

# Land Relations and Ethnic Conflicts: The Case of North Eastern India

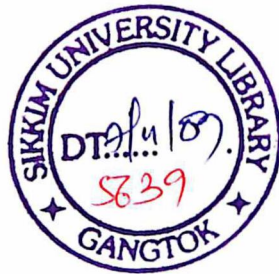
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Eastern Social Research Centre, Guwahati

**Changing Land Relations and Ethnic Conflicts**  
**The Case of North Eastern India**



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**North Eastern Social Research Centre**  
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Guwahati  
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## Chapter 1: The Northeast and Changing Land Relations

Much of India knows the Northeast only for ethnic conflicts that are often presented as terrorist or secessionist. The study on which this book is based began with the belief that one has to go beyond this simplistic interpretation of a complex phenomenon and look at its deeper causes. We began with the hypothesis based on our earlier studies that, the changes that modern legislation introduces in the tribal tradition and the shortages caused by encroachment by immigrants have an adverse impact on land relations that are among the major causes of the conflicts. Immigration has implications for all the communities while the legal changes that result in new land relations affect the tribes more than the others.

We tested this hypothesis through a comparative study of seven ethnic groups some of them protected under the Sixth Schedule or by the customary law. Nagaland has Article 371A of the Constitution and Mizoram has 371G that recognise their customary law. Some like the Aka live under their community ownership based customary law with no protection accorded by the formal law. A few like the *Adibasi* have neither a customary law nor protection under the formal law. So on one side we made a comparison between the ethnic groups whose customary law is protected with those who live under it without legal sanction and on the other with those who have neither a community-based customary law nor legal protection. For this comparison we chose the Aka of Arunachal Pradesh, the *Adibasi*, Boro and Dimasa of Assam, the Garo of Meghalaya and the Rongmei of Manipur and counterchecked our data from the tribes with the ethnic Assamese. We are aware in this comparison that the laws have changed over time. We dealt with it by turning ours into a longitudinal study of a 30-year period.

### Modernisation, Land Relations and Equity

The study on which this book is based emerged from our re-

search on Modernisation and Changing Women's Status in the North-east (Fernandes and Barbora 2002a), Social Change in the North-east (D'Souza and Kekhrieseno 2002), Migration and Ethnic Relations in Assam (Fernandes and Barbora 2002b), Approaches to Development of the Aka and Rongmei (Fernandes and Bharali 2002), Education of Plantation Labourers' Children (Fernandes, Barbora and Bharali 2003), our ongoing research on Development-Induced Displacement in the Northeast 1947-2000 and other livelihood related studies and experiences of persons active in the region. Changing land relations emerged as a crucial issue in the ethnic conflicts because not merely the economy but also the identity and culture of most tribes are closely linked to land. As such an attack on it becomes also one on their identity. Our earlier studies also indicated that modernisation of their customary laws without measures to counter its ill effects can result in class formation in their egalitarian societies and in most cases strengthen patriarchy. So modernisation of their customary law became a crucial variable.

We do not conclude from these findings that their customary law should remain intact. We believe that it should be modernised but on their terms. For example their egalitarian tradition confers a higher status on women than caste societies do but does not make them equal to men. So their customary law needs to move towards gender equality. Studies indicate that, instead of arriving at equality the type of modernisation imposed on them strengthens patriarchy and results in class formation. Thus we question not modernisation itself but its present type that results in the deterioration of the status of women and the poor among them. We do not consider these inputs negative in themselves nor do we think that community ownership should be the norm forever. We only state that such modern inputs with their individual orientation can have a negative impact when they are superimposed on their community culture without adequate preparation for the interface of the two systems.

In our analysis we take equity and the gender issues as the main variables. Among modern inputs we include firstly the formal legal system that recognises individual ownership alone while their tra-



dition is community based. The legal system is supported by the individual based administration and the commercial forces. Also education that is a modernising influence is to a great extent individual based. Christianity and Hinduism to which many members of the tribal communities have been converted, can introduce attitudes of modernisation among them but by and large they are male controlled. Thus, these and other forces of modernisation interacting with their tradition can have a negative impact on them.

