



ICSSR NERC

TRIBALISM AND THE TRAGEDY OF THE COMMONS

Land, Identity And Development
THE MANIPUR EXPERIENCE

Edited By
Ch. Priyoranjan Singh

TRIBALISM AND THE TRAGEDY OF THE COMMONS

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The Manipur Experience



Edited By
CH. PRIYORANJAN SINGH

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Tribalism and the Tragedy of the Commons:

Land, Identity and Development: The Manipur Experience

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FOREWORD

It gives me immense pleasure to write the Foreword to this volume entitled *Tribalism and the Tragedy of the Commons: Land, Identity and Development – The Manipur Experience* published by the Indian Council of Social Science Research, North Eastern Regional Centre, Shillong.

India's Northeast remains much misunderstood in the rest of India although a great deal of national attention has been received in the past few years. A separate ministry has now been formed – Ministry of Development of North Eastern Region (DoNER) – to address the special needs of this region. The Ministry has prepared a Vision-2020 document. However, the question of land, identity and development which is of utmost importance in the entire Northeastern region and more particularly in the State of Manipur, has often been a bone of contention.

Manipur is, indeed, a land scarce State. Ninety percent of the total geographical area of the State belongs to the tribals. All the Scheduled Tribes reside in the hill areas. The Hindus, Muslims and Scheduled Castes belong to the valley area which accounts for only 10% of the total geographical area. The density of population in the valley was 631 per sq km in 2001 as against the density of population of only 44 per sq km in the hill areas. It is also true that less than 10% of the area is found suitable for productive agricultural activities.

The Manipur Land Reform and Land Revenue Act, 1960 is extended to the whole valley but applies only to a negligible portion of the hill area. The land system in the tribal areas is different in terms of ownership, transfer and use. Land is used in the hill areas as a mere piece of community property - not as a source of enterprise and income. Of course, the valley is not an exception to the concept of treating land as a piece of idle property. But increasing commercialization of agricultural activities is taking place to a large extent. The crucial issue before the State is how to make best use of available land in order to produce enough to meet both consumption and investment requirements. Land development demands institutional credit. The legal title of ownership duly authenticated by the competent authority according to the law (i.e., Manipur Land Reform and Land Revenue Act, 1960) of the State is a necessary condition for financial support from organized financial institutions. There is thus a contradiction between the terms of land ownership on the one hand and the terms and conditions of banking institutions on the other. The need for a new policy of optimum Land Resource Management is being acutely felt.)

The people in the hill areas of Manipur by and large, do not encourage the extension of Manipur Land Reform and Land Revenue Act, 1960 to the hill areas. They feel that their livelihood opportunities and identity may be threatened with the influx of rich private owners. Hence they prefer community ownership to individual ownership. Besides, political leaders of the hill constituencies also prefer the *status quo* of the traditional system. Although the present form of land ownership may be socially acceptable, yet it goes largely against the spirit of competitive development and diversified activities. There is a contradiction between development interest of hill areas and system of land ownership at the moment. The emotional attachment of the tribal people to the land perhaps needs to be reassessed in terms of its various

implications on the development process of the State of Manipur. I am happy to note that this book has dwelt on this very important issue. Certainly there is a need for land reform in the hill areas of Manipur through appropriate laws by taking into account the need and aspirations of the people.

The papers put together in this volume with great care by Priyoranjan and published by the ICSSR North Eastern Regional Centre, are a major step towards such an awareness.

Bhaskar Chatterjee

Planning Commission

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PREFACE

This book is the outcome of a seminar, organised by the Indian Council of Social Science Research, North Eastern Regional Centre (ICSSR-NERC), Shillong, in collaboration with the R K Sanathombi Devi Social Science Research Institute at Imphal. The seminar brought on a common platform, perhaps for the first time, the key opinion leaders, social activists and academicians of the various ethnic communities of the region, to deliberate upon the tricky issues of land, identity and development.

The new thinking among policy planners of the Northeast Region of India is, veering around a consensus that in the multi ethnic region, culture and identities have to be adequately factored in, in the design of development policies. However, policy planners and academics are not yet clear of the structures of the cultures and identities of the region and how they interact with development at the ground levels. Policy planners need theoretical frameworks as well as ground level understanding of identity and cultural politics in the region, to evolve effective cultural and identity management norms that have a bearing on development. This book is a modest step towards a conceptual understanding of the complex relationships between land, identity and the development process, with Manipur as the context. It gives insights into the land systems of the tribes of Manipur and seeks to unravel the roots of identity politics in the state. in

the larger context of a development process that is leading to unimagined poverty and deprivation of a growing mass of the denizens of the blue mountains, that we have allegorically termed as the 'Tragedy of the commons'.

I record here my thanks to Dr. C. Joshua Thomas of the ICSSR-NERC for having repositied his faith in me in editing this book. The venture would be rewarded adequately, if it generates further debate amongst all concerned.

Ch. Priyoranjan Singh

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We appreciate much the valuable support which we received from Mr. Bhasker Chatterjee, IAS, Additional Secretary, Planning Commission, Government of India, New Delhi and the Department of Land Resources, Ministry of Rural Development, Government of India for their support and the financial assistance extended towards the *National Seminar on Land, Identity and Development: Manipur Experience*. We are grateful to Mr. Falguni Rajkumar, IAS., Secretary, North Eastern Council, Government of India, Shillong for inaugurating the Seminar and also extending the intellectual input in the programme. Professor Gangumei Kamei, noted historian and former Cabinet Minister, Government of Manipur deserves special appreciation being the moving spirit behind the different tribal groups and the movement and his active intervention in the seminar and the publication of this volume. We are grateful to Padmashree Th. Haridas Singh, Chairman, R.K. Sanatombi Devi Research Institute of Social Sciences, Imphal, Manipur and Justice Manisena, former Chief Justice of Gauhati High Court, Professor Mohindro Singh and the staff of their Institute for their excellent support that they had extended towards this programme. We do acknowledge with thanks the support which we received from Professor Amuba Singh, Vice-Chancellor, Manipur University in various ways towards this Seminar. Lastly we are grateful to Professor Pramod Tandon,

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**Vice-Chancellor, North Eastern Hill University (NEHU) &
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grand success.**

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INTRODUCTION

The Northeastern region of India is considered by many as an enigma that responds to development initiatives rather slowly and most of the times, does not respond at all. The setting up of the North Eastern Council (NEC) at Shillong for accelerated development of the region and many other Northeast specific development programmes of the Government of India, backed by liberal funds, have not translated into strengthening the productive base of the region nor rising the income and employment levels to that of national benchmarks. The per capita income gaps between the region and rest of India has progressively widened from around twenty percent in the early nineteen nineties to around thirty percent in 2007. The *Vision 2020 document* for the development of the region prepared by the Ministry of Development of North Eastern Region (DoNER) and released by the Prime Minister in July 2008 estimates the Northeast needs to grow at a scorching pace of 11.8 percent growth for thirteen years, to merely catch up with the rest of the country.

Many reasons have been given for the developmental failures in the region, some of them apparently impromptu. Inappropriate policy frameworks, governmental failures,

insurgency and roving banditry, dependency and rent seeking cultures, market failures and negative incentive structures et al, all representing facets of the proverbial elephant's anatomy, as perceived by blind men but non describing the anatomy itself. Some have been bold enough to assert that the failure of "imposing new institutions" for the functioning of market forces is the main stumbling block and that a 'cultural approach' with "special solutions" is only sinking the region further. Other more politically astute observers have tried to jump the gun and deflect harder questions of political irresponsibility and economy management by raising the bogey of partition that is assumed to have taken the Northeast some twenty five years backwards. More serious writers have however pointed out to the fact that policy planners, academicians as well as thinkers on the Northeast, have singularly failed to adequately locate the problems of the Northeast in its factual political economy context and resorted to textbook economics or conventionality, which are in the nature of 'impositions'. Thus Prabat Patnaik writes, "They nowhere take into account what the people of the region want or feel. They internalize the perspective of the outsider, and are hardly different from what a visiting economist from New Delhi or Washington DC would have said". Respecting the wants and feelings of the stakeholders/peoples, is the morality of all democratic regimes and impositions are but colonial thinking that can only be termed as reactionary and is likely to 'play havoc with the lives of the local people, without achieving the desired objectives'. The crux of the matter here is simply that for too long the structural dimensions of the region has been sidestepped, either by design or as a matter of brazen dishonesty or both. After all, where development funds are put into, how sectoral allocations are prioritized and how issues of equity and inclusiveness are addressed, are political decisions that are fundamentally decided by the structure of power and division of wealth. The sooner this blind-spot is

unravelling and then factored in, the more productive will be the outcome of development in the Northeast.

