

Production of North Eastern Region: Colonial Construction and Nationalist Affirmation

Sajal Nag*

In the dominant discourse of the nation, India's northeast has been seen as a (a) 'tribal region... which is a far off place where some kind of trouble seems to be always brewing'¹[that] 'has faced periodic armed insurrection from the time of independence... [and] remain under a form of quasi martial law reflecting both the continuing danger of unrest and the strategically vulnerable nature of the region.'²The northeast was thus not only defined as a region but also ascribed markers or 'symbols to which people in the different situations identify with and thus use them for the achievement of particular purpose.'³Depending upon the purpose in mind completely divergent definitions of a region can emerge.⁴The region, 'a perceived segment of the time-space continuum is not static, rather a changing cognitions of different agents, inhabitants, observers, etc. [that] nationalism and the nation-building in the third world have been preoccupied for the last three decades.'⁵ The traditional parameters of viewing an area as 'region' are homogeneity, nodality and polarization.⁶ The northeast of India is neither a point of intersection of a network nor has any nodality in terms of relevance or importance and is socio-culturally one of the most diverse and therefore extremely heterogeneous. Viewing the northeast as a region is therefore a conceptual simplification. Sudipta Kaviraj in his theoretical intervention regarding the idea of regions and regionality in India states that the democratic structure has provided opportunity to express resentment towards the unevenness of development in the nation. Such resentment is expressed in terms of regional movement. If some linguistic religious or social groups believe that in a united India the rules of political game and economic distribution will be skewed permanently against them, they will naturally try to create political spaces where they can constitute similar majorities and practice, in retribution, similar inequity towards others. According to him there were three distinct

analytical operations generally termed as generalization, fragmentation and composition, which explained the idea of the formation of regions in India.⁷Generalization basically assumed that the different regions in India had more or less similar characteristics and the idea of fragmentation focused more on the fundamental differences between the different regions, which did not give importance to the notion of the fundamental unity of the idea of India. Kaviraj questioned the limitations of both these approaches and tried to stress the understanding of the question of regionality in India through the idea of composition which gives importance to the notion of region as historical entities, shaped or reshaped through the passage of contingent historical events.⁸Kaviraj cautioned that the rising trend of regionalist movements actually signal a crisis for the Indian nation state.⁹Though there are myriad means through which the nation state negotiates these movements, the standard answer of the nation state has been a stern centralizing response. Given India's great regional diversity which is bound to express itself politically in an increasing differentiation of interests, only a transformation towards more decentralization can in principle produce a political order based on democratic consent.¹⁰

'Scheduling' The Region

Contrary to popular opinion that the emergence of northeast as a region was a post-colonial, 1970's phenomenon, this essay shows that such region formation had colonial origins. In fact regionisation of northeast had begun with the colonial encounter with the tribes, which started with the grant of the *Diwani* of Bengal to the East India Company in 1765. It secured for the Company 'superintendence of all laws and the collection of revenues' in the Presidency of Bengal. As a result of this the estates bordering northeast region came under the control of the authorities at Fort William. Though the Company had its officials for the purpose of collecting the revenue, but

* Sajal Nag, Professor of History, Assam University, Silchar.

in practice the *zamindars* collected it, which often led to violent skirmishes between the collectors and the Garo tribe. It led to the appointment of David Scott, Magistrate of Rangpur in 1815 to inquire into the problem. According to the report of Scott some areas were separated from Rangpur and placed under the special charge of an officer to be called Civil Commissioner of North East Rangpur. Soon thereafter Regulation X of 1822 was passed which laid the foundation for the pattern of administration of the tribal areas. A beginning was made of a new form of administration, popularly known as the Non-Regulated system. The power of collectors, Magistrates and Judges were concentrated in the same hands and an intensely centralized and all powerful executive was constituted for bringing the administration within the reach of the people through simple and personal procedure.