We saw such negative impact among several tribes. In the East Garo Hills of Meghalaya, the Rubber Board that introduced rubber plantations gave loans and subsidies only to individual owners and heads of families understood as men. That encouraged *patta* ownership in this community based culture and male ownership in their matrilineal society (Fernandes and Barbora 2002a: 134-135). Class formation was visible also among the Dimasa of Assam whose elite are demanding *patta* ownership with the monopolisation of livelihood that results from it. For example, one of their leaders owns more than 200 acres of land (Barbora 2002: 1286). However, community ownership continues to be the norm in their society and landlessness is not yet as common as among the Garo. Land alienation was visible also in the southern Angami villages of Nagaland (D'Souza and Kekhrieseno 2002: 65-67).

Thus modern inputs become negative when they are superimposed on their tradition with no preparation for the interface between the two systems. Experiences of its negative impact got us to reflect on the type of modernisation witnessed in the region and indicated that problems have arisen because of superimposition. We realised that change cannot be imposed on the communities of the Northeast but the answer does not lie in going back to their past in its totality or absolutising either the past or the present. Modernisation has to be built on the past by updating their tradition. Change has to emerge from within their societies on their terms.

It is in this context that we looked at the conflicts in the region. They cannot be studied in isolation but have to be viewed in the context of the impact of these and other inputs on their livelihood.

The conflicts in their turn can introduce other processes including new forms of land alienation, as we saw among the Rongmei of Manipur (Fernandes and Bharali 2002: 23-24). Conflicts can also result in political awareness and a new form of modernisation. For example, the motor for change among the Angami was education that was conditioned both by the new educational institutions opened in their area during the last three decades and by the political awareness emerging from the Naga Nationalist Struggle which in its turn moderated some negative impacts of modernisation (Fernandes and Barbora 2002a: 88-89). Similarly, the Assam Movement created in the ethnic Assamese a political environment favouring their children's education and search for jobs in the administration as livelihood alternatives. In its turn, this process has had an impact on land relations (Fernandes and Barbora 2002b: 48-49).

We examined such presumed or real changes by comparing communities that have experienced them with groups that either live by their tradition or have reached an extreme form of exploitation. The Aka of Arunachal Pradesh are close to their tradition of community based customary law. Many of them even lack the concept of land ownership and only have usufruct rights over their CPRs (Fernandes and Bharali 2002: 22-23). On the other extreme are the *Adibasi* whose ancestors the British tea planters brought to Assam from Eastern India as indentured labour during the second half of the 19<sup>th</sup> and the first half of the 20<sup>th</sup> centuries. Their marginalisation began with the *Permanent Settlement 1793* that deprived them of much of their land and led to their exodus towards Assam in highly exploitative conditions. Once in Assam, the regimented work structure of the tea gardens combined with landlessness and lack of livelihood alternatives turned them into the State's most marginalised community (Fernandes, Barbora and Bharali 2003: 28-30). Modernisation in their case has taken the form of total alienation from their livelihood and identity. In between are the other communities.

Thus modernisation is not a single event but a continuum with many facets. The Aka and the *Adibasi* are at its two extremes. Land is the common thread linking them. Most conflicts are for what

they consider attacks on their livelihood around it. The Assam Movement, for example, was built around the fear of land loss to the immigrants (Behal 2002: 147-148). Thus, the land issue is also linked to immigration that we shall discuss later. Another issue with a profound impact on the Northeast is the neglect of its economy by the outsiders controlling it and the consequent high

### **The Background of the Northeast**

We discuss in this book, changing land relations among seven ethnic groups. In order to better understand the situation in the region and get a grasp of the modernisation of its legal system especially affecting land relations, we begin with a bird's eye view of the Northeast as a whole. Though at present Sikkim is a member of the North Eastern Council (NEC) we limit our analysis to the "Seven Sisters" i. e. Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura. In thus limiting our analysis, we keep a distinction between their cultural continuity and the legal status of Sikkim in the NEC.

Each State has its own history but together they also have some commonalities. All except the princely States of Manipur and Tripura were directly or indirectly linked to the Assam Province in the British age. Another common feature is their isolation from the rest of India to which their only access by land is through a narrow corridor in West Bengal. Such isolation has several social, economic and political implications. Thirdly, a substantial section of their tribal communities and some non-tribal ethnic groups like the Meitei and Ahom belong to the Mongoloid stock. They can thus be a link with Southeast Asia but their ethnicity is often held against them. However, the *Adibasi* whose ancestors the British planters brought to the region from the present day Jharkhand and Chattisgarh as indentured labour do not belong to the Mongoloid stock. They are excluded from the schedule and are at times considered non-indigenous. Thus the people of the region belong to a variety of ethnic groups, each with its distinct culture and language. Of the 1,652 mother tongues recorded in the Census of India, around 420 are



spoken in the Northeast. So one can assume that the region has at least 250 ethnic groups or sub-groups (D'Souza 1999: 4).