The larger issue however is what the common people of the region really 'want and feel' and whether the people of the region live in an environment of cultural liberty, where each individual can make his own choices under his own free will. The people of the region live under excruciating circumstances of repression by both state and non-state actors where the expression of the free will in terms of what one wants and how one feels, are bludgeoned by cultural and identity politics which have turned violent and flowered into insurgencies, some ideologically moored and most, blatantly opportunistic and contrived. Cultural identities are narrowed down to exclusive territoriality and ethnicity, artificially codified into rigid norms and impulses of progressive changes are coercively being blocked. In a domino effect of one cultural and identity fundamentalism giving rise to another, the identity conflict in the region is giving rise to cultural killing fields where the minuscule uniqueness of cultures are magnified manifold and aggressively erected in confrontational postures, whereas the universal, the humane and the moral elements of all cultures are deliberately being put on a tight leash. The fall out is that the 'commons' make cultural or identity choices that are against the imposed ones, at great risks of social alienation, treachery or outright physical violence. Public expressions of what one wants and how one feels have therefore a tendency of being tainted by elements of compulsion. The vehement pronouncements and claims of opinion makers and civil society organizations of the Northeast as representing the feelings or choices of the 'commons', needs to be taken with a pinch of salt.

Culture, Identity and Development

The role of culture in economic development has had a long history of intense debate among social scientists. Starting

from Max Weber's *The Protestant Ethic and the Spirit of Capitalism*, the causal relationship between culture and development has had its adherents as well as opponents. Cultural determinism in economic development however is little evident from statistical analysis or historical studies. If Protestantism was at all the reason for the emergence of modern economic development in Europe, a counterpoint is always there in the spectacular economic performances of Confucian societies like China, Japan and others in South East Asia. However it is also true that empirical evidence suggests that economic development is associated with shifts away from absolute norms and values towards values that are increasingly associated with shifts away from absolute norms and values towards values that are increasingly rational, tolerant and trusting, and participatory. The impact of economic development on culture is quite apparent whereas the impact of culture on development is still debated. Institutional economists like Douglas North (1990), emphasise that "institution (i.e. formal and informal rules) were critical in 'reducing transaction costs and thereby promoting economic efficiency. Institutional economists have brought to the forefront the role of history, culture and other 'path dependent' factors in shaping economic behaviour and development. The Asian economic miracle and experiences in Eastern Europe have made cultural and institutional factors as key explanatory variables in successful economic transition. The social resources of a community or 'Social Capital', embodies many aspects of the cultural traits of a society and affects development. What is relevant for developing societies is the realization that unlike the Weberians, there is a necessity to focus more on the positive aspects of culture, and all cultures, to enrich our understanding of development."

The explicit recognition that cultures have a positive role to play in development has become a widely accepted ideology

in recent times. Political theorists and leaders had for long shied away from accommodating diverse ethnicities, religions, languages and values as they feared and theorised threats to the concept of the Nation State. The result was the widespread suppression of cultural identities and in extreme cases, the brutal resort to ethnic cleansing or religious persecution. On the flip side, however, the explicit accommodation of diverse ethnicities, have on the other hand, given rise to identity politics along ethnic, religions, racial and cultural lines. The Human Development Report, 2004, had brought to the forefront the place of cultural liberty in today's diverse world and how cultural liberty has become an essential ingredient of human development. The report also emphasises how identity politics are turning into sources of instability, polarization, hatred and conflict, and are retarding peace, development and human freedoms. Identity politics have in the extreme, turned into retreats to conservatism and rejection of change, social, economic and political. Identity politics is no doubt a historical process of social change that are founded on human freedom and democracy but they have the potential to turn into threats to human freedom itself if the interpretations and meanings one gives to identity and cultural liberty are not founded on universal and moral moorings. Indeed, cultural liberty—the freedom to choose how one lives, 'is a simple idea but profoundly unsettling'. The need for astute management of cultural and identity politics can hardly be ever underemphasised.

Writing in the same report, Amartya Sen had problematised the concept of cultural liberty in the larger context of human development. Sen writes that 'the central issue in cultural liberty is the capability of people to live as they would choose, with adequate opportunity to consider other options'. The success of socio-economic and political spheres hinges upon cultural freedom. However the

glorification of cultural conservatism and unreasoned endorsement of inherited traditions leads to curtailment of cultural choices and freedom. Participation exclusions in education, employment, decision making etc., based upon gender, religion, ethnicity etc., and Living Mode Exclusion—denying life styles that one chooses or being forced to other's lifestyles, are fall outs of cultural fundamentalism or cultural conservatism. In multicultural societies, group rights are often championed as a corollary to the wider acceptance of cultural diversities as a social and political regime. Sen rightly points out however, that group rights in multicultural societies should be tested against their role in enhancing freedoms of human beings. If group rights block individual choices that amounts to imprisoning not only the individuals within the group but also amounts to imprisoning the group itself. Thus "nothing can be justified in the name of freedom without actually giving an opportunity for the exercise of that freedom". Sen therefore writes that the defending of social arrangements and institutions should depend upon what they do to human freedom.

Communitarian theories claim that identity is a matter of discovery and not a matter of choice; one is born into a cultural milieu, its affiliation and its attachments. But this primal identity is only one of the many identities that an individual can choose to have. The pitfall of communitarian conception of identity is that newly asserted identities can tyrannize by eliminating the claims of other identities. Identity politics and the politics of recognition often lead to "Rapid fire cultural generalizations" and serve as "tools of sectarian prejudice, social discrimination and even political tyranny". Cultural bigotry leads to inefficient and iniquitous tyrannies and even government failures. Sen concludes that individuals belong to many groups and have many ways of identifying themselves and "To deny choice when choice exists is not only a factual mistake, it can have grave moral consequences in a world where identity-based conflicts and

brutalities are common. 'Reason before identity' and role of choice are vital ingredients of inclusive development.

Identity Politics in the North-East

The movement for separate States, homelands or outright cessation from the nation is the singular characteristics of the northeast that defines it to the rest of the country and to some extent to the rest of the world. Except for Sikkim and Arunachal Pradesh, all the States in the region have had or are having multiple insurgencies or armed movements that has thrown the region into political turmoil and violent conflicts. All the conflicts somehow or the other, have been linked to the question of land or questions of identity, the distinction between land and identity being blurred or no distinction being recognized. In the absence of any normative discourse on the issue of land and the identity question, land based or identity based conflicts are breeding like rabbits in most of the states of the region, especially in the State of Manipur. Development has been the immediate casualty amidst all this chaos.

Territoriality of homeland demands that cross each other, necessarily have conflict built into them. Samir Kumar Das compares this to the peeling of the onion that ends only with the end of the onion itself. The principles upon which these demands are anchored, first settlement, length of time, ancestry or historical isolation from the mainland, each distinct in itself, are deployed in a manner that privileges a particular community as much as it dis-privileges and censors the claims of the others. As such there can be no end to the present-day territorialisation. Das points that land or homeland has been an integral part of nationalist imagination throughout history and that 'the modern state has emerged with the claim of embodying a nation within itself or having homogenized the people living within its ambit as a single nation'. Land then becomes territory as the state

or the nation 'monopolized' or 'captured' it. Territory is an object of ownership, while land is not; land is sharable while territory is not. Transforming land into territory facilitates ownership of resources, supervision and colonization at will. Ethnic or nationalist aspirations in the northeast have a common bond of territoriality that is exclusive of the other and has resulted in fallouts like tragic ethnic cleansing and mass displacements of the non-ethnic, claims over land in other administrative divisions and amputating away land to others, in order to preserve ethnic majority in one's homeland. Ethnic demands for homeland challenges and contests the territoriality of the adversarial nation state. Das describes this as 'the mimicry by the ethnic community of the territoriality of the adversarial nation state'; territoriality has therefore, anarchy built into it.

Group and community based identities are political constructs and therefore have prejudices and biases ingrained in them to empower the elite to 'rally the troops'. Therefore, which community or group claims a homeland is less important than the rationale behind the claim. Elaborating a self chosen norm to further one's claims is one thing and finding the universal norm for conflict resolution is quite another. Hypothetical norms are caused by desire whereas categorical or universal norms are not caused by subjective desire. This singular failure to distinguish between the two is at the core of the failure to resolve inter community or group conflicts. There is as yet no answer as to how to make the transition from the hypothetical to the categorical norms in the northeast.