The British had annexed Assam after the Burmese war (1824) and initially had shown no interest in venturing into the high hills, which were the abode of myriad hill tribes. But tribal raids of the plains changed the situation. The tribals were in the habit of raiding the plains for various political and commercial reasons. But the British objected to these raids, as they were violent and murderous. The violent encounter that the British had with the tribals in the form of raids and counter-raids since then ended only with the annexation of these areas to the Empire after a prolonged warfare of almost half a century. These raids changed the perception of the British about the tribal of northeast India. The British were already familiar with the tribal communities of the rest of India. The encounter with the northeastern tribal made them realize that these groups were different than those plains tribals. The scale and consistency of violence here was incomparable. Moreover here there was practice of headhunting, kidnapping, slave driving, raiding and so on, which they characterized as savagery. Often on the pretext of these savage acts tribal areas were grabbed one after another and experimentation with special administration for these areas was being conducted. Thus after the annexation of Garo hills laws were passed for the area. The Garo Hills Act 1869 provided for excluding these areas from general administration. Accordingly Garo hills would be removed from jurisdiction of the Courts and Criminal procedure and from control of the offices of revenue constituted by the revenue rules of Bengal. The Act had further provided that the Lt Governor would extend its provisions to other acquired parts of British India like Jaintia Hills, Naga Hills and such portion of Khasi Hills.

On 6 February 1874, Assam was put under a Chief Commissioner. In April same year the Scheduled District Act 1874 was enacted. The term Scheduled district was understood to mean 'those remote or backward tracts or provinces of British India which had never been

brought within or had from time to time been removed from the operation of the general Acts and Regulations and jurisdictions of ordinary courts or in which that operation was not complete and officers were supposed to be guided by the spirit of indispensable laws or were actually guided by such laws has had somehow or other been considered to be in force.'¹¹ The Act enabled the local Government to declare what laws were in force or not in force in the areas in question and to extend any enactment, which were in force in British India. It may be stated that the entire Chief Commissionership of Assam had been included as a Scheduled District in the First Schedule of the Act, which dealt with the territories to which the Act extended to even in the first instance. In so far as the frontier tracts of Assam are concerned a power had been given to the Chief Commissioner as early as 1880 by the Assam Frontier Tract Regulation of that year to remove any part of that area from the operation of enactment in force therein. The stage of backwardness of these tracts had demanded separate treatment for them.

'Othering' The North East

After segregating Assam from other areas in Bengal Presidency and inventing a separate and different kind of administrative set up, the colonial state began to construct the otherness of the people of northeast India. It was coeval with the identity construction processes of the communities of the region. As the British enumerative methods failed to grasp the diversity of India and confused diversity with difference, they constructed difference between northeast India and the rest of India as 'otherness.' The various enumerative and survey methods of the colonial state institutionalized the otherness of these communities. There were ethnographic reports, census reports, linguistic surveys, and missionary reports established that the tribes belonged mostly to Indo-Mongoloid race, spoke the Tibeto-Burman language, did not subscribe to any of the Indian religions like Hinduism, Islam or Buddhism. C.A. Elliot (1881-1885) who succeeded S.C. Bailey as the Chief Commissioner of Assam encouraged administrators to turn towards anthropology and write monographs about tribes or sub-tribes amongst whom they worked, and most of the monographs on the Naga tribes were the results of this initiative. Such recordings transformed the tribes like Nagas from a history-less, fuzzy community into a recorded, enumerated community. Eliot's efforts developed a sense of territoriality within the Nagas, and made them conscious of their dialect, language and distinctive markers. Bampfylde Fuller (1905-1906), who assumed the office of the Chief Commissioner of Assam, subsequently carried forward Elliot's work; he proposed

and officially sanctioned the preparation of a series of monographs on the more important tribes and castes of Assam. Officers and ethnographers, who had an intimate knowledge of the people they dealt with, undertook this project of preparing the 'official ethnography'. These writers also incorporated earlier works conducted on the tribes. A uniform format was prescribed for the preparation of the series.¹² Other enumerative devices of the colonial government: the compilation of the *Census Reports*¹³ and Grierson's *Linguistic Survey*¹⁴ -further institutionalized these attempts. Rather than being just statistical accounts of the colony, the census operation in the colonies were the result of colonial encounter of the west with the colonized, the idea of the colonial other and the administrative intention to bring to order the chaotic socio-ethnic diversity of India and the colonies for effective governance.¹⁵ In the process, these bureaucrats systematically assigned names to the tribes, often using names given to the tribes by their neighbours or names apparently arising out of an understanding or a misunderstanding of the informants. The Census Reports, as shown by the scholars emerged as an important document of governance.¹⁶ Indirectly then, the administrative procedures contributed to the development of a consciousness among the tribal as they internalized and adopted the descriptions assigned to them. In Mizoram, T H Lewin, Shakespeare, N E Parry were also a part of this endeavour and through their ethnographic efforts ascribed an identity to the Kuki Chin tribes. The Christian missionaries, through their efforts, strengthened the process of identity formation in various ways.¹⁷ The missionaries contributed towards identity consciousness through a standardization of language that was required for proselytisation. A dialect was chosen as a tribal language and endowed with a written form; in the absence of a script, Bengali or Roman alphabets were used. This written form of the language was accepted by the Government, and became the language of education and administration throughout the area inhabited by a tribe. This standard language gradually displaced other dialects, especially among the literates. The census took into consideration the linguistic, caste and religious affiliations, leading to the categorization and classification of each and every individual. In the process the census, instead of being informed by the society, changed from being merely referential to instrumental in regenerating the social structure itself. It became pivotal in the emerging caste associations, tribal mobilizations and linguistic contentions between the various groups in British Assam.¹⁸