Much of the region is hilly. Its Hill areas have a tribal majority while non-tribals dominate the plains and valleys. Around 12% of India's 80 million tribals live in these States. A few like the Boro and Mishing inhabit the plains, some like the Dimasa are in the foothills and the rest are in the Hill areas. Some tribes are small and others numerically strong. The Adi are 26.9% and the Nishi 21.74% but the Aka only 0.63% of the Arunachal tribals. The Mishing are 11.24% and the Boro-Kachari a third of the Assam tribals but together they are only around 5% of the State's population. The Garo are 50% and the Khasi 47% of the Meghalaya tribal population and the Mizo 87.3% of the Mizoram tribals. The tribals are over 80% of the population in Nagaland, Meghalaya and Mizoram and two thirds of Arunachal but are small in number in the populous States of Assam, Manipur and Tripura (Fernandes 1999: 3579).

### **Immigration and Land Relations**

Finally, the Northeast has a long history of immigration of different ethnic groups. For more than a millennium it has attracted nomadic tribes from Southeast, South and inner Asia. Once they entered the region they created their specific history and myths of origin. For example, the Meitei of Manipur claim their origin from the Vedic times, so do some groups of Assam (Barua 1985: 8-10). Common to all the communities is the fact that after their arrival in the region each group developed its own identity and lived in it as its inhabitants, not as colonisers running the region on behalf of another country as the British did. For example, the Ahom who ruled most of Assam before they were defeated by the British army came to Assam from the Shan region and assimilated the local culture. Besides, in the pre-colonial times, migration rarely resulted in intense competition or conflict for resources because land was abundant (Bose 1989: 38-39).

The pattern of migration changed with the British colonialist acquiring *de jure* control over the Northeast with the Anglo-Burmese Yandabu Treaty of 1826. They established *de facto* rule in



stages beginning with the Brahmaputra Valley and moving towards the hill areas (Datta 1993: 5-6). Colonialism both changed the history of the Northeast and established some commonality in it but the differences that existed among its inhabitants prior to British arrival persisted. Commonality was established in its economy, as in that of the whole of South Asia by changing it to suit the needs of the British Industrial Revolution. In the Northeast they laid emphasis on extractive enterprises, especially tea and oil and acquired much land for it, resulting in the displacement and emigration of large numbers. Thus, a distinctive feature of the colonial age is changing land relations that continue to dominate the Northeast even today and lead to ethnic conflicts (Acharya 1990: 75-78).

Immigration too came to be linked closely to land because of the influx of labourers from outside the region. In most of South Asia, change in land laws that weakened the *jajmani* system resulted in the emigration of a large number of agricultural labourers to the British colonies all over the world as indentured labour in their mines and plantations (Sen 1979: 8-12). In the Northeast immigration is linked to the tea industry which was built on indentured labour from Jharkhand, Chattisgarh and other regions where the *Permanent Settlement 1793* and the *zamindari* system had displaced people on a large scale (Guha 1975: 17-18). Thus the very nature of immigration changed. Unlike the earlier nomadic tribes that settled down in the Northeast as its inhabitants, the garden management kept the indentured labourers isolated from the local people within a regimented work structure. As a result they were unable to integrate themselves with their surroundings. So the local communities continue to treat them as outsiders in the context of the controversy of indigenous versus non-indigenous populations. The tea garden workers are in their turn searching for a new identity that can free them from their isolation but can retain their culture (Fernandes, Barbora and Bharali 2003: 5-6).

Then followed immigration to western Assam from East Bengal that later became East Pakistan and Bangladesh. It began in the 1920s as a deliberate British policy to settle people in what they

called wastelands that the Boro considered their livelihood (Bose 1989: 62-64). Similarly when there was excess labour some tea garden managers encouraged them to cut the forests in the neighbourhood, create *bastis* and settle down in what they called unoccupied land that communities like the Boro considered their livelihood (Kar 1999: 27-28). The type of migrants changed once again during the Partition in 1947. A large number of Hindu refugees whom the political situation forced to leave the erstwhile East Pakistan came to the Northeast and many Muslims went to East Pakistan from this region (Nag 2002: 32-25).