Partition of the Indian sub-continent led not only to the emergence of two and more states but also created permanent divides between the Hindus and the Muslims. The moral indifference involved here equally applies in the case of the partition of the northeast into administratively separate homelands. Multi-ethnic and multicultural nations have

always found their own ways to live together in a democratic process that laid emphasis on the role of understanding and appreciation. Village or local level solidarities and sociality, concrete universality a la Gould, are the product of the people's democratic struggle to live in harmony and peaceful co-existence. Das feels that civil societies in the region, albeit in reformed *avatars*, have a crucial role to play in addressing the issues of land, identity and the development problems in the Northeast.

Pradip Phanjoubam questions the notion of civil society in Manipur and how these civil societies have subverted the very moral roots upon which they should be drawing their credibility from and how these organizations tend to become tools or proxies of conflicting parties rather than be neutral mediators. There is a crying need to restructure our notion of the civil space so as to distinguish between 'the tools of war' from those of peace, unambiguously. Civil societies in the Northeast, have acquired 'ethnic tints' and become organizations that have narrow sectarian agendas as against the universal and the moral, like that of the International Red Cross Society for example. This lack of humanitarian and universal moorings in either, youth, women, student or other civil societies has only compounded the problems that they are purportedly set to address. The political structure is liberal and has allowed the mushrooming of civil societies. But the civil societies claiming to represent public interests have become authoritarian and intolerant to dissent. Experts and the intelligentsia who are better equipped to show the way and policy measures, have been marginalized and not listened to. Civil societies in the State live in a time warp of bygone days, cultures, society, values et. al. There is a missing sense of the contemporary world. Phanjoubam notes that ethnic politics in Manipur is showing the glaring chinks in democracy. Democracy has made India accommodative to various identities and cannot this be a ground to work on for solutions in the State. Phanjoubam adds.

Going deeper into the issues of land, identity and development, Prasanjit Biswas believes that the defining characteristics of the relation between land and labour is that communities are embedded in a marked social boundary. In this pre-political state, boundaries of communities remain unalterable. As a result the State and the market jointly act as an adversary to presumed social boundaries of communities. The State supports movement of people across social boundaries from the position of weakening social boundaries. The State 'sees' these boundaries as alterable for purposes of resource management and inter-community relations. The undermining of community oriented values by extraneous forces is sometimes given the legal force to limit indigenous rights over land behind a veneer of land reforms and agrarian reforms.

Land use in the hills is patterned after kinship relations within the community. Land belongs to the community. Land thus becomes not only a material resource but also a symbolic domain that regulates social exchange, livelihood and political power. The social symbolic value determines material value. Converting land into property subverts the social symbolic value of land and segregates land from communal labour. Land becomes a commodity and gives rise to differentiation and landlessness, also to sale outside the community. In spite of the Sixth Schedule, landed gentries have emerged in these areas. Intrusions of market forces have changed the perception of 'social boundaries'.

Inter-ethnic de-legitimization within a democratic liberal set-up is sought to be a demand for right to life and livelihood. Majoritarian homeland claims exclude others. Is there a notion of homeland that includes others in a liberal democratic sense? Micro distinction of communities based on linguistic and cultural identities has led to alienation of land and a counter rise of other identities. Biswas emphasises the need to evolve a non-ethnocentric positioning of identity politics.

This would require a greater sensitivity towards the others. What is more required is sensibility which can restore an ethical paradigm in the resolution of land related conflicts in the shaping of a territorial identity.

Land related conflicts amongst the Nagas and the Kukis, the two major umbrella tribes of Manipur, has a long history in the State. While stressing upon the role of the colonial policies of divide and rule in Manipur that inevitably initiated macro level tribal conflicts, Bhabananda Takhellambam writes that the foundations of Kuki and Naga nationalism was laid in the Kuki and Zeliangrong rebellion in the early part of the twentieth century. The anti British rebellion also spawned large scale inter tribal conflicts between the Nagas and the Kukis. After Independence in 1947, and before the formal merger of Manipur with the Indian union, the Manipur Constitution Act 1947 was in force. The constitution making body included the representatives of the Kukis and the Nagas. After the subsequent general election in 1948, the Maharaja of Manipur became the symbol of unity of the kingdom. The plural and ethnic dimensions of Manipur and the likely conflicts that was likely to set in, was foreseen by the great patriot Hijam Irabot and he attempted to forge the United Front of Manipur in the 1948 elections. The paper asserts that it was a combination of State inaptitude, Central blunder and the forceful National Socialist Council of Nagalim (NSCN) politics that has brought the ethnic conflicts in the State to a head. Jawaharlal Nehru refusing to entertain the Naga Nationalist Council memorandum at Kohima in 1952 when he was in Kohima with Nu Win, is cited as an example of state political failure that led to the explosion of the Naga insurgency in the region. The inaptitude of the State and Central government at each opportunate and timely moments are cited by the paper as the main reason for the State to be sinking deeper and deeper into the quicksand of ethnic conflicts that is engulfing the

state in the post independence era. Ethnic homelands, armies and civil societies are mushrooming in the State in a mad rush for counterweight measures to protect ethnic and communal interests. Amidst all this, the efficient use of the State's human resources, are in shambles and development is the casualty.

The Kuki-Naga conflict in Manipur is the standing example of how homeland demands in one State can affect ethnic relations in neighbouring States. The rise of Naga insurgency in the 1950s and the evolution of the concept of Greater Nagaland and Nagalim, infringing upon the Naga inhabited territories of neighbouring States, hardened and galvanized Naga ethnic and sub-national aspirations. The peace agreement of 1964, between the Government of India and the Federal Government of Nagaland was extended to the Naga inhabited districts of Manipur. When the NSCN (IM) was formed in 1980, the implications of the Naga insurgency on inter tribal relations in Manipur became quite concrete. Ethnic cleansing, impositions, monetary and otherwise, uprooting of villages and restrictions in movements became the rule of the day in the Naga and Kuki inhabited areas of Manipur. The Kuki-Naga clash of the early 1990s, led to the death of twenty thousand tribals, uprooting of fifteen thousand families, burning of seventy thousand houses and violence in five hundred villages. The Kukis assert that the Kuki-Naga conflict is a direct fall out of the political machinations inherent in the concept of Greater Nagaland and more importantly that it would be misleading to call it an ethnic conflict. S. Mangi examines the various dimensions of the Kuki-Naga conflict and tries to locate the reality in the ground level mirror of electoral politics. In the last assembly elections, the twenty assembly seats in the hill districts were shared equally among the Kukis and the Nagas. What was significant about these elections was that the United Naga Council (UNC) had sponsored twelve candidates but won only six seats. This was against the back drop of the UNC *dikat*, physical and otherwise, asking others not to

contest. The authoritarian and undemocratic move of the UNC, exposed the deep divisions among Naga tribes and put in stark relief, the aspirations of the people and the imagined political roots of the purportedly civil society. Mangi concludes that 'Loosing sight of this fact while negotiating any issue which concerns ownership rights of land in one way or the other, and also the territorial integrity of the state, will be the height of lack of political far-sightedness'.

Land Identity and Develoment in the Tribal Regions of Manipur

Manipur has two distinct physiographic divisions of the hills and the plains. The plain area mainly consists of the valley region right in the heart and centre of the State and this valley is surrounded by the hills where the tribes of the State resided since pre-history. Legends and folklore of the tribes as well as Meiteis of the plains trace their common origins to the hill settlements in the mountains, until the three brothers separated and branched out as the Kukis, the Nagas and the plains living Meiteis. There is no doubt that the present day major ethnic communities of the state had throughout history, evolved social solidarities that was strong enough to deem it fit to weave in stories of their oneness in their narratives of creation itself, which after all largely defines a people's identity. And how these social solidarities are broken, how age old trusts and the practiced universal values of peaceful co-existence are laid asunder, are the stories of a development process in the State, that was iniquitous, non-inclusive and largely catering to the political elites, both in the plains and the hill regions.

Gangmumei Kamei, with a broad brush, paints the political economy of development in the State and illustrates how acts and regulations of the State concerning tribal land, ill judged, misinterpreted, or politicised, has sown the seeds of conflicts on land in the State. To the tribals, the issues of

ethnicity, identity and land ownership are built into their psyche in such a way that their identity binds them to their land and territory which are the vanguards of their sustenance and livelihood as a community. Ethnicity and the tribal mode of production and the nature of the ownership of the resources of the community are the basis of the tribal identity. Tribal polity in the State, historically, did not grow beyond the village level and did not grow into a tribal polity formation. The polity is based on the village and the land holding system. Intensive studies on the tribal land holding systems are lacking. This is reflected in the varying versions of the tribal land system at any point of time.