The Christian missionary propaganda and colonial endeavours over the decades had broken down the age-old relationships and exchanges between the tribes and

plains. As the nationalist movement grew stronger in the rest of the country, the colonial effort at 'othering' the major tribes of northeast gained momentum. This was a part of an agenda of the British that given the violent nature of the tribes, if they were allowed to be a part of the intensified nationalist movement, it would become uncontrollable. Hence the British tried to keep them excluded from reforms through which the tribes could be brought under political participation by declaring them as Excluded Area, Backward area etc. and at the same time banned Indian political parties from entering and operating in these hills to pre-empt such a situation. It was institutionalized through the Government of India Act of 1919, which declared some parts of northeast India as Backward Tracts and some other parts as Partially Backward tract. The Government of India Act 1935 further consolidated these concepts by replacing the Backward Areas as Excluded Areas and Partially Excluded Areas. This is the how the colonial construction of northeast as a separate region began.

Institutionalization of Otherness Through 'Exclusion'

The following section shows the nature of colonial campaign that resulted in the institutionalization of the exclusion of tribal areas. There was hectic political activity in northeast India when the Indian Statutory Commission known as the Simon Commission visited the area. The Commission was working on the nature of polity that India was to be provided with. While some tribes made representation to the Commission on the advice of their colonial officials, colonial officers too made representation for the tribes as representatives of the region. The highlight of this representation was not just unequippedness of the tribal but harping on the 'difference' between the tribes and the Indians and therefore no united polity should be offered to them. John H. Hutton, the Deputy Commissioner of Naga Hills for example, presenting the case of the Nagas to the Statutory Commission had asserted that racially, linguistically, culturally, politically the tribal of northeast India were different from the Indians. The tribal would suffer by joining the people of an irreconcilable culture in an unnatural union, which would ultimately harm them. Hutton believed that tribals of the hills districts would be served best by not including them in the scheme of constitutional reforms. Therefore he was opposed to the inclusion of the hill districts in the reformed constitution.¹⁹

N. C. Parry, Superintendent, Lushai Hills District also shared Hutton's opinion and argued for the exclusion of the Lushais from the proposed constitutional reforms.²⁰ He had instead suggested the establishment of a separate North-Eastern Province comprising as many

of the Backward Tracts also including areas of Assam and Myanmar. This was the plan N. C. Parry had placed before the government for the future of the hill tribes in March 1928. The tribals who were considered suitable for inclusion into such a province were the Garo Hills, Khasi Hills, Jaintia Hills, Mikir Hills, Lushai Hills, North Cachar Hills, Naga Hills, Sadiya and Balipara Frontier Tracts, Chittagong Frontier Tracts, Pokaku and other Backward Hill Tracts in Burma. It was felt that Kohima (headquarters of the Naga Hills) would be suitable headquarters as it connected with both Assam and Burma.

Hutton also in 1930 conceived a similar plan for the hill districts of the Indo-Burma frontier favouring their union under one administration. Hutton had proposed that districts in India and Burma should be combined into an agency or commission. To Parry's plan Hutton added the Arakan Hill Tracts, the Chin Hills, parts of upper Chindwin districts, the Hukong Valley and the Shan state of Thangdut in Burma, Manipur and Tripura. However he wanted the Garo Hills, the Balipara and Sadiya Frontier Tracts to continue to remain under Assam for which he did not provide any explanation. Such a province could support a cadre of its own without much difficulty for it would be extremely easy to recruit from Europe. It was felt that a consolidated treatment would benefit the tribes. It would provide an opportunity for political advancement, which could be converted into a pan-tribal sentiment covering a much wider area.²¹