The post-1947 era has witnessed an influx of immigrants from the Hindi speaking region of North India and from Bangladesh in search of a livelihood. However, recent decades have witnessed three changes in the type of immigrants to the region. Firstly, prior to 1947 they were by and large Muslims while most of those coming today to Tripura from Bangladesh and to other States from the Hindi heartland are Hindus (Fernandes 1999: 3580). Secondly, till 1947 only Assam and to some extent Tripura experienced immigration from outside the region. Today most States of the region experience it. Thirdly, common with the past are the push factors of landlessness and poverty but unlike in the colonial age when the State encouraged migration as cultivators of wasteland or as indentured labour, the Partition refugees were forced migrants and the post-1947 immigrants come without State support. Some think that persecution forces the Hindu Bangladeshi to leave their country of origin but others disagree with it (Bhuyan 2002). Common to all the stages of immigration is the negative impact of their encroachment on the land of the local communities.

One does not know the exact number of immigrants. There are more estimates made of the Bangladeshi than the others because of political reasons. Being foreigners, their presence has become an emotional issue. Being Muslims, the issue can be given a communal colour. Precisely because of it the estimates of their numbers differ according to the political orientation of those who make them. The UPA Home Minister of India announced at first that the region

had around a crore of them but withdrew it in December 2004 stating that it was the figure prepared by the previous NDA Government. He then put the number of Bangladeshi immigrants in Assam at 80,886 (*The Sentinel*, December 18, 2004). This figure was promptly rejected by the opposition. According to another estimate there are 12 lakhs of them in Assam (Bhuyan 2002). That figure looks reliable if we accept that there are around 30 lakh immigrants in Assam, 50 to 60 per cent of them from the Hindi speaking region. However, the focus of the debate on immigration is on the Bangladeshi Muslims. Crucial to the debate on the immigrants is that the fact of a majority of them being from the Hindi speaking region is rarely mentioned. When it is mentioned it is given a communal colour (1). Because of this communal bias, some deny the very existence of Bangladeshi immigrants in the region while others exaggerate their number and put it at more than 40 lakhs (Bhattacharyya 2001: 120-121).

That a substantial number of immigrants of Bangladeshi origin as well as from the Hindi heartland have entered the region is obvious from the census. For example, in 1981 5.68% of the Arunachal population was of foreign origin and 14.13% were immigrants from other States of India outside the Northeast. In Assam their proportion was 6.68 and 3.61 per cent, in Meghalaya 3.3 and 5.93 per cent and in Nagaland 1.6 and 8.92 per cent respectively. Only in Tripura immigrants of foreign origin were 22.67% of the population and those from the rest of India were 1.66% (D'Souza 1999: 7). We give the figures of 1981 because the census operations in that year were conducted within the emotional context of the Assam Movement. In fact, no census was conducted in Assam in 1981. The figures were extrapolated from the 1991 census.

The sex ratio of some States shows that there have been immigrants to the region after 1981. According to our studies the sex ratio of the indigenous populations is higher than the national average but it is much lower in Arunachal Pradesh and Nagaland that have a tribal majority. For example, in our 2001 sample the sex ratio was 955 among the Angami and 1.095 among the Aka



(Fernandes and Barbora 2002a: 76-78). However, in 1991 the sex ratio was 890 in Nagaland as a whole and 861 in Arunachal Pradesh (D'Souza 1999: 5). In 2001 it rose marginally to 909 and 901 respectively (Registrar General and Census Commissioner 2001: 141-143). Besides, the decennial population growth in these States is above the national average. In Nagaland it rose by 39.88% in the 1961-71 decade, by 50.05% in the 1970s, by 56.08% in the 1980s (D'Souza 2001: 16) and 40.08 in 1991-2001 (Registrar General and Census Commissioner 2001: 108-109). Obviously it is because of immigration, not natural growth. The low sex ratio is a sign of single male migration. The slight rise in the sex ratio in 2001 is probably because of a lower influx of migrants during the 1990s or because some men who were already in the State brought their families in the 1990s.

Also data on religion show that immigrants enter the region. For example, tribals who are two thirds of the Arunachal Pradesh population belong mainly to the Donyi Polo or tribal religion but 37.64% of the population was Hindu in 1991. It more or less coincides with the non-tribal proportion most of whom seem to be Hindus. The 2001 census shows a substantial rise in the proportion of Muslims in the districts of Assam bordering Bangladesh (2).