The tribal land system and the village polity remained undisturbed through time, during the native period and also during the colonial period. The Manipur Hill People's Regulation 1947 and the Manipur (Hill Areas) Village Authorities Act, 1956, diluted the village polity by instituting the Village Authority. But this institutional change did not affect the land holding system of the tribes in the state. However the introduction of the Manipur Land Revenue and Land Reforms Act, 1960, raised fears and apprehensions among the tribals that the extension of the Act in the tribal areas would alienate tribal communities from their land. According to this Act, land was to be cadastral surveyed, ownership rights conferred and revenue assessed and collected. The Act was partially introduced in the plain areas of some four hill districts, effectively introducing privatization of land in the hill areas, albeit in the plain areas of the hills. The Act therefore had the salutary effect of disruption of the tribal land system in the plain areas of the tribal region of the state. Another Act, The Acquisition of Chiefs Rights Act 1967, sought to abolish the Chiefship among the Kuki-Chins but could not be implemented on account of strong resistance. There was another attempt by the State to introduce the MLR and LR Act during 1989 through an amendment in the Act

but was also rebuffed. This last attempt of the State was responsible for the great mistrust that has been imbibed by the tribals against the MLR and LR Act.

The much maligned 'Act' however, categorically states that the transfer of land from the tribal to the non-tribal is subject to the permission of the Deputy Commissioner of the district and the concerned district council. This provision contains the leeway for settlement of the non-tribals in the tribal areas and at the same time protects the interest of the tribes from being inundated by outsiders. The ramifications of the act was clearly politicised and unduly ethnicised thereby snuffing out sane debates. The heat of the debate has gone down as opinion leaders and scholars stepped into the debate. Kamei feels that there is now a consensus that there is a need for legislation for tribal land tenure in the hill areas. A change in the tribal mindset among the intellectuals are visible and the progressive community leaders are raising the issue of a suitable land law for the tribal hill areas to pave the way for institutional finance and investments for development in the hill regions. The tribes should not fear of loosing their identity and they should 'respond to the call of the changing times', asserts Kamei.

The existing land system in the hill region of Manipur becoming hurdles to the general development is further examined by E. Bijoykumar. The hill regions of Manipur have abundant forest and land resources and therefore large scale poverty in the hills cannot be explained by the lack of resources. For the gainful and sustainable exploitation of the rich natural resources of the hills, incentive structures and good governance are required. Where the land system and ownership have large elements of uncertainty, in that the common peasants are virtual tenants of village chiefs, the incentive to invest in commercial crops and highly lucrative horticultural crops are necessarily low. Combined with market, government and other failures, there are high efficiency

failures in the hill regions of Manipur, leading to high levels of poverty. Historically, individual ownership of land has encouraged farmers to move on to progressive farming and crop mixes, as the owner cultivators are ready to take higher risks and commitments. Bijoykumar feels that the evolution of property/land rights in the hills seems to have been arrested due to the interventions of the village chiefs and the elites, with grave consequences of heightened development disparity between the hills and the valley areas, leading to political claims of territorial division.

Efficient utilization of the vast land resources of the hills, require a transformation in the rigid social norms and conservatism in the tribal social and economic structures. A greater consciousness has to be aroused that land, in the broadest term, including all natural resources, is a source of heightened income, employment and general welfare. A commendable effort is being made by the NERCORMP/IFAD project in the hill regions of Manipur, to evolve a development model that seeks to improve livelihood options in a sustainable manner. Through the instrument of village resource management and self help groups, the project seeks to conserve the environment and the fragile ecology of the hills and at the same time encourage maximum utilization of resources in a sustainable manner, for heightened income and employment generation. For example, crop focused, cluster specific activities have been launched with necessary training, extension and marketing linkages. Success stories in ginger, banana and passion fruit productions are coming up.

The project is anchored on an adaptive institutional change model, that owns and structures itself into time honoured village institutions and yet manage to bring about radical changes in the way resources are managed, utilized and shared fruitfully. The more fundamental impact of the project, in the long run, will perhaps be in its ability to unobtrusively unlock institutional rigidities in tribal societies

and herald the re-generation of their institutions in the post-modern context of change with continuity. Vijaylakshmi Brara highlights these issues in her paper on the NERCORM/IFAD project and points out some of the dynamics of the changing land relations and growing differentiation in tribal society and economy of Manipur and cautions that 'An essential requirement of this region is a healthy and adaptive system of land rights that can tackle the incipient problems of differentiation, jhum, inequality and the emergence of a local elite'.

Breaking down of the traditional land systems and the corruption of traditional institutions to suit the village elites in the hills are brought to the fore by T.T. Haokip and D. L. Haokip. The Kuki land system is based upon the absolute ownership of village land by the village chief and his descendents. The emergence of a strong and authoritarian chief among the Kukis, was a historical requirement for survival. The Kukis, being historically a migratory tribe, were prone to intra or inter tribal clashes, necessitating a single authoritative figure. However the pristine land system in the past was based upon moral obligations and rights of both the chiefs and the villagers, whereby the system ensured the homogeneity, solidarity and security of the village and the concept of the rulers and the ruled was not at all ingrained in their imagination of the land system. The Kuki chiefship was conceived as distributors of village land rather than as Zamindars and his functional powers were based upon consensus and customs. Drastic changes have taken place in this traditional land system in the recent times. In many villages, private property in land is a fact of life and in others the chiefs have become tyrannical, authoritarian and exploitative. Development works are being blocked by chiefs on non-payment of land compensation which he appropriates for his self. Chiefs are selling off land and new villages are being set up by the new- rich and powerful to reap governmental development funds in the name of the village

and absentee chiefs are dime a dozen, spending their time and living in urban areas, while maintaining the political and economic stranglehold over the villages. T. T. Haokip narrates interesting opinions of Kuki leaders expressing their disenchantment in their own land systems and chiefs who have become exploiters and landlords.

Haokip laments that the system of 'one state, two systems' policy of the colonial times are still followed in the post-colonial and is sustaining many fresh divides between the hills and the valley peoples. High levels of dependence on land for livelihood in the face of non-availability of alternative livelihood options have created the present explosive situation whereby territorial claims are ethnicised among the various tribes of the state on the one hand and tribal-non-tribal clash of interests on the other. Thus, the modern notions of private property and territorial claims have replaced the traditional notions of land ownerships and habitations. To 'unlock the value of land, while preserving its associated traditional values', require a shift towards democratic values and processes and a land system that is suited for a modern economy.

Kuki chiefship and the land system bound around this traditional institution are a source and mechanism through which Kuki customary law as well as traditions are generated, retained and interpreted, according to S. K. Kipgen. This institution is the living force that enables the Kukis to maintain their identity. What is needed is a change from within that separates the cultural aspects of the institution from the economic aspect of absolute control over land, with a new land law for the hills. Kipgen further adds that the suppressing of shared history and the stressing upon segregation and individual identities is only a recent phenomenon. The tribals in the hills lived under the suzerainty of the Manipuri Kings, without interference in the internal affairs of their village republics. The subjugated

tribes 'shared the common joys and sufferings of the state with the Meitei Kings through the ages'. The Manipuri Kings however failed to institutionalize their political domination of the hills and the non-participation of the tribes in the political mainstream, led to the incomprehensive process of state and nation building. Historical forces have thus led to the development of isolationist tendencies and ethnic insularity among the tribals.

The resistance of the tribes to changes in their land system and common property rights has been partly fuelled by the fear of loss of their land to outsiders. T. Misao brings into perspective, ground level realities of in-migration into Kuki territory. The migration of Nepalis into the Sadar hills have displaced a large number of tribals in the Senapati district. From being lessees to village land, the Nepalis have managed to permanently settle in tribal land and now possess legal ownership rights. Villagers displaced by the Kuki-Naga conflict of the early nineties have been compelled to settle around the Nepali settlement rather than in their tribal land. The Nepali migration in the hill regions of Manipur is thus adding a third dimension into the already complex Kuki-Naga conflicts in tribal Manipur. The Nepalis are able to return a Nepali M.L.A. from the Sadar hills much to the chagrins of the tribals. If land is privatised and bought by non tribals, how the outsiders are to be accommodated in the tribal social and political structures, within the village, needs to be addressed properly. Will the village authority have the same functional controls over the migrants and whether if the numbers increase, would not the tribal way of life and polity be seriously undermined. On the issue of development in the hill areas, Misao feels that the mindset of the tribals are yet to change from the mono-cropping cycles to a more progressive multiple cropping cycle. A massive extension and marketing service is called for. As of present, the huge potentials of cash crops like ginger and cardamom are being

suppressed by middlemen who pay a pittance to the farmer (Rs. 12 to 15 per kg. as against Rs. 90 in Sikkim) and in case of individual efforts of marketing, cartels make sure that the products are not bought. The rich potentials of the hills have not been properly tapped due to tribal empathy and governmental failures.