When the Government of India Act, 1935 was declared, Assam was made a governor's province but Tripura and Manipur were princely states. The Khasi-Jaintia along with Garo Hills were Partially Excluded but Naga Hills, the Mizo Hills and the hills of present Arunachal Pradesh, were Excluded Areas. Though the 25 Khasi states under the administration of Syiems, Lyngdohs, Sirdar and Wahadadars were essentially princely states, some of them were treated as Partially Excluded Areas. The Excluded Areas were under the executive control of the Assam governor. The Partially Excluded Areas were under the control of the governor and subject to ministerial administration, but the governor had an overriding power when it came to exercising his discretion. No Act of Assam or Indian legislatures could be applied to the Excluded Areas unless the governor directed to do so. He was empowered to make regulations for these hills. The administration of these hills was his special responsibility. With no representatives in the Assam Assembly, (the Partially Excluded Areas sent one legislator each) political activity above the village and local level could hardly have existed. The politics of the two larger parties of the Assam, the Congress and League Legislature had minimal effect in the hills. The Naga tribal area of the Naga Hills district and the Tirap Frontier Tract were virtually

outside British India as there was a statutory boundary between them and the adjoining districts of the province. While the Government of India treated this area as tribal and un-administered, the Treaties of 1862 and 1874 with the tribes of these hills referred to them as foreign and a distinction was made between the boundary of the Queen and their country and the limits of the British territory was fixed at the foothills.

Visualizing North East as a Neo Colonial Space

With the imminence of independence the question of the future of the tribes was discussed again. There was an imminent partition of India and a number of secessionist movements amongst the princely states. In this tense political atmosphere the future of the tribals were at stake. Since the tribals were confused about their identity and political future after the British departure from India, some British officials adopted a 'paternalistic' attitude towards them. They pretended to be 'saviours' of tribals, protecting them from the absorption by Indians and tried to construct a separate political imaginations for the tribals, which had basis in the projects they had mooted earlier. As early as 1928 and 1930, Hutton and Parry had prepared a plan for a separate province to be known as the North-Eastern Frontier Province with as many of the Backward Tracts it could possibly include in Assam as well as Burma. However, the approach to this issue had to be changed in view of the constitutional developments between 1930 and 1935. Up until 1930, there were two plans to place these tribal areas under a single administration, which had not materialized. They remained under the Assam administration. Gradually, Hutton and Parry's idea of the North-Eastern Frontier Province was replaced by Reid's own idea of a Crown Colony.

The post-1935 period saw a new approach of separating these areas from India and Burma and to constitute a Crown Colony Protectorate under the direct rule of the British Crown. The most outspoken champion of this scheme was Sir Robert Reid, the then Governor of Assam (1937-42) who had a long association as an administrator with the region. He felt that the future of the tribals 'cannot be left to Indian political leaders with neither knowledge, interest nor feelings for these states.'²² He now assumed a paternalistic attitude towards the tribals of the northeast and argued that the British Government had a responsibility towards the future welfare of 'a set of very loyal primitive people who are habituated to look to us for protection and who would not get it from any other source. It is up to us to see that they are given under our protection, a period of respite within which they will develop on their own lines and without outside influence

but if the present opportunity to give them that chance is let slip, the danger is that it will never occur.²³ He prepared a confidential note entitled *A Note on the Future of the Present Excluded, Partially Excluded and Tribal Areas of Assam* and circulated in the administrative circles.²⁴

Reid based his argument on two premises: (i) the tribals of the northeast Indian hills were not Indian and (ii) in the wake of the British departure from India, the post-colonial Indian state would not care for these tribals. Convinced by Hutton and Parry's ideas, Reid argued that 'they are not Indians in any sense of the word. Neither in origin nor in appearance, nor in habits nor in outlook and it is by historical accident that they are tagged to an Indian province.'²⁵ Therefore, 'We have no right to allow this great body of non-Indian animists and Christians to be drawn into the struggle between the Hindus and the Muslims which is now and will be in future with ever increasing intensity the dominating factor in India proper.'²⁶

Reid found that on both sides of the so-called watershed, i.e. the frontier with Burma, there were a large number of tribes like the Nagas, Kukis, Lakhers, Chins, Khamtis and Kachins who had similarities in language, customs and social conditions. He was convinced that these tribes belonged to one broad group but had unfortunately been divided now between two administrations of India and Burma. It was, therefore, imperative that these divided people were united into two administrations, which would be ideal for their development because they had no future either in India or Burma. He reopened the issue of a separate province mooted originally by Hutton and Parry which he felt still could be implemented:

Personally, I am in favour of Hutton's idea of North Eastern Frontier Province or Agency, embracing all the hill fringes from the Lushai land on the south right up to Balipara Frontier Tract on the north embracing on the way, the Chittagong Hill Tracts of Bengal and the Naga and the Chinds of Burma and perhaps the Shan state too. I will put this under a Chief Commissioner and he in turn I imagine would have to be divorced, as Burma, from the control of the Government of India and put perhaps under some appropriate department of Whitehall.²⁷

Inspired by the Crown Colonies of Basutoland and Swaziland of South Africa, Reid set out to prepare a Constitution for such a colony consisting of all the tribal majority districts of the then Assam and adjoining Burma. Such a colony would be independent of both India and Burma and be under the direct rule of the British Crown. It would enable the consolidation of this 'incredibly polyglot area' into a uniform administrative unit with a common language. English could be the official language of the population, which comprised a 'solid block of animists' rapidly becoming Christians. The colony would be self-governing even though finance would be a problem after

its separation from India and Burma. But this could be overcome by liberal grants from the British crown as well as grants from the governments of India and Burma. Such contribution from countries sharing their border could be taken as matter of frontier insurance against incursions and protections. The Burma Frontier Service could form the nucleus of a cadre under a chief commissioner for manning the administration of the colony.²⁸ Reid found a supporter of this plan in his own state, Superintendent A. G. McCall of the Lushai Hills of Assam, who wrote:

We have come to see very clearly that the Lushai is bound rather to the Mongolian than to the Aryan races. This begs the whole question as to whether it would not be better for the Lushai to seek shelter under the Colonial or Dominion Offices. While still remaining within the spheres of Mongolian influences, by a closer association with the hills of Burma, the Shan states, the Karens and others with whom the Lushai would find so much in common? The alternative is for Lushai to be handed over to the Aryan influences of India or Burma by a scarp of paper, in which they might possibly have no real understanding. Logically, the case of such territories should rest in an international keeping, applying common standards and principles of financial aids. The succoring of all such people of similar material standard in any world of a new order would seem to constitute a common and proportionate responsibility of all major powers, united in any joint undertaking to preserve law and order through the world.²⁹

Reid's proposals found favour from the Secretary of State for India, L. S. Amery.³⁰ When Professor Reginald Coupland approached Amery for ideas on the backward tracts to be used in his third and final volume on the constitutional problem in India, Amery gave him a copy of Reid's note saying, 'I do this on a confidential basis on the understanding that they will not be quoted and do not represent the official view of Government concerned or his office. It would however, do no harm, I think, if the broad idea suggested by Reid were publicly ventilated if you feel it is attractive.'³¹ Coupland found the idea of separation of the tribal areas of India and Burma and their amalgamation into a colony as quite novel. In fact, Coupland echoed Reid's words when he stated, 'The inhabitants of both (Naga Hills and the Lushai Hills) are alike in race and culture. They are not Indians or Burmans but of the Mongol stock. In no sense do they belong to the Indian or Burman nations.'³²

Accordingly, Coupland advocated a separate administration for the tribal, which caught also the fancy of the Government of Burma operating from Shimla.³³ The proposal of amalgamating the hills areas of Burma and India was discussed at a meeting of the Committee of Scheduled Areas in December 1942.³⁴ While one member spoke for amalgamation and separation of tribal areas, C.W. North of the British Foreign Service

argued in support of implementing the plan. In the ensuing vote to decide 'whether the Scheduled Areas of Burma be amalgamated in whole or in part with similar areas outside Burma to form a North-East Frontier Agency,' four members voted against the amalgamation. North gave a dissenting opinion. The Chairman of the Commission of Scheduled Areas of Burma, H. J. Mitchell had earlier prepared a long confidential note on the subject where he had concluded that the proposal for amalgamating the scheduled areas of India and Burma into an agency administered from Whitehall should be dropped.³⁵ Dorman Smith, the Governor of Burma was personally drawn to the scheme and wished to extend it to the hill areas under his charge, despite the decision of the Commission of Scheduled Areas. He later admitted later that he was wrong in flirting with Reid's plan and this resulted in a delay in his government's exploration of the reconstruction plans for the frontier people.³⁶ By August 1945, the proposition for a separate agency was dropped by Burma to prepare for other plans with the return of the government to Rangoon. However, in India, the Crown Colony continued to draw the attention of the last of the British administrators.

