotes and sustains animosity between communities.

A question, however, arises as to whether federalism institutionalizes ethnicity, thereby consolidating existing identities and foreclosing particular communities overlooking the fact that identities are a fluid, dynamic process based on cultural exchanges and borrowings. Political institutionalization of ethnicity and cultural identity may be seen as encouraging exclusivist communitarian projects. Such a charge is of the most serious nature in the context of the Northeast, which has been a hotspot of internecine ethnic conflicts. A possible answer to this critique presumes in this paper the communitarian defense of the values of belonging to an identity. Herein, I will shortly refer to some virtues of federalism in the context of culturally diverse societies.

The federal principle is a way of securing minority rights. In the words of Arend Lijphart, it “serves well the principle that there are no simple majorities or minorities but all majorities are compounded congeries of groups, and the corollary principle of minority rights.”<sup>vii</sup> It thereby enhances the democratic element in the polity by ensuring the participation of those, which would be peripheral minorities with no say. Not everybody accepts the point of democratic enhancement. King says, “(F)ederations are to be understood as democracy only in the sense that they involve some form of corporate self-rule, of a kind where it is constituent territorial units which comprise...the agents involved in the process of rule”.<sup>viii</sup> The almost always-unequal size of the territorial units is considered undemocratic. King further says that what federations do is recognize the “entrenched position of the constitutive territorial units, not the rights of individual citizens”.<sup>ix</sup> The two concepts are, however, not to be compared for the purposes of an either-or choice. Federalism only seeks to enhance democracy as one among many other goals. It reminds us that democracy is not only about rights of individuals but also of communities in which individuals live and participate. It thus allows the traditional concept of representation, i.e., one person, one vote (which has not proved useful in dealing with majoritarian dominance, political exclusion, etc.) to be weighed against other considerations. Nirmal Mukarji and Balveer Arora point out the need for a ‘federation within a federation’.<sup>x</sup> Such an arrangement multiplies the access points of political participation and hence deepens representation.

It may also be argued that federalism, understood in Elazar's terms, will help what Anne Phillips has called the politics of presence<sup>xi</sup>. She argues against the system of representation that revolves around ideas alone without giving any consideration to who the representatives are. First, the ‘presence’ which federalism will achieve is important from a symbolic point, as a system in which ‘know –best’ representatives drawn from predominant groups or communities means treating the others as “political minors”, which is against democratic norms. It becomes imperative to include the excluded “to reverse

previous histories of exclusion”, which matters “even if it proves to have no discernible consequence for the policies to be adopted”. Secondly, she says, by a strict definition, in the traditional system of representation, representatives represent only the “issues that were explicitly debated in the course of election campaign”. For other issues which might arise, the citizens “have to turn to other aspects of the candidates” whereby it assumes significance who they are. Thirdly, she emphasizes the need for “more aggressive advocates on the public stage”. Finally, there is the problem of the “ideas or concerns that have not reached the political agenda...of the preferences not legitimated, the views not even formulated, much less expressed.”

It must be however pointed out that federalism is not the solution to the problems political exclusion which Phillips is examining. As she says in the case of Arend Lijphart's consociational democracy, “ the emphasis is less on what is just and more one what is necessary, with the imperatives of political order claiming the last word in deciding which forms of democracy are most appropriate.”<sup>xii</sup> She further argues, “Because consociationalism conceives of pluralism in terms of a division of between ‘virtually separate subsocieties’, it does not deal with the corrosive consequences of marginalisation or powerlessness....Neither the theory nor the practice is about equalizing democratic weight.”<sup>xiii</sup> Phillip's arguments nevertheless can be employed against the charges against federalism as it creates a level of political presence.