The breaking down of the traditional land system is also widely observed in the villages of the Naga tribes. U. A. Shimray writes that Naga social and cultural practices are closely rooted in their village ecology and land is intrinsically interfaced with the political cultural and economic parameters. Social and economic changes have altered the egalitarian as well as communitarian concept of land ownership such that 'elite households' and powerful sections of society have succeeded in turning community land into private land. The situation has been worsened by the fact that the land system and tenure is not codified but based upon oral traditions, which is liable to corruption by individuals.

There are a number of marginal tribes in Manipur who have become the bone of contention for affiliation to the two major tribes of the Nagas and the Kukis. Caught in the game of numbers as well as economic and political survival, these small tribes face land and identity crises that are qualitatively different from the other tribes. The Anals of Chandel district are a distinct example. Historically the Anals are an off shoot of three original villages and they paid tributes to the Manipuri kings. Villages multiplied either by consensual bifurcation of a village or by being 'purchased' by an individual or a party. The tribe now number sixty eight villages. They fought territorial wars with the Kukis in distant memories but are now settled in adjacent villages with the Kukis. In the height of the Kuki-Naga clash of the 1990s, the major tribes claimed the Anals as their own, tribal affiliation thus becoming a political decision rather than a matter of identity, ethnicity or historicity. S.R.Tohring

highlights some of the existential dilemmas of the marginal tribes when drawn into the vortex of ethnic politics in Manipur. In Anal villages, the traditional land system of communal ownership has virtually given way to the individual ownership holdings and a land market has developed. Not surprisingly, land disputes are on the rise within the village community and when customary law is not able to decide things, the villagers resort to government courts. Interestingly, modern values and norms are creeping in and the inheritance right of the girl child is gradually being honoured.

The Chiru tribe is another example of how trysts with modernity can lead to the collapse of traditional institutions and land based identity. This tribe reside in the foot hills adjacent to the valley plains. Being more exposed to the market and state forces of modernization, they are a tribe that has suffered large doses of land alienations with the advent of private ownership in land. The Chirus have resorted to selling land even to non villagers, and landlessness has become a fact of life in their villages. Samson Chiru pleads for a land reforms measure that would keep the Chirus as distinct ethnic entities. H. Phomrang and D.H. Hangsha have also given an interesting account of the Khoibu tribe, another marginal tribe of the state.

The larger context within which the problems of land, ethnicity and identity has to be addressed, is the evolving nature of, Manipur's economy and the direction that it has been taking in the recent past. K. Gyanendra addresses the macro structural dimensions of the state's economy while N. Bhupendro specifically analyses the nature of agricultural development and structural changes in the agrarian sector of the economy within which is buried many of the seeds of conflicts related to land, livelihoods and social relations of production that, to many, is the womb of social conflicts in backward agrarian societies.

Village Level Realities Beyond Identity Politics

Pre-colonial and colonial Manipur was a political entity that was firmly anchored in the bed rock of a historically evolved plural and multi-ethnic society. Tribal nationalism in the Northeast, and latter on in the state, is infringing upon this shared history, polity and identity. In the valley region, the linkage between land and identity did not arise in the pre- independence period. It is only a post independence phenomenon that the issue of land and identity are assuming alarming proportions among the majority population in the valley, in the face of tribal sub- nationalism movements that apparently and avowedly draw their ideological sustenance from the vital linkages between land and identity, in the peculiar ecological as well as historical context of tribal history in Manipur. In the hill regions however, the issues of land, identity and development has indeed become a heady mix that has intoxicated a many and blurred considered and measured debates for tribal development and social change. Land as a means of production and livelihood is much more vital in the hill economy then in the valley regions. Absolute lack of general development, especially in the interiors, and negligible growth of non-farm economic activities, has made land, so much more precious. Land and land systems are therefore, sought to be sacrosanct and inalienable, in fact traditional land rights and tenure systems are sought to be the vary basis of tribal village polities and identities.

Land in the pristine traditional consciousness, was the village commons, to be enjoyed by all, inclusively as well as equitably. It was the property of non but the property of all, to be defended for, to be looked after and to be sustainably exploited for the welfare of the villagers. The authority of the Chief and village council and the intra-clan distributive power of the clan heads, were but institutional details for the smooth functioning of the land system, which was fundamentally based on community ownership, rather than

private ownerships. In an ecological and moral environment of low population, vast lands, subsistence and non-monetized village economy, far removed from the forces of markets and profits, private property consciousness and accumulation, the system worked not only equitably but also morally. In fact the 'strong chief' and the common property foundation of the land system was a necessity to maximise or maintain common welfare.

With the intrusion of modern state institutional norms and market forces, private property and accumulative consciousness inevitably cut at the moral foundations of the tribal land systems. Imagine the powerful clan heads are also the members of the village council, as is in most village councils. Imagine also that populations are growing and the jhum cycles are shortening so that land has become scarce to the extent of the emergence of landless households in the villages. These were the right conditions for the emergence of a village elite, the emergence of a land market, the birth of private property in land and albeit, new colonization of land, preferably in the non-traditional, non-jhum, river valleys, beyond the control of the chief or the clan heads. In the contemporary tribal villages, a new political economy is slowly enveloping, remnants of a cherished and remembered tribal land system, towards privatization of land, land alienation, land hunger and differentiation among the villagers. This is leading to unimagined poverty and deprivation of a growing mass of the denizens of the Blue Mountains that we have allegorically termed as the 'Tragedy of the Commons.'

The groundswell of dissent against the prevailing tribal land systems that are turning into exploitative and inequitable tenurial structures, especially among the Kukis, is finding currency not only among the educated new generation of tribal opinion makers but also among a minority section of the tribal elite. However, the dissent is yet to catalyse into a popular demand at the state level as vested

interests are deeply entrenched in favour of the status quo. Given the inter tribal conflicts as well as the intra village power equations, concrete proposals for land reforms are unlikely to emerge from the tribals themselves, at least in the short run. Meanwhile the ordinary tribal villagers are likely to be trapped in the time warp of a land system that has gone out of step with the demands of a modern economy, a system that is increasingly becoming parasitic of the natural resources and ecosystems of the hill regions. In the valley region, development has taken place in a distorted fashion, and the economy is hurtling down the path of tertiarization. In the absence of a healthy manufacturing sector, employment and income are getting increasingly marginalized and casualized. The impact on land and the agrarian sector development has been retrograde and the sign of a commercialized agriculture led growth is being retarded by the nature of the emerging political economy and agrarian structure. What then are the social issues that are being thrown up in the villages of the state, both in the hills as well as in the valley? Ch. Priyoranjan examines these issues with micro level data from two villages in the State.

This book is only a preliminary exploration into the politics of land, identity and development and their interrelationships that are harboured by conflicting groups and their exponents. If some of the issues thrown up in this book lead to further research and considered debate, the venture shall be adequately rewarded.

Ch. Priyoranjan Singh

LAND, IDENTITY AND
CONFLICTS:
A Plea for Rebuilding Civil
Society in Manipur

—*Samir Kumar Das*

This paper seeks to point out how contentious rights claims to land made by different communities become a source of conflict between them and makes a plea for rebuilding civil societies as a means of resolving them. It further argues that the civil societies as they exist today - whether in the northeast or elsewhere in India, are only too inadequate to handle the land-related conflicts. It is important that our plea for civil society should not be construed as simply reactivating the already existing civil societies in the region, but as one for rebuilding it in a way that they are capable of handling them. Accordingly, the paper is divided into two parts: While the first part traces the roots of these conflicts, the second part explores into the possibilities of rebuilding the civil societies in the northeast in general and Manipur in particular. We seek to frame our arguments in a normative mode and the introductory part of this paper primarily aims at clarifying

what it means in philosophical terms and the bearing it has for our arguments.

On Being Normative

While the distinction between the normative and the descriptive is too well known to be driven home here, it was Immanuel Kant – the famous philosopher of Enlightenment who made perhaps for the first time in the history of ideas, a very fine distinction between two kinds of normative statements or in his words ‘imperatives’: hypothetical and categorical. As he argues:

Imperatives, themselves ... when they are conditional, i.e., when they determine the will not as such but only in respect to a desired effect, are hypothetical imperatives, which are practical precepts but not laws. Laws must completely determine the will as will, even before I ask whether I am capable of achieving a desired effect or what should be done to realize it. They must thus be categorical; otherwise they would not be laws, for they would lack the necessity which, in order to be practical, must be completely independent of pathological conditions, i.e., conditions only contingently related to the will (Kant 1966:131).