Impressed with Reid's views, Amery sought to make some special arrangements for other backward areas in northeast India.³⁷ He suggested to the Viceroy, Lord Wavell that some extra constitutional arrangements for the protection of other backward tribes should be devised. He advocated that there should be a treaty between the 'new India' and the British Government for an arrangement for the Assam-Burma tracts over relations with the backward tribes, with the British High Commissioner supervising them. He even wanted that the League of Nations might be induced to undertake certain responsibilities as regards these two areas on the lines of Mandates Commission.³⁸

Reid's successor as the Governor of Assam, Andrew Clow however was disinclined to show much interests in the hill areas, though he did prepare in October 1945, a *Memorandum on the Future Government of the Assam Tribal People* where he ruled out transfer of responsibility to an external authority for the tribal people. He instead recommended the merger of hills areas with Assam with special provisions of a separate hill province with a common governor and a capital.³⁹ Clow favoured the former alternative as not only the tribal were the most numerous but and in the long run there was no future for the Assam hill tribes in separating from the plains. While recognizing the great contribution of anthropologists towards the hill people, he was not sympathetic to their outlook, which he felt was basically negative, one of preservation and exclusion. There had been, Clow said in

opposition to Reid, no attempt to bring the tribes up to a level or to equip them to meet the changing world.⁴⁰

Despite this, there was continued circulation in early 1945 that government was holding on to a plan to create a Crown Colony.⁴¹ In one such report, emanating from Calcutta, Wavell was credited with taking home a plan for the province to be solely ruled by the British.⁴² It also appears that the Indian Central Assembly had discussed these plans, though there was no official response as to whether there was any truth in allegations that schemes were under consideration for a Crown Colony and that no such scheme was being considered prior to the convening of the Constituent Assembly.⁴³ J. P. Mills, advisor to the Governor for the tribal areas in one such scheme suggested three alternatives: inclusion of all the hills in Assam, the inclusion of some of the hills or the exclusion of all the hills of Assam from Reforms. He was personally in favour of the third alternative.⁴⁴ He suggested the formation of a Union in the area, which should be under the control of either His Majesty's Government or the Government of India. An undeterred Robert Reid suggested another alternative in case the scheme for a separate hill state was not acceptable. It was the formation of the province of the Assam Valley with the hills under it. There would be at least a chance that the old Assamese friendly method of dealing with the hill men might be revived. But the accepted official view is that the hills and plain of Assam could never co-exist as a single entity.⁴⁵

In 1945, Andrew Clow considered all these schemes and thought of two possibilities: the merger of all the hill tribes of Assam, subject to the condition that the tribal customs and institutions were recognized and their outlook respected and alternately the constitution of a separate province for the hills with some links with the plains. Clow felt, that

On a long-term view, it is difficult to see any future for the hills as a separate province. While they are by no means without resources they seem too heterogeneous to form a satisfactory unit and too small even if fully united to sustain a healthy and progressive life of their own. The ultimate interest of both hills and plains lie in fusion.

Experience shows that it is much easier to divide states than to unite them and there is little doubt that the setting up of two provinces would create vested interests in both the areas which would oppose the union. Antagonisms tend to arise, economically barrier grows and the people drift apart rather than be together. The Hillman whose future depends on healthy intercourse with the wider world and who have a good deal to contribute to it might well find themselves shut up in their fastness with a petty and impoverished administration. Indeed that stage might be reached when they would like to join and would be unwelcomed. Assam is never likely to be homogeneous as other provinces. The people of the plains are

not so divided as those of the hills but they are far from being a single people such as can be found in equally larger areas in India. But the collection of the peoples in the hills and plains has been set out in a particular well demarcated corner of the world and their welfare will depend on this proving able to live together.

There is no record of the Hill people ever combining as such under one political organization at any period. Racially and linguistically, the Hill people of Assam belong to several ethnic groups like Mon-Khmer, Bodo-Kachari, Kuki, Chin, etc. with unknown sub-group. Uniformity is no doubt observable in social organization and even here there are innumerable differences in detail. The methods of organizations, customs, beliefs, and ways of life vary considerably from tribe to tribe.⁴⁶

The Secretary of State for India, Sir Pethick Lawrence recorded in a minute on 6 May 1946, 'At the present state of proceedings agreement had been reached by the Secretary of State and the Viceroy of the impracticability of transforming responsibility for the Backward tracts from the provinces to any outside authority whether that should be a British High Commission or a United nation's Mandate.'⁴⁷This minute sealed the fate of not only the Crown Colony scheme for the hill areas of northeast; it also sealed the fate of the special arrangements that were on the anvil for other backward areas. With the convening of the Constituent Assembly all eyes were turned towards Delhi rather than London.