However, the most important reason as to why federalism has come to occupy a central place in nation-building processes is to be found in its ability to renegotiate the political boundaries of sovereignty and citizenship. It is in the light of this virtue of federalism that the most pressing concerns of Northeast India in terms of separatist/nationalist and ethnic problems are to be addressed. Graham Smith contends that this ability lends itself as one way towards a solution to various sub-nationalisms in that it points to the possibility of less nation-state bound communities existing together. “(F)ederalism can actually fashion a sense of identity in which sub-state national identities are not, to use Anderson's (1990) phrase ‘imagined as ultimately sovereign’ but rather as possessing multiple and overlapping communities of imagination.”<sup>xiv</sup>

### **Northeast and Federalism as National Security Discourse**

Decades ago, the States Reorganization Commission, 1955 visualized that Manipur and Tripura be eventually merged into the state of Assam, besides recommending the preservation of Assam's territory as a single political unit. The Northeast then comprised four political entities in the form of Assam, Manipur, Tripura and the largely un-administered North East Frontier Agency (NEFA). The Government of India, instead of implementing the recommended merger, did not even safeguard the boundaries of Assam and hence, carved out of it the states of Nagaland, Mizoram and Meghalaya. Today, the region comprises seven states and more communities are demanding either statehood or



autonomy or secession from the Indian state. What were the reasons that made the Government of India undertake just the opposite of the recommendations of the States Reorganisation Commission? Was it a genuine process of federalisation that enabled various communities an amount of self-rule? Did this process enhance democratic participation and give a voice to historically excluded communities?

Despite his reservations about glorifying federalism, William Riker said, “(O)ne does not decide on the merits of federalism by an examination of federalism in the abstract, but rather on its actual meaning in particular societies.”<sup>xv</sup> The discourse over the implementation of the federal principle in Northeast India was deeply influenced by the partition of India at Independence and the consequent insecurity of its borders in the North and the Northeast. After an initial phase of reluctance and skepticism, the Indian state adopted various federal strategies, which can be clubbed under three broad categories: a) the formation of new states, b) the special status that the states enjoy in the fields of economy, polity and culture and c) the special institutional mechanisms devised which are specific to some communities within these states. However, what pressed the Government of India into implementing these policies, particularly the first, reveals that the purposes have been one sided and hence, the results limited and even unanticipated in some aspects. If the purposes of the federal principle are the deepening of democratic participation and promotion of diversity while maintaining the larger unity by ensuring self-rule and shard rule, the Government of India's policies have achieved little of it, while there is a semblance of both. Even this semblance is available only in relation to the Government of India on one side and the respective communities on the other. The multiplication of the levels of the Government required for the purposes of achieving the federal virtues are lacking in these arrangements.

Long before the formation of the new states was anticipated, the Constituent Assembly of India exhibited a deep angst about the security of India if the federal principle were to be implemented in this region. During the course of debating the Sixth Schedule in the Assembly, the fear of a break-up of the country reigned supreme among many members. Kuladhar Chaliha, a member from Assam itself, remarked during the debates on the Sixth Schedule, “There is an old separatist tendency and you want to keep them away from us. You will then be creating a Tribalistan as you have created Pakistan. It is said that they are very democratic people, democratic in the way of taking revenge, democratic in the way that they first take the law into their hands....they are so democratic that they will chop off our heads. There is no need to keep them away from us so that in times of trouble they will be helpful to our enemies.”<sup>xvi</sup> Others felt that the Sixth Schedule would perpetuate “primitive conditions of life”. Another member, Brajeshwar Prasad from Orissa, argued that “The responsibilities of parliamentary live can be shouldered by those who are competent, wise, just and literate. To vest wide political powers into the hands of tribals is the surest method of inviting chaos, anarchy and disorder throughout the length and

breadth of this country.” This ‘colonial-anthropological’ justification of the ‘duty’ to rule over the tribes complimented his concern for the highest good that lay in the interest of India. He went on, “I believe in the principle of the greatest good of the greatest number. I will not jeopardise the interests of India at the altar of the tribals.”<sup>xvii</sup> Yet another member, Rohini Kumar Choudhuri asked, “Do you want an assimilation of the tribal and the non-tribal people, or do you want to keep them separate? If you want to keep them separate, they will combine with Tibet, they with Burma, they will never combine with rest of India...”<sup>xviii</sup>