Hypothetical norms according to Kantian line of argument are only a means to an end – meant to be followed only to realize some desired effects. These norms therefore are specific to the subject who chooses to observe and follow them only on condition that by following them, he would be able to realize his desire. That is to say, the observance of these norms does not depend on their self-evident or any intrinsic worth, but on their instrumentality in realizing his desire. These norms, in Kant’s famous language, are ‘caused’ by the desire. Categorical norms on the other hand are ‘uncaused’ by any such subjective desire. Anyone who claims to be a moral subject is called upon to observe and follow them irrespective of the desire that he might otherwise hold

and harbour in his mind. In situations where the norms conflict with his desire, the former are supposed to give way to the latter. For Kant however, the distinction between the hypothetical and the categorical norms – more than the commonplace one between the normative and the descriptive, is too transparently clear to be blurred and messed up.

Kant's warning against using the norms in order to fulfill one's desire is well taken. Indeed, this will have to be read together with one of his central arguments that the categorical imperatives that apply to one must also apply to others in the same manner. As one unhinges them from one's desires, they are also meant to be followed and observed by others. This double-way formulation of norms makes them universal. Thus it becomes possible for all – irrespective of their many other differences (like class, gender, ethnicity etc), to follow and observe the same norms and be part of a 'World republic'. The presence of these norms in simple terms makes it possible for them to live together, to share exchange and communicate amongst themselves.

Before we pass on to the next section, a couple of comments will perhaps be in order. First, although Kant was referring mainly – if not exclusively to individual subject, the same can be said about groups and communities functioning as collective subjects. In the context of India's Northeast, we need to remind ourselves that the collective subjects play an important role in any form of political communication and discourse. The supremacy of community is reflected not only in its often exclusive claim to land or homeland but more often than not in basing such claims on norms that are only specific to that particular community. This entails the violation of the Kantian principle of categorical imperatives at least at two levels: At one level, it is illustrative of a community's inability to separate the norms from its desires and intentions. But at the second and at a more serious level, it implies that the community elaborates

the norms in support of its claim in a manner that also censors and disprivileges the claims of others. Since the norms are driven by desire and therefore specific to a community, these rule out the possibilities of dialogue and communication between the contending communities and as a result do not lay down any universal law. In the first part of this paper we propose to show how a community's claim to homeland invokes norms that are only specific to it.

Secondly, it is not our intention to make a case for categorical imperatives a la Kant in order to facilitate any dialogue and communication between the communities. While categorical imperatives could have provided a solution, we do not know how a transition from hypothetical to categorical imperatives can be made in the present context of the North East. Following Gould, we propose to make a further distinction between 'abstract universality' and 'concrete universality' and argue that it is possible to address the vexed question of conflicting claims over homelands by way of basing the civil societies of the region on the principle of 'concrete universality'. The distinction between abstract universality and concrete universality is too serious to be wished away. For one thing, while abstract universality asks one to keep the categorical imperatives separate from a community's particular desires and intentions, concrete universality is based on the axiom that our social existence on daily basis implies considerable overlaps and blurring of interethnic divides without however making them completely obsolete and the history of conflicts in the region is albeit shorter than that of peace and cooperation. As we live in the society, we cannot afford to remain isolated and remain completely aloof from others – notwithstanding that we have outstanding conflicts with them over mutually conflicting claims to homeland. Yet our living in the same village, locality or neighbourhood makes it imperative on everyone's part to mend fences with others and to live with them. The fact of

our collective existence and social living helps in generating a sociality that cuts across the ethnic divisions and boundaries—without however wiping them completely. This sociality does not rule out our differences and separate identities – but does not allow us to stretch them to a point where we are necessarily pushed into conflicts with others. Difference after all is not conflict, but is only strategic to our common existence and collective social living.

Social scientists working on the region have a tendency of blowing conflicts out of proportions in a way that interethnic conflicts are conventionally taken as the mark of the society and politics of the northeast. Conflicts are sanitized of their complexities and are defined in simple black and white terms. The absence of conflicts is read as cooperation and vice versa. We on the other hand plot conflict and cooperation along a continuum and there are vast gray areas that span between them. If there is one hallmark that is said to characterize these societies, it is conflicts between communities in the region. The history of conflicts in the region written by the scholars becomes so overbearing that it hides the history of cooperation and turns our attention away from the intricacies of conflicts that might have told a different story - had they been studied in depth. Seldom are their works informed by any serious micro-studies in conflicts and violence in the region. In course of our work on forced displacement of population induced by them, we could gather some insights into the nature of conflicts occurring in the region including Assam, Manipur, Arunachal Pradesh and Tripura (Das ed. 2007 forthcoming). The value of our work lay in an arduously conducted series of case studies on conflicts – at times more than one study on the same case made by the contributors. Although the focus of that work was more on the tales of the internally displaced persons rather than the nature of conflicts that catalyze and induce them, some of the lessons are instructive. It will not be out of place to remind us that the

conflicts in the region even in very recent years are marked by the twin elements of externality and surprise: For one thing, available records on inter-community conflicts tend to suggest that the violence that takes place within a mixed locality or neighbourhood is always attributed to outside forces—that is to say, forces external to it. Even if the locals are seen to be involved in it, their involvement is necessarily explained with reference to the provocations and incitements coming from outside forces. The author's long conversations and interviews with various cross-sections of people drawn from otherwise conflicting communities seem to suggest that people have been and continue to remain in best of terms with each other, but somehow fail to explain why in times of crisis their cross-ethnic solidarities at the village or local level fail in controlling - if not stopping violence. A good deal of these explanatory endeavours is of course paranoiac: but even this collective paranoia shared apparently by two or more conflicting communities, points to a certain assertion of selfhood by a given locality or neighbourhood as a whole - of which they are only parts. Such assertion of collective self - more often than not, only a post-violence phenomenon cuts across the boundaries of conflicting ethnic communities. When we say that life limps back into the normal after fiercest of interethnic conflicts and violence, we imply that the villages and localities that contain mixed populations continue to find their ways of making people live together and carve out a niche for themselves. Secondly, while the source of these conflicts is always attributed to external forces, the communities also seem to believe that the conflicts had had no internal or local basis. In simple terms, they lack any prehistory that might explain their emergence in the first place. In the absence of any prehistory, the occurrence of conflicts and violence takes everyone by surprise: People who have been living together for generations should not have been involved in them and should not have given themselves to outside machinations and incitements. All this proves that

notwithstanding these conflicts, daily life in conflict zones implies a good deal of sharing and exchange, communications and transactions. As the author has argued elsewhere, it is only with the emergence of conflicts that such local solidarities prove ruefully inadequate to withstand it (Das in Sinha & Chakrabarti eds. 2007: 245-267).

Concrete universality refers to this indistinct zone in which the very logic of daily living pushes people to enter into exchanges and transactions with the neighbouring communities almost on a daily basis and thereby cut across the ethnic boundaries. It is important that we make 'concrete universality' - a category separate from both hypothetical and categorical imperatives. While categorical imperatives are supposed to be completely 'uncaused' by desires and intentions and therefore find it difficult to fire the imagination of the entire collective subject at any one point of time, the concept of desire according to Kant is devoid of any moral connotation. Our collective existence as a group - a community or a clan also contains many desires within it; but the desires are seldom pitched at a level where we are necessarily forced into a conflict with the neighbours or engage in violence with them. Our everyday living is predicated on the principle of avoiding violence even if it involves compromising our desires and intentions - rather than being engulfed by them. Violence is after all not the lingo of our everyday social existence. In the second part of this paper, we propose to pursue the question of concrete universality further and will try to see how it can provide the basis of an emerging civil society in the northeast.

What is in a Name?

Before we begin, let us clarify another methodologically significant point: Although a new genre of normative writings has emerged in recent years in the context of India's Northeast, we continue with the old habit of referring to cases

with names of different groups and communities involved in the conflicts. The act of naming comes both as illustration of the concrete case under review and as a policy response to the conflict that such a case involves. Policy Studies has been the most potent of all newly opened fields of research and investigation into the society and politics of the region. Thus we come across a new breed of social scientists, statesmen, administrators and bureaucrats, who are never at their wit's end and never short of solutions to the problems that afflict the region. The interest in the Northeast has coincided with a new glut of publications in policy vein and also a new breed of troubleshooters, technocrats, managers and policy-makers etc. The region has already become one of their favourite visiting spots in recent years. Everyone is so concerned about the future of the region and wants to be seen as caring for it. The tragedy is that the Northeast continues to reel in spite of being showered with so many policy suggestions and few policies. The act of naming comes necessarily with an entire package of policy suggestions.