Constitutionalisation of Northeast as a Region of Difference

The Constituent Assembly, which was to frame the future Constitution of India, could not ignore the special requirements of the excluded and partially excluded areas. To assist the Assembly for the purpose, a committee, popularly known as Bordoloi Committee after its chairman was formed to report on the North-East Frontier (Assam) Tribal and Excluded Areas. The Committee was to work under the Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas of which Sardar Patel was the chairman. The members of the Committee were, B.N. Rau, constitutional advisor for several years in Assam, J.J.M. Nichols Roy, the leader of the Khasis and a minister in the Bordoloi Cabinet, A. V. Thakkar a Gandhian social worker, Rup Nath Brahmma, a prominent plains tribal intellectual and Mayang Nokeha. Aliba Imti Ao, the president of the Naga National Council, subsequently replaced the last member.⁴⁸The Committee that was officially formed on 27 February 1947 extensively toured the province of Assam, which included visits to the Lushai Hills, North Cachar subdivision, Mikir Hills and the Naga Hills district. In addition the representatives of the tribes visited the

headquarters. The Committee received memoranda from various representative and political organizations and also recorded evidence given by prominent citizens and officials. The Committee co-opted two members from each of the district it visited.

Following the provisions of Government of India Act 1935 for the excluded, and the partially excluded areas, the Bordoloi Sub Committee recommended the formation of the Sixth Scheduled which provided for autonomous districts and autonomous regions within those districts. Under the Government of India Act 1935, the Order-in-Council divided the Excluded and the Partially Excluded Areas of Assam. The Excluded Areas covered the following areas: the North East Frontier Tracts (Sadiya, Balipara, and Lakhimpur); the Naga Hills District; the Lushai Hills district; and the North Cachar Hills Sub-Division of the Cachar District. The Partially Excluded Areas included: the Garo Hills Districts; the Mikir Hills (In the Nawgong and Sibsagar Districts); the British portion of the Khasi and Jaintia Hills District, other than the Shillong; and Municipality and Cantonment areas.

The total tribal population of Assam was 2,484,996 according to the Census Report 1941, and the excluded and the partially excluded areas had a population of 863,248. The Sub-Committee recommended the setting up of District Councils in the Hill Districts. It was decided that the Provincial Government would manage the reserved forest, but then the needs of the Hill people would also be taken into account. The management of the mines and minerals would be centralized in the hands of the Provincial Government, but the rights of the District Council to a fair share of revenue was recognized. The Governor would generally decide the issue of the revenue between the Provincial Government and the District Council. It was also decided that there should be the creation of the Regional Council for different tribes inhabiting an autonomous district. Further, the tribal people of the Autonomous Council would decide the formation of the Regional Council, which would represent the District Council as well. However, the jurisdiction of the Regional Council would extend to the customary law, land management, the court, and the village. The Autonomous Council (ADC) of the Six Schedule was an exclusive arrangement for nearly 80 percent tribal population of the region. The ADC in this regard had the legislative, administrative, judicial as well as the financial power to a considerable extent for the enforcement of its development. ADC was empowered to make laws on subjects including land use and economic development policy, social customs, etc. Administering justice was another responsibility of the ADC, and it was decided that the district and regional courts would be established in their respective territories. However, the

Governor may also direct the High Court of the state for the performance of the delivering justice. The ADC was vested with the responsibilities of the infrastructure improvement along with large administrative capacities. Most importantly, the ADC had the right to assess and collect certain taxes.

The Sixth Schedule of the Constitution did not have a smooth passage. It was severely criticised by some members. The draft was debated for three long days (September 5th, 6th and 7th, 1949). Kuladhar Chaliha, a Constituent Assembly member and one of the very strong opposition voice of the Sixth Schedule argued on essentially two points. Firstly, he considered that the Nagas were primitive tribe who had been still following their traditional way of doing justice. Chaliha, therefore alleged that it is not desirable to allow them to rule the other people of the region as at the end of the day there would be anarchy.⁴⁹ He again pointed out that the creation of the Sixth Schedule would promote and justify a separatist tendency. He argued that the region had a diverse identity and thus one could not consign them to misrule. Considering the state of the development of Nagaland, Chaliha in no way was ready to extend the responsibility of law and order in the hands of the Naga people. He questioned the very justice system that had been practiced by the Naga people, i.e., head hunting. Both Kuladhar Chaliha and Rohini Choudhury were against 'too much autonomy to the tribal and' and felt that this 'would result in the creation of tribalistan just as Pakistan had been created.'⁵⁰ Choudhury asked, 'Do you want an assimilation of the tribal and non tribal people or do you want to keep them separate? If you want to keep them separate they will join with Burma. They will never join with rest of India.'⁵¹ He argued, 'We should not be frightened by these threats of some people who say that they will come down on us. This is intended to be imposed on us by the threats of some people, and we should be aware of these interested persons. There is no need to keep any Tribalstan away from us so that in times of trouble they will be helpful to our enemies.'⁵² Chaliha pointed out that the provision of the Sixth Schedule was an arrangement to keep the tribal people away from the rest of the population. He cited the conspiracy of the Communist in the entire matter and emphasized that the result would be that there would be a Communisthan there. He strongly felt that the Communists would come and they would have a free hand, as in Manipur one of the Ministers was already a Communist. 'Your Governor will not be able to act, your Parliament will not be able to act. If you go on like this we will have no government there. The whole Schedule is conceived in a way which is a negation of government.'⁵³