Apart from the cultural stereotyping and the implicit corollary that these peoples would be better governed by the ‘civilized’, the fear of a possible disintegration of the country was so pronounced that Nichols-Roy, a staunch proponent of the Sixth Schedule, was to defend the same by employing the language of national security. He contended that in order to keep the border areas safe, people must be kept in a satisfied condition, while Gopinath Bordoloi argued that the District Councils would enable people to come closer to the people of the country.<sup>xix</sup>

The security-centric view of the Northeast by the Government of India has its express origins in the suspicion of the people inhabiting the region as much as in its absence from the imagination of the Indian nation by the rest of India. As early as 7 November 1950, Sardar Patel wrote in a letter to Jawaharlal Nehru, “The people inhabiting these portions have not yet established loyalty or devotion to India. Even the Darjeeling and Kalimpong areas are not free from pro-Mongoloid prejudices.”<sup>xx</sup>

The security-centric approach to dealing with the problems of the region culminated in the passage of the Armed Forces (Special) Powers Act, 1958. The Act grants enormous powers to the personnel of the Armed Forces including the powers to shoot and arrest people without warrant, merely on the basis of ‘suspicion’, while they are not to be prosecuted for any act done under these powers without permission from the Central Government. Distinguishing between the “alien and hostile space” and the “domestic space”, Bimol and Tarunkumar<sup>xxi</sup> write that “republican and democratic principles and institutions seek to protect citizens from the violence of the state within the *domestic space*” where the police operate and the state judges the intents of the inhabitants according to whether they are criminals, minors, adults, insane or normal, whereas in the “less differentiated” alien space, “hostile intent is primarily assumed...” The enactment of AFSPA assumes the alien status of the Northeast. The fact that Jawaharlal Nehru, arguably the most liberal face of Indian nationalism understood the region as a frontier, which therefore was inhabited by a “different breed” of people is not without significance, for borders may be said not belong to any side of the divide.

The exercise of federal institution building has been, if not a direct outcome, deeply influenced by this consciousness of national security. Nehru in a sarcastic remark sent a message to the then Chief Minister of Assam, Gopi Nath Bordoloi saying, "I suppose one of these days we might be asked for the independence of Assam".<sup>xxii</sup> The context was the assertion by the Assam Congress that the state should have prerogatives on matters of citizenship and immigration.

The question is why the Indian State that had been suspicious of any federal empowerment of the region later ended forming smaller states at the same time guaranteeing special category status and mechanisms viz. under various clauses of Art 371. The national security driven view of the region explains this shift. The formation of Nagaland in 1963, which was until then centrally administered by combining the Naga Hills District of Assam and the Tuensang District of the NEFA- inaugurated a series of state formation in the region. It was followed by the North Eastern Areas (Reorganization) Act of 1971. It is important to remember that the Indo-China War, 1962 had just ended when Nagaland was granted full statehood. The formation of this state was aimed primarily at ending the Indo-Naga war. With fresh memory of the war, coupled with the fact that the region borders many other foreign countries, the Government of India awakened to the need of keeping the peoples inhabiting the border areas satisfied by granting some form of autonomy in the newly created state and hence, it revised its security calculus. The fears in the Constituent Assembly about these peoples "combining" with some foreign country got refreshed with the difference that this time round, the need to enhance the presence of the Indian state apparatus was conceived through federal devices rather than in assimilating, centralized structures. The resulting federalization has to be seen as encouraged by this new calculus, more than by a genuine desire to translate the federal virtues.