It is true that the act of naming airs a sense of immediacy. One who refers to a group and community by name offers policy suggestions seemingly without any ambiguity and hardly minces words. The author sees immediacy more as a bane than a blessing. Let me explain why. For one thing, it brings with it an association of a group, community or a body of people with any given essence and helps in profiling and stereotyping it. We know that historically the identities of most of the groups and communities in the region developed as *exoethnonyms* – that is to say, names appended to them by the outsiders including the colonial rulers and their stooges. Bakhtin has made the point rather starkly when he argued that one does not name oneself. It is always the other that names one. Such essences and stereotypes have now become part of the regional lore so much so that even if you call them by different names, these essences and stereotypes

remain the same. The meaning of the phrase 'What is in a name?' lies precisely in the ease and comfort that one experiences while identifying one. Naming therefore implies namelessness – the message that the being has reached certain finality preempting the possibilities of further metamorphosis and so we can be absolutely sure of what it is. Persistent naming of the being makes its identification not only possible but simple and easy and eventually renders the act redundant. Namelessness springs precisely from this recurrent act of naming it. While the act fixes and freezes the groups and communities – thanks to the modern technologies of enumeration through census and other statistical operations, it never takes note of the politically determined nature of groups and community-based identities. The assumed namelessness of beings in simple terms defines them as fully formed entities and rules out the possibilities of any future transformation of identities.

But, there is more to the problem than this otherwise well-taken point. We redefine the phrase 'What is in a Name?' as the namelessness that emerges not from the habit of persistent naming by the outsiders but from the politically contingent nature of our names and identities. Names therefore are only in constant transition: The name, one is given, is always in a state of flux - rendering one perpetually nameless. It is uneasily perched between name and the nameless. Viewed thus, names are not to be associated with essences and stereotypes. Since names are only politically contingent positions, the phrase takes us straight to the question of 'what could have happened, had we been in the position of others?' It does not matter whether X group or Y group makes a case for homeland; the point is that the case should be read independently of the subject who makes it. The value of the claim will have to be judged not in terms of who makes it but in terms of what the case is being made of. Namelessness implies substitutability of positions.

Substitutability of positions enables us to open dialogue and build bridges across the communities and groups. When mothers ask us to 'shed no more blood', they are not referring to the blood of their own biological children, but that of the children of any mother on earth. When every single woman claims that she is the mother of the victim who has been raped and murdered, the issue goes beyond the ambit of biological mother. The motherhood celebrated here is of universal nature. This is what makes social living and common existence possible for a diversity of people. In this paper therefore I have preferred to follow a writing style in which we do not name names.

Village or such local-level solidarities are not based on the pursuit of conflicting interests - but on an understanding and appreciation of each others' positions and a will to live - which effectively means a determined will to live together. Such solidarities in other words make our common existence and social living possible. Little has so far been said about the role of understanding and appreciation in mending fences between groups and communities in times of conflict. While its distinction from desires and intentions is pretty clear, it should not be confused as moral indifference. Many of the policy alternatives suggested in the context of the northeast smack of such moral indifference. Partition of the region into neat and administratively separate homelands - apart from its evident impracticalities (for the demographic composition of the region is so complex that there will remain minorities within such apparently well-defined homelands and the majorities are constantly haunted by the nagging fear of being outnumbered by others - thanks to immigration from outside the region), is also to be read as an instance of moral indifference. Partitions are likely to reduce the possibilities of communication between the communities and are unlikely to beget sociality between them. The partition of the subcontinent has not only cut it into two or eventually more

states, but also created a permanent divide between the Hindus and the Muslims.

What we call everyday existence and its correlation to namelessness will have to be analyzed in proper perspective. We may make a distinction between two very different kinds of everyday existence knowing fully well that such a distinction should not be stretched beyond a certain point: One, in which we as distinct identities of people live together without any significant give and take, exchanges and transaction between us. Thus, it does not matter whether any of our neighbours dies or falls sick – we remain so obsessed with ourselves. A good deal of urban living involves such a form of common existence. The people are as it were pigeonholed into separate spaces and the urban space viewed in that sense is never continuous. It is interesting to note that Dr. Ambedkar—the principal architect of the Constitution of India, warned the Constituent Assembly against this form of social existence in which the backward sections including the *dalits*, SCs and the STs are put together by the diktats of the Constitution and law of the land, but are seldom allowed to socially mix with others. Much of our civility as Renata Markus tells us is of this nature. On the other hand, we may refer to another form of sociality in which one's commitment to others often leads one to make compromises and live with them. In Markus' words, this lays down the foundations for 'decent society' rather than the conventionally understood civil society.

The policy alternatives doing their rounds in the entire Northeast have never taken note of the role - such understanding and appreciation continue to play in consolidating the society. As a result, policies are prescribed from above and become an object of administration and government and remain oblivious to the democratic politics continued in the region in spite of its many other shortcomings. As the author has argued elsewhere, the official and unofficial processes of making peace have failed to

develop synergy between them (Das 2007). Thus peace-making endeavours made by the state remain cut off from the people's democratic struggles for making social living and everyday existence possible against all travails and odds.

Land, Territoriality and the Question of Identity

Land or more aptly homeland has always been an integral part of nationalist imagination. The yearning for land that a community can claim as its own – unencumbered by and autonomous from others has catalyzed many a conflict in history and the modern state has emerged with the claim of embodying a nation within itself or having homogenized the people living within its ambit as a single nation. Whether the nation has forced the state to emerge or the reverse cannot be answered in any thumb-rule manner: it remains a historical question to be answered historically. But one point is clear: Both nation and state correspond or are supposed to correspond with each other within a determinate territory. Land turns into a territory only insofar as it is 'monopolized' and 'captured' by any state and/or nation.

Territory – unlike land, has a few characteristics: First, territory is an object of ownership and 'colonization', while land is not. In any 'communal mode of power' as Partha Chatterjee argues, one's entitlement to land follows from one's membership to a particular community. Collective ownership of land gives one only the authority of using but not owning it. In our studies in population displacement in the Northeast, we found out how difficult it becomes when a person is displaced from one's ancestral land precisely because one does not hold and possess any legal title to it. On being asked to show any legally conveyed title deed against his claim to home from which he was to be evicted, a tribal chief of Arunachal Pradesh reportedly rebuffed: "The laws came first or our ancestors?" On the other hand, the argument that private ownership of land has already become the rule in the Northeast and we need to change swiftly to a legal

landownership regime (Baruah 2005) to the author's mind is not only exaggerated but paves the way to state's ultimate supervision over resources in general and land in particular. This will only facilitate the transformation of land into territory – that is to say, into a resource that can be owned, supervised and hence 'colonized' at private will. The necessity of delineating and demarcating land for the preservation of one's identity and way of life was felt in the region for the first time in the plains only in the early part of the twentieth century and in the hills much later – perhaps on the eve of Independence.

Secondly, while the notion of land is highly uneven and discontinuous, state territoriality is not. Take the example of the Khasis of Meghalaya. Their clan names bear the trace of the particular part of the hills and mountains they (are supposed to) inhabit and the clan differences coincide with the distinctions between various levels and slopes of these hills and mountains. Colonization – particularly in its early phase, too created such a differentiated space in cities: the core area of a city like Calcutta would always remain out of bounds of the natives while the immediate concentric circles were occupied by their stooges and henchmen – the Bengali clerks and managers. The natives would be pushed to the far corners of the city according to their status and class differences. State territoriality levels off such distinctions. Within the territory of the state, we are all Indian citizens and as citizens we are all equal in the eyes of law and are entitled to 'equal protection of laws' (vide, Art. 14 of the Constitution of India). Not that these and other related provisions do away with our putative differences; but that such differences are 'disregarded' and 'bracketed out' insofar as the Constitution and laws of the land are concerned. The presence of a common territory constitutes us into nationals and citizens and places us as it were on a continuous space.