The type of immigrants make very little difference to the people of the region. Whatever their origin, they occupy the CPRs that are the tribal livelihood and the centre of their economy, culture and identity. That is why they resist it but the country treats tribal resistance to the alienation of their livelihood as insurgency and a law and order issue. As for the immigrants, whatever their region of origin, they react to similar push and pull factors. The push factors are poverty and the feudal system of their area of origin. Most of them are landless agricultural labourers in these feudal regions where land reforms have not been implemented. Their low wages and poverty push them out of their regions (Majumdar 2002: 107-108).

The pull factor is the fertile land in the Northeast and the legal system that allows them to encroach on it. Much of the land in the tribal areas of the region is community owned but the law recog-



nises only individual ownership. This disjunction between the formal and informal systems makes it easy for the immigrants to encroach on the CPRs and cultivate them. Being agricultural labourers they are familiar with cultivation techniques that they use on that land and prosper. Another pull factor is the local need for cheap labour and services that the immigrants provide as barbers, shoe makers and as unskilled manual workers. Construction and other contractors seem to have developed a vested interest in their cheap labour. For example, according to a news item the main bidders for the Bogibeel Bridge contract in Upper Assam were two organisations formed by former leaders of the All Assam Students' Union (AASU) that is in the forefront of the agitation against the immigrants. However, neither group was ready to give an undertaking that they would employ only Assamese workers because the immigrants are ready to work for lower wages than the former do (*The Assam Tribune* October 22, 2002). According to another report (*The Sentinel* 23rd January 2005) brick kiln owners at Mariani in Assam do not cooperate with the officials who are trying to identify Bangladeshi labourers working under them. However, students' organisations have taken up this issue.

Search for cheap labour ensures their involvement also in agriculture. For example, a result of the Assam Movement is the thrust given to education and jobs in the administration. Those who are employed in the Administration continue to own land but do not want to cultivate it. So they employ immigrants, particularly of Bangladeshi origin, to cultivate it or give it out on a share cropper basis for one year at a time. They restrict it to one year for fear of losing it under the Land Reforms Act (Fernandes and Barbora 2002b: 52-54). During our fieldwork we found some Nepalis "adopted" by the Angami tribe to cultivate land belonging to those who have jobs in the town. We were told that in the Phek district of Nagaland the educated people who do not want to work on their land "adopt" Bangladeshis to cultivate it.

Thus, the local people are ambiguous towards the immigrants. On the one hand they oppose them as encroachers on their land and

for taking up their jobs. On the other, their low wages have become a vested interest with the contractors as well as agriculturists. Because of the focus on the Bangladeshi immigrants, the *Illegal Migrant Detection Tribunal Act* (IMDT) was enacted in 1983 during the Assam Movement. Some consider it ineffective because the one who denounces a person has to prove that he/she is a foreigner while the *Foreigners' Act 1946* puts on the accused the onus of proving that he/she is not a foreigner (Bhattacharyya 2001: 154-155). Others disagree with this analysis.

### **Land Alienation and Ethnic Conflicts**

Immigration adds to the complexity of the region and results in conflicts because many immigrants occupy land. Most such conflicts that began in the colonial age were land-related and usually had an “outsider-insider” component. Among them is the insurgency in Tripura. As early as 1863 the Jamatia tribe revolted against the *coolie* system. The Reangs led an anti-feudal movement in 1941-43 under the leadership of Ratanmani. During World War II, the king tried to recruit them in the army but they refused. Arrested and brought to Agartala they fled to the Chittagong Hills (Sen 1993: 29-31).

The post-1947 immigration has intensified the conflicts built on this spirit of revolt. Most of them are around land. For example, by the late 1960s the indigenous tribes of Tripura had lost more than 60% of their CPRs to Hindu Bangladeshi immigrants. It resulted in conflicts between them and the settlers. That is when the State announced the construction of the Dumbur dam. The tribals protested against it but were forced out of their land most of which was CPRs that they owned according to their customary law but without legal recognition of their right over them since they did not come under the Sixth Schedule. The dam submerged 46.34 sq. km, most of it level land that is only 28% of the State's total. By official count it displaced 2,558 families that had *pattas*. Another 5,500 to 6,500 CPR dependent families were not even counted. Their only livelihood alternative is *jhum* in its catchment area or on other common

lands. It causes environmental degradation, so they come to be considered enemies of nature. Studies attribute the Tripura conflict to the loss of this land which became the last nail on the coffin (Bhaumik 2003: 84-85).