However, the concern with national security remains prominent till this day when the colonial practice of appointing military officers as Governors of these states continues, as Sanjib Baruah well illustrates in his article entitled, 'Generals as Governors: the parallel political systems of Northeast India'<sup>xxiii</sup>. Referring to this tradition, he argues that an authoritarian governance has developed in the region independently and even above the democratically elected state governments when national security considerations determine the actions of the governor. He writes in the context of northeast India, "Governors often act in ways that not only stretch constitutional propriety but also sacrifice democratic procedures at the altar of security expediencies."<sup>xxiv</sup> Even the North East Council (NEC) that has now been envisioned to play the role of economic planning body for the region has a strong security mandate "to review from time to time the measures taken by the States represented in the Council for the maintenance of Security and public order therein and recommend to the Governments of the States concerned further measures necessary in this regard."<sup>xxv</sup> As late as 13 April 2005, Prime Minister Manmohan Singh expressed worry



that “The security dimension has been almost completely ignored in its activities in the past; we cannot afford to do so in the future.”<sup>xxvi</sup>

### ***Federalism and Inter-Community Conflicts***

If the federal process in the northeast is a national security driven discourse, I argue that it has hardly helped inter-community relations in the region. The government of India has neglected this aspect due to its predominant, if not sole, concern with the external national security. Two examples are taken up to illustrate the point, the first one being very controversial, yet illustrative enough of the case, which is the Naga national question demanding the unification of the Naga inhabited areas in states like Assam, Manipur and Arunachal Pradesh. I examine this specifically in relation to Manipur. I try to further expand the analysis by referring to the demand for the implementation of the Sixth Schedule in the hill districts of Manipur. The second example is the Bodo movement in Assam, the problem about which is, in a major part, the ‘partial’ settlement of the problem.<sup>xxvii</sup>

The case in Manipur merits attention for an understanding of the interdependence of communities from a historical perspective but how, due to the policies of the Government of India, the entire scenario has got politicized in a manner threatening to go out of control. The NSCN (IM) has been on a ceasefire (and later, on peace talks) with the Government of India since 1997 and among numerous rounds of talks, the latest that started in New Delhi on 3 February 2005 were supposedly the round of hard bargaining revolving mainly on the issue of integration of Naga inhabited territories, which is for the Nagas a non-negotiable issue. It may be mentioned that when the ceasefire was declared to have been extended to all Naga inhabited territories in 2001, a mass uprising took place in Manipur in which 18 people got killed in police firing.<sup>xxviii</sup> Lakhs of people were on the streets protesting against what they saw as the de-facto recognition by the Government of India of the legitimacy of the demand by the Naga insurgent group, National Socialist Council of Nagalim, (NSCN-IM). The group claims that the British Government and later on the Indian state has artificially divided Naga territory due to which the Naga people have had to live under different states-in Myanmar and India. The unification of the Naga territory at least within the Indian side of the border is a prime demand of the group. The Manipuris, on the other hand, assert that the boundaries of the ‘historically legitimate’ political entity of Manipur cannot be compromised by the Indian state. The day of June 18 has come to be commemorated by the civil society in Manipur on an annual basis. What is worrisome about these commemoration days is that it has helped create ethnic and community boundaries in the public sphere and in the daily imagination of the peoples.<sup>xxix</sup> As opposed to the NSCN(M)’s demand of the unification, Manipur claims that the various tribes and communities of the state have been living together since time immemorial. It points out

common origin and past to stress the inevitability of a common future. It further argues its case on the “historical basis” that it had a common polity under one kingdom even before the present Indian Union came into being and hence, claims legitimacy and genuineness of its territorial status in contrast to a “constructed” or recently invented identity of the Nagas. Manipur seeks to prove the authenticity of its identity through an inclusivist historical interpretation of how various communities have co-existed within its territory under a unified polity. Whereas many Nagas in Manipur protest that the identity of Manipur is being imposed on them since monarchical days.

What is more important to be pointed out is that these claims and counter-claims have taken the form of a quarrel between the elected legislative assemblies of the two states. Instead of serving as platforms where the issues have to be addressed in a critical-rational discourse, the elected bodies have also simply endorsed the dominant views of their constituencies. On the issue of unification of “Naga inhabited areas”, the Manipur Legislative Assembly passed various resolutions opposing any move to include any territory of Manipur in the proposed integration while the Nagaland State Assembly passed resolutions lending support to the same. What has emerged is that “(i)instead of secular state institutions resolving primordial quarrels, the two co-exist and have lent support to each other.”<sup>xxx</sup> Whereas it can be said that it was only natural, and to be expected in a multiethnic setting, the pertinent question is: could there have been another way out? It is important to ask this since the bodies are not serving as platforms to engage in a dialogue between them but are rather strengthening declared positions without any willingness to listen to the other viewpoints. This is one occasion to question the rationale behind the federal processes that have taken shape in Northeast India.

