

# Silence of indigenous communities

**As the country simmers in protest against the amended Citizenship Act, tribal areas in the North-east have been uncannily calm**

**THONGKHOLAL HAOKIP**

The Parliament of India passed the controversial Citizenship (Amendment) Bill, 2019 on 11 December, and it received the assent of the President of India, Ram Nath Kovind, on 12 December turning the bill into an Act.

The amended Citizenship Act intends to provide Indian citizenship to “any person belonging to the Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Pakistan or Bangladesh”. The Act, for the first time in Indian constitutional history, provides citizenship on the basis of religion. The Act also reduces the required “aggregate period of residence or service of Government in India”, from 11 to five years. Conspicuously absent in the list of religions, which can gain an expedited process of citizenship, are the Muslims. The Tamil Hindus, who are suffering intense persecution by the majority Buddhist Sinhalese in Sri Lanka, are also missing.

India had been a destination and a host to various people who were persecuted based on ethnicity and religion. This was possible without an amendment to the citizenship law. The present



amendment is nothing but a legalisation of the expedited process and explicitly mentions who will be particularly favoured in this process. This does not, however, mean the “others” will be totally excluded from gaining citizenship in India.

Ever since the Citizenship Bill was passed in the Lok Sabha, the North-eastern states of Assam and Tripura lead the protests. Many protesters were hurt and several of them were killed. The protest against this Bill/Act, though, in due course of time, shifted mainly to the metropolitan cities of the country.

Historically, Assam and Tripura have been a destination for settlers and migrants since the early colonial period. Those settlers and other migrant communities were mainly in search of lands in the plain areas of these states. A large chunk of swamps were cleared by them and they were tax-free initially. These lands were taxed later on and provided the much-needed revenue to the colonial administration.

Due to, what is thought to be the exemption of the tribal areas of the

region from this Act and assurance from the current political leadership in New Delhi, protests in these states have not been visible. Indeed the new citizenship law explicitly mentions exemption of the “tribal area of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and the area covered under 'The Inner Line' notified under the Bengal Eastern Frontier Regulation, 1873” from application.

The valley of Manipur under the banner of the Joint Committee on Inner Line Permit System has been demanding the extension of this colonial era law into the state. The Inner Line Permit is a bureaucratic process of obtaining permission by outsiders to enter such areas where the Bengal Eastern Frontier Regulation 1873 is enforced. The Bengal Eastern Frontier Regulation 1873 was extended to Manipur in December 2019, which keeps this protest-prone state oblivious during the height of protests all over the country.

The BJP government in Manipur under N Biren Singh used the carrot and stick policy — he was able to obtain



extension of the Inner Line Permit System and was determined to take action for any protest against the Citizenship Act.

Many in the tribal regions of the North-east believe that the Sixth Schedule of the Constitution and the Inner Line Permit System are constitutionally strong mechanisms that can protect them from any onslaught of outsiders. However, this is a wrong solace and a historically misplaced idea.

Arunachal Pradesh has a strict Inner Line Permit System enforced since the colonial period. Despite this mechanism, the Chakmas and Hajongs, who were displaced refugees from Bangladesh in the 1960s, were settled in the eastern districts of the state. Today, this sparsely populated tribal state is in constant turmoil and agitation against the growing population of these settler communities as they are in the process of gaining citizenship. The fear of the local indigenous communities is that not only will they share state resources with them but also gradually become politically influential.

Mizoram too has its own problem with the Chakmas. The Mizo perspective is that the Chakmas are mainly migrants from Bangladesh and they sought deportation of all illegal Chakma migrants. On the contrary the Chakmas were able to secure an Autonomous

District Council to self-administer themselves under the Sixth Schedule of the Constitution. In recent years, Chakmas have also been able to increasingly secure much of the state's medical and other professional education quotas. This has heightened tensions between the two communities in the state.

Meghalaya, with its capital Shillong being the colonial headquarters of the province of Assam, had hosted settler communities who migrated to the then district as clerks and security men in the colonial period. It has witnessed three inter-ethnic conflicts between indigenous and settler communities since the state came into being in 1972. And tensions continue to simmer.

Given such already conflicting situations between indigenous and settler communities, particularly in the hill tribal areas, the amended Citizenship Act looks threatening to the tribals and could, in future, create tensions. And given the history of settlement of the migrants, exemption of the tribal areas of the North-east, appears to be hogwash.

However, despite them being in this precarious situation, ensuring the silence of tribals is a new statecraft of the Bharatiya Janata Party.

The writer is assistant professor at the Centre for the Study of Law and Governance, Jawaharlal Nehru University, New Delhi