Thirdly, while land is sharable with others, territory is not. The examples of land being shared by communities

without dominating or being dominated by each other are not rare. Many tracts and dispatches, memoirs and autobiographies written particularly by the eminent intellectuals and entrepreneurs of the region in the early twentieth century continued to reflect on the benefits that immigration from outside has done to the region – whether in terms of spread of western education and development of languages or in terms of investment and entrepreneurship training in the region. A section of them definitely thought positively about the presence of the outsiders in the region. On the other hand, territoriality or more aptly perceived territoriality conceptualizes it in exclusive and zero-sum terms: As I win the territory, you stand to lose and vice versa. Such exclusivity is achieved in three mutually related ways: one, by getting rid of areas with a heavy concentration of the non-ethnics; two, by reunifying the areas where the members of a community remain scattered for historical reasons under one administrative unit, and three, by cleansing the areas of the others on the ground that they are outsiders to the homeland. In order to preserve its numerical superiority, a group often gives away a part of its territory where the non-ethnic other are concentrated in numbers in order to tilt the balance in its favour. We know that administrative frontiers were drawn in the region in order to suit the administrative interests of the colonial rulers. The otherwise normal rule meant for administering the plains was not applied to the hills where according to administrative authorities particularly during the initial years the establishment of colonial rule, 'primitives' and 'savages' reside. It so happens that the members of the same community as a result remain scattered between several administrative units. The demand for unification is made under such circumstances. Finally, as a community feels that it has been depleted in strength in a manner that it becomes impossible for it to regain its numerical supremacy, it resorts to ethnic cleansing almost as a last resort. This is increasingly being resorted to particularly by the insurgents since the late 1970s. To my

mind, 1980 marks the watershed in this respect. To round up, the efforts at making the administrative borders coincide with ethnic or national borders has turned out to be chicken-and-egg game that the nations and ethnic groups are seen to be involved since the emergence of the nation in the seventeenth century.

Territoriality is the lowest common denominator between the mutually rivaling nationalist and ethnic aspirations. While ethnic aspirations are very often targeted against nations and nation-states, they share with them the common aspiration for being territorial and having a homeland of their own. The author proposes to describe it as the mimicry by an ethnic community of the territoriality of the adversarial nation. If it is mimicry, it also entails subversion. For, while mimicking the nation-state, it also challenges it and contests the territoriality of the nation-state (Das in Bajpai & Mallavarappu eds. 2004: 284-313). Territoriality contains anarchy that is built into it. It may be likened to the process of peeling an onion that only ends with the end of the onion itself. The logic of territoriality cannot be extended so far as to mock at itself and its destruction can be arrested only by fixing and freezing the already existing territorialities – that is to say, by turning its logic on its head. There is no end to the process of present-day territorialization.

More often than not, we tend to forget that the legal regime established since the colonial times is only too inadequate to address communities' contentious claims to land. What makes the claims contentious is the fact that they are made often on the same tract of land and neither of the communities involved in the conflict is prepared for making any compromise in this respect. The problem in other words is that the proposed homelands crisscross with each other. While there are considerable overlaps between them, each of the conflicting communities advances it in more or less uncompromising terms. In this part of the paper, we propose to examine some

of the reasons that are advanced by the communities while justifying their contending claims to homeland: First, there is what may be called the chronological justification. The claim to homeland is buttressed by an argument of historical precedence. The principle on which the claim is based is that one will have a rightful entitlement to land provided one can establish that one has settled in it before the arrival of others. 'Who came first (?)' becomes the most important question in this regard. But there are problems involved in the process. For one thing, often it becomes difficult to determine in any definitive manner, about who came first. In the absence of any mutually acceptable history, the claims are at times shrouded in origin myths and tribal and group-specific genealogies. Under these circumstances it becomes difficult—if not impossible to differentiate the history that 'stands the scientific test' from the history that is liable to be 'used as someone's political agenda'. Sometimes, the length of stay of the later-day settlers is too long to be dismissed and wished away. Secondly and as a corollary to the problem underlined above, there is the argument that the length of settlement of late-immigrants eventually gives them a right to live in the area they have been living for generations. The argument is not so much that they need to have a separate homeland of their own by way of evicting the early settlers. But the early settlers by way of invoking the logic of chronological precedence are reportedly out to evict them and lay siege over the land in a monopolistic manner. They even accuse the early settlers of having unleashed untold miseries and planned atrocities on the late-migrants. It is under these circumstances, they are forced to clutch on the demand for an exclusive homeland. It is like saying that notwithstanding their best endeavours, the early settlers are unwilling to accommodate them. But where will they go? Not chronology but a reasonable length of living in the same land becomes the basis of an argument. In the second kind of argument,

chronology is not allowed to solely determine the *reasonableness* of the duration of living in the area. The claim to homeland is viewed as a rebound effect. Thirdly, the belief that the land one inhabits is the same where their ancestors too lived lends to it some sort of a ritual status. The land thus provides them with a source of collective memory, which as Agnes Heller points out is remembered through collective celebrations. Slightly rephrased, the third argument may be taken as a derivative from the second. For, the ritual status of the land lent to it by the ancestors often becomes the key to determine the rightfulness of the claim being made by them. But it is possible to decouple the argument from any frame of time sequence. Ancestry and heritage are not so much a function of chronological time as much as they acquire salience in a situation of politically contentious claims. Our collective memory is not benign - but is ignited by political conjuncture. Fourthly, the perceived history of isolation of a region or a community from the rest of India and its ability to successfully repel invasions from mainstream India is often cited as the justification of its claim to homeland. It is true that the British were able perhaps for the first time in their history to 'colonize' them. But the transfer of power by the British to the Indian rulers without consulting or taking them into confidence marked the continuation of the same 'colonial' legacy with the difference that this time the rule of New Delhi has replaced that of London. What we see is that each principle is distinct and is deployed in a manner that privileges a particular community as much as it disprivileges and censors the claims of others. Each one is sufficient by itself and rules out complementarities with others. It is this correlation between the desire on one hand and deployment of moral arguments and norms on the other that Kant sought to denounce in his famous *Critique of Practical Reason*. Violence under such circumstances becomes not only the inevitable outcome but also the crucial means of resolving conflicts. Such

contentious claims to territorial rights are bound to and do spark off violence and are often responsible for violence and population displacement.

State and the Concrete Universality

We locate concrete universality not at the level of categorical imperatives à la Kant, but at the level of the local initiatives (we have already referred to mother's initiatives in the region), which involve certain crossing of the boundaries that keep one community from another and set off the conflicts. Concrete universality is not anathema to the question of identity and homeland claims made by the otherwise conflicting ethnic groups and communities of the region. But these initiatives instruct us to appreciate the value of peaceful social living and common existence notwithstanding such conflicting claims.

State's role vis-à-vis such village or local-level initiatives has been a bone of contention in recent years. We trace at least three divergent answers to the question of what could be the possible response of the state in normative terms: First, it has been argued that the issue of homeland has become totally incommensurate with the actual political economy of the region (Baruah 2005). The dynamics of actually existing political economy with informal systems of private ownership of land and the contributions made by the outsiders to region's agricultural development - whether by teaching the locals the art of wet rice cultivation and rendering land cultivable or by providing labour or a combination of both, have made it necessary for the state to confer legal recognition on them. It is only by derecognizing the homeland regime that necessary headway could be made for initiating comprehensive transformations in the society and politics of the region. This alternative poses the problem from the statist perspective. For, it views the state as the potential harbinger of such transformations while in actuality virtually nothing has changed in the state on the ground. What makes the state undertake the policy changes? This line of argument

has no answer. Besides, it also takes the informal dynamics of actually existing political dynamics at their face value and conceives of the state as an entity that will have to make necessary changes while adapting it to the changes that have already taken place. Stated bluntly, this only smacks of a much criticized neo-liberal agenda.

Secondly and in contradistinction with the first, it is also argued that the state instead of taking on a maximal role should settle for a policy of complete neutrality. The objective of state neutrality is based on the twin principle of secularism and civic republicanism. As B. P. Misra puts it:

The shared political culture and common civic identity may be kept separated from the traditionally given subcultures all of which have equal rights to coexistence within the polity. In other words, the state should remain neutral with respect to all pre-political forms of life by ... the decoupling of the majority culture from the political culture with which it was once focused. Cultural matters should better be left at the helms of the civil society to enjoy what might be a negative liberty for all of them (Misra 2007 mimeo: 20).

It is doubtful whether – given the kind of civil society that exists in the region, things will be better - if left to the realm of civil society. Civil society is not immune to the same cultural influences that also affect the state and many of the civil society institutions reflect the same cracks and fissures that lie at the root of interethnic conflicts and violence. If civil society is posited as a solution, then we certainly need to reform it. A plea for civil society must be coupled with an agenda for reforming it.

Thirdly, the state is also urged to be guided by 'normative concerns' while finding out 'just solutions' to the conflicts (Oinam & Thangiam in Biswas & Thomas eds. 2006). The paper does not give us any clue for how we might make the state find out 'just solutions' and ensure that it will be guided by such 'normative concerns'. Civil society obviously plays a role in making the state 'normative'.

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