The situation has also created a category of ‘trans-border’ tribes or ethnies, which shift their loyalties according to their situation in a particular given time and space, thereby depriving themselves of the comfort of having a stable identity. A specific case in point is the debate over how tribes of Manipur belong to the Naga nomenclature. It was a puzzling sight for social scientists to see big banners during the June 18 Uprising in Manipur, being put up by the same tribe claiming to be Nagas in some places and rejecting the same membership in certain other areas. The point being stressed is that the Government of India has much more to be responsible about in establishing inter-community harmony in the region. As the Central Government possesses the power to change state boundaries under Article 3 of the Constitution, it needs to be particularly sensitive to the historico-political contexts in which various tribes in the region have co-existed. For that purpose, a dialogue with the states, and even more importantly, a dialogue among the states themselves, is of utmost importance. The bilateral approach so far followed by the Government of India in such situations will not help in finding an enduring solution to the conflict torn region.

The question of the Sixth Schedule in Manipur is an interrelated issue. The hill districts of Manipur have been demanding the extension of the Schedule in the state. At present, these areas are under the Fifth Schedule. It is again imperative to address the question as to whether the conditions that necessitated the introduction of the Sixth Schedule in the former Assam obtain in Manipur to warrant its introduction therein as well. Whereas the advantages of the federal principle as discussed in the first section cannot be refuted, it is instructive to examine the specific local contexts for a critical understanding of the situation and to find out shortcomings in the existing arrangements. The opposition to the Sixth Schedule in Manipur can be advanced from four interdependent variables.

First, it is imperative to understand the topography of the state in its symbiotic and inextricable relationship between the hills and plains. The state is made up of hills and the valley, rather than spatially differentiated in those geographies. The small size of the state has also naturally created an intimacy of space between the two. It is at the same time an intimacy that is critical to the survival of the state. What is critical for the survival of the people as a whole is the fact that the hills account for 90% of the total area, but inhabited by roughly 40% of the total population, whereas, 60% of the population inhabits the remaining 8% (excluding the water bodies like the Loktak lake, etc.).

Secondly, there is also a consanguineous character between these areas, which cements the intimacy of space further. There is a close relationship between the inhabitants of the areas both ethnically and linguistically. There are historical accounts of ceremonies and rituals, common deities, common myths about origins, etc.

Thirdly, under the present regime, the hill areas enjoy the specific concession that land cannot be bought by the non-tribals from the plains. This is in complete disregard of the economic interdependence arising out of the specific spatial intimacy.

Lastly, there is an apprehension as to what will happen once these areas are granted the status of the Sixth Schedule, a legitimate concern given the fact that the Sixth Schedule was the precursor to the formation of new states. In the undivided Assam, two administrative categories were in operation: a) the districts of the United Khasi and Jaintia Hills (excluding Shillong), Garo Hills, Lushai Hills, Naga Hills, North Cachar Hills and the Mikir Hills and b) the North East Frontier Tracts and the Naga Tribal Area. The first set became the states of Meghalaya, Mizoram, Nagaland and parts of Assam, and the second category became parts of Arunachal Pradesh and also of Nagaland. The above reasons can be further elaborated to argue the case of Manipur against the unification plan under the Nagalim project.