The British had earmarked Assam for tea and later for petroleum and mines and that required massive acquisition of land. The colonial regime acquired land for tea in the latter half of the 19<sup>th</sup> century from the Ahom, Koch, Bodo and others on highly exploitative terms while the main thrust for oil and coal came after 1947 (Jha 1996). Such acquisitions were central to the process of turning the colony into a supplier of capital and raw materials and a captive market for the finished products of the British Industrial Revolution. In order to ensure it they introduced legal changes in land ownership all over South Asia (Sen 1979: 15-16). In Assam the tools they used for getting control over land were the *Assam land Act 1834* and the *Assam Wasteland Rules 1838*. They defined ownership and wasteland in such a manner that any land left uncultivated for a season could be called wasteland and taken over without compensation (Barpujari 1996 : 254-258). Besides, most communities of the region depended on the CPRs but the law was individual oriented. What was not individually owned was considered State property (Ramanathan 1999: 19-20). So the CPRs could be acquired without compensation. This process explains why agitation for land began in Assam much before 1947.

The colonialist needed the Hill areas of the Northeast less for land than for trade to popularise the finished products of the Industrial Revolution. To achieve it they destroyed or commercialised tribal craft to prevent competition with the Manchester textiles (Bose 1997: 197-201). So to most hill and some plains tribes, colonialism represented trade based on a monetary economy with which they were not familiar. At times that too resulted in changing land relations. For example, since the Bodo-Kachari were not familiar with the monetary economy, merchants from Tezpur, Barpeta and elsewhere in Lower Assam took control of their trade, much of it in agricultural produce. So they also came to control Bodo cultiva-



tion. It increased land alienation that had started with the *Permanent Settlement 1793* and the *Assam land Rules 1838*. The move to settle Bengali peasants on “wasteland” (Roy 1995: 24-31) led to more conflicts around land and intensified the spirit of revolt that the Boro had expressed through various social movements. However, immigration affected also some areas outside the Boro habitat. For example, till 1933, 47,636 acres were distributed to 441 Hindu and 1,619 Muslim families in Nagaon district alone where we did our study (Misra 2000: 127).

Changing land relations caused by encroachment on it have led to a new interpretation of the indigenous status in the region specific to which is the “insider-outsider” bias given to it. That turns the struggle into an ethnic conflict that began in the Boro area with the occupation of “wasteland” by immigrants from East Bengal and later the foundation of Santhal *bastis* on what the tea estate managers called forest land (Roy 1995: 28-29). The conflict found its climax in the Kokrajhar massacre of 1996. Thus the indigenous issue differs substantially from that in the rest of India where the discussion is mainly around the status of the tribal and at times Dalit communities. In the Northeast the divide is between “insiders” and “outsiders” of the region, not the chronologically first tribal inhabitants as in Mainland India. Thus, also some non-tribal dominant groups like the Ahom and Meitei lay claim to this status (Das Gupta 1990: 50-51). Most take chronology as its norm. Some go back to 1826 as the cut off date, a few want it to be 1951 and others speak of 1971. As a result, there have also been efforts to exclude from the indigenous category some like the *Adibasi* who have lived in the region for a century.

Whatever the interpretation of the indigenous status, most conflicts are around alienation of their livelihood resources of land, water and biodiversity, the foundation of their culture, economy and identity. Because of a feeling of a threat to their livelihood, alienation leads to hardened ethnic identities and exclusive claims over the depleted resources. In reaction to what they consider attacks on their livelihood, many ethnic communities rewrite their



history in order to declare themselves the original inhabitants of a given area and lay exclusive claims to its resources. For example, both the Dimasas and the Nagas lay claim to Dimapur as a land they once ruled. Thus alienation of land, culture and identity and the resultant indigenous claims are the bases of conflicts such as the Naga-Kuki killings in Manipur (Fernandes and Bharali 2002: 52-55), the Bodo-Santhal and Dimasa-Hmar tension in Assam (*The Telegraph*, 23<sup>rd</sup> April 2003) and the Tripura tribal demand for a homeland (Bhaumik 2003: 84).