Bordoloi in response clarified that the reason behind many members not appreciating the Advisory Sub Committee was the fact that many members were not cognizant of the prevailing tribal situation in Assam. He explained that there were three categories of tribal in Assam. The plains tribal, classified as the Scheduled Classes. They were the original inhabitants with their own culture and civilization. They were gradually absorbed into the culture of the plains people, to put it more appropriately the Aryan culture. Then there were the hill tribes, divided into two groups, i.e., the hill tribe administered by the Governor as the agent of the Governor-General of India and the other tribe coming under the Sixth Schedule. He explained that the first category in the Sixth Schedule was not a matter of concern. He stated that areas administered by the Governor as the agent of the Governor-General could be autonomous districts in certain situations only. In response to the areas under autonomous district, he explained that those districts that inhabit the southern bank of the river bordering Burma and Pakistan were under the category of the autonomous districts. Other tribes had no self-governing institutions of their own. Bordoloi argued that the rule of the British Government and the activities of the Foreign Mission happened side by side. These areas were under the category of excluded until 15th August 1947. Since some of those areas were a war zone, there was a sense of isolation and separation among tribal people. The colonial government assured the tribes at the end of the war, that the respective tribal group would be an independent state managing its own affairs. The fact that was presented before the Committee was whether the process of integration would be by using force or through co-operation. Bordoloi referred that some of the institutions among the hill tribal were very important and unique and it would be wrong to destroy them. Especially their dispute settlement mechanism and village assembly were unique. Referring to the headhunting practice of some tribal groups, he argued that it happened only when there was enmity of one clan against another. It is the choice between the spirits of hatred and enmity with the use of force or the government through cooperation and goodwill. Bordoloi stressed on the adoption of the latter course. Despite the attacks on the provisions of the Sixth Schedule, the latter was adopted by the Constituent Assembly. On independence, it was adopted as a part of the Indian Constitution which recognised northeast India as a region requiring special provisions (as provided in the Sixth Schedule).

NOTES

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5. Bernstorff Dagmar, 'Region and Nation: The Telangana Movement Dual Identity,'David Taylor and Malcom Yapp eds., *Political Identity in South Asia*, London: Curzon Press,1979,138.
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8. Ibid.
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10. Sudipta Kaviraj, 'Crisis of Nation state in India,' in *The Trajectories of the Indian State: Politics and Ideas*, Permanent Black, Ranikhet, 2010, P. 229
11. B L Hansaria, *Sixth Schedule to the Constitution of India – A Study*, Gauhati: Gita Hansaria Publication, 1983, 3-4.
12. C J Lyall, 'Introduction', P R T Gurdon, *The Khasis* (1906), Delhi: Cosmo, 2000(Reprint), xv.
13. The Census enumerators and the British ethnographers were mutually dependent on each other for listing of the tribes. The first Census was taken in Assam in 1872. But most of the tribes were yet outside the ambit of the empire. So large parts of the region remained outside the purview of the Census. It was only during the Census of 1901 that most of the tribes were actually recorded by the enumerators. In this enumeration they depended as much on local informants as on earlier ethnographic studies. But on the basis of the information of the local informants the Census enumerators often were able to provide a corrective. For example the ethnographers or earlier Census enumerators clubbed together many small tribes under one tribal name due to wrong information provided or similarity of the tribes. But later enumerators after close examination were able to correct the information in the subsequent Census. This is why the Census Report of 1921 and 1931 were more authentic and informative than the earlier ones for the ethnographic diversity of north eastern region.
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21. Deputy Commissioner, Naga Hills District, 1930,111-18.
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51. Ibid., 1017.
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