The second example is the case of the Bodos in Assam. Following a Memorandum of Understanding (MoU) signed with the Government of India on 10 February 2003, Assam's largest plains tribal community came under the Bodoland Territorial Council (BTC). There would be a 40-member elected body to run the administration of the area and also to undertake developmental activities. The ethno-nationalist aspirations of the community may have been fulfilled to a large extent by this MoU, but the problem is far from over. Another militant outfit of the Bodos, the National Democratic Front of Bodoland (NDFB) is yet to arrive at an agreement with the Government of India. What other forms of autonomy can be designed to finally solve the problems without at the same time compromising legitimate Interests of Assam and the various communities within the territory of the BTC is a question that is increasingly difficult to find an answer. Yet, consequences of autonomy packages are clearer. Prior to the MoU of 2003, there was another agreement called the Bodo Accord in February 1993 that led to the creation of the Bodoland Autonomous Council, which eventually failed due to lack of consensus on the territorial boundary of the Council. What followed was an ethnic beginning on 15 May 1996 clash between the Bodos and Santhals rendering about 300,000 people homeless besides being responsible for the death of about 250 people.<sup>xxxi</sup> The motivation of the clashes is traced on the side of Bodos, who got encouraged with Government of India's formula of including in the Council those villages which had 50% Bodo population. The Santhal response was marked by the formation of the Adivasi Cobra Militants. A similar situation prevailed during the Kuki - Naga clashes in Manipur in the 1990s.

Evidences suggest that the institutional responses of the Government of India have encouraged both ethnic exclusivism as well the 'birth' of more ethnic groups. It would, of course, be simplistic to argue the federal processes alone have been responsible for the worsening of inter-community relations in the region. Various factors in combination have produced a unique set of inter-ethnic/community relations. But the point remains that all of those factors, including the propensity of the Government of India to talk to select armed movements (read the most 'powerful' insurgent organization), the sidelining of the civil society that has happened along the process, etc. arise from the same security centric approach of the Indian state while dealing with the problems of the region.

The challenge now is of devising the kind of institutional arrangements that can translate the federal principle of self-rule combined with shared rule without at the same time producing ethnic exclusivism. Indeed, the ethic of federalism should be the "necessary cohabitation of cultures".<sup>xxxii</sup> The first step towards that goal is to rescue federalism from being usurped by the security discourse. The second imperative in the context of the Northeast is to thoroughly investigate the specific local contexts of inter-community relations from a historical perspective, guided by the vision of what kind of society we

would like live in. Political institutions with their own boundaries are, however, not free of limitations. Transcending a regime of institutions through the creation of a vibrant public sphere may hence be desirable to bring about a peaceful and vibrant society of communities. If the federal process in the Northeast has been distorted by the security discourse, it is time to look for a new federal architecture that would be able to generate a new public sphere. Such a new framework should be aimed at transcending identitarian boundaries to enable inter-ethnic and inter-community communications. The hope for rectifying past biases lies in imagining such a new architecture.

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<sup>v</sup> King, Preston. *Federalism and Federation*, London: Croom Helm, 1982, p. 91

<sup>vi</sup> Burgess, *ibid*, p.7

<sup>vii</sup> Lijphart, Arend. "Non-Majoritarian Democracy: A Comparison of Federal and Consociational Theories", *Publius, The Journal of Federalism*, Vol. 15, No. 2, 1985, pp3-15

<sup>viii</sup> King, *ibid*, p 88

<sup>ix</sup> King, *ibid*, p. 9

<sup>x</sup> Mukarji, Nirmal and Balveer Arora. "Conclusion: Restructuring Federal Democracy" in Nirmal Mukarji and Balveer Arora (eds.), *Federalism in India: Origins and Development*, New Delhi: Vikas, 1992, p.270

<sup>xi</sup> Phillips, Anne. *The Politics of Presence*, Oxford: Clarendon, 1995, pp-38-45

<sup>xii</sup> Phillips, *ibid*, p. 14

<sup>xiii</sup> Phillips, *ibid*, p. 15

<sup>xiv</sup> Smith, Graham. "Mapping the Federal condition: Ideology, Political Practice and Social Justice" in Graham Smith (ed) *Federalism-The Multi-ethnic Challenge*, London: Longman, 1995, p. 2