### **Land and Post-Independence Development**

Changing land relations are basic to the conflicts also because after 1947 this issue has touched the Hill areas where the colonialist did not need land. The attack in the British age was on their handicrafts and culture. So the colonial age witnessed more attacks on their culture and identity from dominant Indian classes than on their land. Other developments strengthened the process of cultural revival. Some reacted to the perceived or real attacks on their culture and identity through conversion mainly to Christianity. After it the missionary infrastructure of schools and Sunday worship brought several tribes together under one roof. That laid the foundation of unity among some tribes that were till then at war with each other. Their coming together in the church or school helped them to expand their identity without abandoning their specificity. So they began slowly to speak of their common origin. Thus some 27 tribes came together and evolved the Naga identity under the leadership of Z.A. Phizo to defend themselves from the Japanese invasion in the 1940s (Sanyu 1996: 121-126). Also some others like the Mizo found a similar identity. After 1947 such unity also helped them to resist the homogenising bias of the dominant “one State one nation” thinking propounded by the Indian State, and its tendency “to take the degree of Aryanisation as a measure of Indianisation” (Datta 1990: 41). Because of the triple challenge to their livelihood, culture and identity, their revolts amalgamated the three steps of defending their livelihood, protecting their identity and propounding

a sub-nationalism specific to a cultural and ethnic group (ibid: 42).

After 1947 land has become a major source of conflict because of low investment in industries and the consequent lack of livelihood alternatives. The region is rich in minerals but very few industries have been set up. In 1996 the Seven Sisters together had 166 large and medium industries (D'Souza 1999: 16) while the industrially "backward" Orissa had 374 (Fernandes and Asif 1997: 60-61) and the "advanced" Andhra Pradesh had 1,555 (Fernandes et al. 2001: 27) in the same year. Some of them have been declared sick since then, including all 16 in Nagaland (Ezung 2003). The extractive industries of oil cover a very wide area of land but do not produce the type of jobs that the people of the region need.

Lack of trained personnel is not its main cause. Most States of the region especially the tribal majority Hill areas have made substantial progress in education. In 2001 only in Arunachal Pradesh and Meghalaya the literacy rate was below the national average. In Mizoram it was nearly 90% (Registrar General and Census Commissioner 2001: 108-109). A result of a good level of education with low job creation is high unemployment. Inaugurating the ICSSR Seminar on Peace in Assam in August 2001, Chief Minister Mr. Tarun Gogoi said that his State had a backlog of 20 lakh unemployed. The State's Economic Survey 2003-04 states that the employment exchanges had 15,71,996 registered job seekers in 2003 against 15,24,616 in late 2001 (*The Times of India*, 16<sup>th</sup> June 2004). By and large the Employment Exchange figures are underestimates because they do not include rural unemployment and underemployment and even much of the urban informal sector (Rayappa 1992: 362-363). So 20 lakhs may be an underestimate. To this figure one has to add at least 10 more lakhs for the remaining States. So at least 30 lakhs are unemployed in the region. The tension it causes can be seen from the Assamese-Bihari riots of November 2003 and other incidents during the last few years.

In the absence of productive jobs its educated people have to sustain themselves on the primary and tertiary sectors neither of which can expand much. The primary sector includes agriculture,

forestry, fisheries and mineral extraction but in the Northeast it is mostly land and forests. In 1996, 75.26% of the Nagaland workforce and over 70% in other States was in this sector against an All India average of 67.53%. The secondary sector employed 3.48% to 8% against an All India average of 11.97%. The tertiary sector includes fields like commerce, tourism and information technology but in the Northeast it is almost exclusively jobs in the administration. In 1996, 23.9% of the Arunachal workforce, 20.45% of Assam, 21.46% of Meghalaya, 21.26% in Nagaland and 29% in Mizoram was in this sector against an All India average of 20.5% (D'Souza 1999: 10; NEC 1995: 149; Dubey and Gangopadhyay 1998).

As stated above, land shortage is the setting for hardened ethnic identities and exclusive claims to resources. Conflicts have resulted in Mizoram (Lianzela 2002: 243-244), Tripura (Chakravorty 2003), Assam (Behal 2002: 144-145) and elsewhere. Low urbanisation especially of the tribals adds to them. In 1991, 86.11% of the region's population was rural. The apparent high urbanisation in Mizoram is a result of the forced regrouping of 464 villages into 109 colonies between 1966 and 1970 to contain insurgency (Sen 1992: 44-50). Four States have tribal political leaders but non-tribal "outsiders" dominate the urban centres where economic decisions are taken (Fernandes 1999: 3579). Home to various ethnic groups, the relations between the hill tribes and non-tribals in the plains are coloured by suspicion and occasional hostility. So the region has witnessed armed conflicts since the 1950s, with the resultant militarisation. As a result, the development debate itself is located within the security perspective (Baruah 1999: 14-16).