<sup>xv</sup>Riker, W. H. *Federalism: Origin, Operation, Significance*, Boston: Little Brown and Company, 1964, p 152

<sup>xvi</sup>Constituent Assembly Debates, as reproduced in Savyasaachi, *Tribal Forest-Dwellers and Self-Rule: the Constituent Assembly Debates on the Fifth and Sixth Schedules*, Indian Social Institute, 1998, p.119

<sup>xvii</sup>Savyasaachi, *ibid*.p.120

<sup>xviii</sup>Savyasaachi, *ibid*.p.127

<sup>xix</sup>Lyngdoh, R. S. *Government and Politics in Meghalaya*, New Delhi: Sanchar, 1996, p. 226

<sup>xx</sup>Sandilya, Charan. *Sino-Indian Relations: History and Politics, Reality of McMahon Line, India-China War of 1962*, Ghaziabad: Surya Art Press, 1998. Quoted in Akoijam, A Bimol & Th. Tarunkumar, "Armed Forces (Special Powers) Act 1958: Disguised War & its Subversions", *Eastern quarterly*, Vol.3, Issue1, 2005, pp.5-19

<sup>xxi</sup>Akoijam, A Bimol & Th. Tarunkumar, "Armed Forces (Special Powers) Act 1958: Disguised War & its Subversions", *Eastern Quarterly*, Vol.3, Issue1, pp.5-19

<sup>xxii</sup>Barooah, Nirode K. *Gopinath Bordoloi, Indian Constitution and Centre-State relations*, Guwahati: Publications Board, 1990, p 33

<sup>xxiii</sup>Baruah, Sanjib. "Generals as Governors: The parallel political systems of Northeast India" (<http://www.himalmag.com/june2001/essay.html>)  
visited: 19 Jan 2003

<sup>xxiv</sup> *ibid*

<sup>xxv</sup>The North Eastern Council Act, 1971

<sup>xxvi</sup>As reported in *The Assam Tribune*, 14 April 2005

<sup>xxvii</sup>The Bodo problem was partly settled with the formation of the Bodo Territorial Council in 2003. Elections to the BTC were held on May 12, 2005. The NDFB was, at the time of writing this paper, in the process of starting peace talks with the Government of India.

<sup>xxviii</sup>Manipur witnessed such strong protests participated by lakhs of people earlier too on 4 August 1997 and on 28 September 2000

<sup>xxix</sup>On June 16, 2005, the Government of Manipur declared 18 June as a state holiday to be celebrated as Integrity Day. The All Manipur United Clubs Organisation (AMUCO) and the United Committee Manipur (UCM) had been commemorating the day as the Great June Uprising since 2002 to pay tributes to the 'martyrs' who sacrificed their lives to protect the territorial integrity of the state. In protest against the state governments of move, the United Naga Council (UNC) called bandhs on June 22, 2005

<sup>xxx</sup>Laishram, Bidhan S. "Border Disputes in the Northeast: Failures of Imaginary", ([http://ipcs.org/North\\_east\\_articles2.jsp?action=showView&kValue=1740&country=1016&status=article&mod=a&portal=pakistan](http://ipcs.org/North_east_articles2.jsp?action=showView&kValue=1740&country=1016&status=article&mod=a&portal=pakistan)) I have commented on these issues in a series of op-ed articles viz. "Peace with NDFB: Remnants of an Ill Diagnosis" and "Naga Nationalism: The Inward Turn of a Conflict" available on [www.ipcs.org](http://www.ipcs.org)

<sup>xxxi</sup>Hussain, Wasbir. "India's Northeast: The Problem", Paper presented at the *Interactions on the Northeast* on November 18, 2004 organised by the Observer Research Foundation, New Delhi

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<sup>xxxii</sup>Dione, Stephane. "The Ethic of Federalism", Notes for an Address to the Conference- "Identities-Involvement-Living Together in Federal States: International Aspects of Federalism". Sainte-Foy, Quebec, September 30, 1996 (processed)