Ethnic conflicts have thus to be seen in this context of high dependence on land, low urbanisation, low investment in industries and suspicion of outsiders. Growing impoverishment and militarisation have further exacerbated this condition. Thus, the basis of conflicts is not immigration or the indigenous status in themselves but land loss and the exclusive claims over the resources. However, unlike in the rest of India, struggles in the Northeast have taken the overt form of ethnic consciousness emerging from the



encounter with the dominant cultures. They express the land issue only covertly though most conflicts stem from the realisation of its depletion through commercialisation of forest and agricultural produce and encroachment by immigrants. Unable to cope with the shortages, many groups join hands to safeguard their livelihood or to take advantage of modernisation. In this effort they combine their sustenance with culture and identity (Roy Burman 1993). Thus, the issue at stake is alienation of livelihoods, the centre of their culture, economy and identity. Since land plays a crucial role, land relations in the form of ownership and tenancy are of critical importance in the region.

### **The Legal System and Land Relations**

Because of historical factors including British policies, *land relations* in the region differ from State to State. *Zamindari* took roots in parts of Assam and Tripura. In the Assam plains, the British worked out a system of permanent settlement and left most hill tribes free to follow their traditions. There is much variation also because agricultural practices differ from tribe to tribe. Most tribes are CPR based *jhum* cultivators. Each system of agriculture has its own ownership system. For example, each Mizo village has a boundary and in each of them is at present managed by a village council. Traditionally the Karbi villages did not have a fixed boundary and most of them did not have a fixed name since they kept shifting. Communal ownership was the norm and *jhum* was their form of cultivation (Saha 1987: 21-23). The CPR dependent Boro had accepted the Ahom custom of allotting 3 purahs (about an acre) of land to each family in return for free labour for about a third of the year (Roy 1995: 27).

The terrace cultivation based Angami of Nagaland had well protected villages with clan land being inherited only by men while women had some rights over their secondary cultivation *jhum* land (D'Souza 2001: 21-22). Their villages are divided according to the *khel* and clan. Inheritance of clan property is strictly on male line. An adopted son has equal rights with the natural sons but girls can-

not inherit clan property (Goswami NDa: 69-71). In theory the Tangkul village head owned all land but in practice it was divided into individual and community owned land and further sub-divided into five main categories of the settlement area, woodland, temporary individual ownership next to the woodland, public land next to it and terrace fields (Ruivah 1987: 55-56). Thus this terrace cultivation based tribe had much in common with the Angami. In the Garo tradition, regular residents could cultivate as much land as they needed without paying any tax but strangers needed the *nokma's* (the chief heiress) permission and had to pay a tax. Since they are *jhum* cultivators, in theory land remained with the owner-lineage but was in practice with an individual family as long as it cultivated it (Majumdar 1987: 158-159). The Aka lacked the ownership concept and only had usufruct rights (Fernandes and Bharali 2002: 22-23) while the Dimasa are community based with some individual rights. They have both male and female clans but inheritance of land is through male descent while jewellery, clothes and looms are inherited through female descent. Utensils, brass metals, dishes and other household articles are common (Goswami NDb: 36-37).

Changes began with control over tribal territory passing to outsiders. Some form of *zamindari* was introduced among sections of the Garo in the Mughal period. The British rulers who did not have much interest in their land, restricted their rule to collecting revenue. It also began the process of individual ownership (Sangma 1987: 149-152). In the rest of South Asia the colonisers changed the land and forest laws in order to ensure their control over them. They had enacted several social reform laws but implemented very few of them for fear of alienating the dominant classes whose collaboration they needed for the success of their economic enterprise. But they enforced the land and forest laws that were the kernel of colonialism (Rothermund 1992: 7-8). Intrinsic to them is individual ownership. It confers on the owner the right to use property according to his/her will, with no obligation to anyone else unless it impinges on the rights of another individual. Such ownership is based on the principle of eminent domain, called *terra nullius* (nobody's

land) in Australia. The White colonisation of the Americas, Australia, New Zealand and southern Africa was based on the principle that anyone could occupy land belonging to none and the coloniser considered native land *terra nullius*. Its first facet is that the forests, other natural resources and land with no individual title belong to the State. The second is that the State alone has the right to define a public purpose and deprive even individuals of their assets in its name (Ramanathan 1999: 19-20).

These laws had a profound impact on the CPR dependants all over South Asia especially in the Northeast. Resistance and uprisings resulting from it forced the colonialist to enact protective laws. After 1947 the legal changes took the form of the Sixth Schedule or recognition of the customary law through amendments to the Constitution. In the Sixth Schedule areas the village court or the District Autonomous Council deals with civil offences. Autonomous Councils exist in two districts of Assam and the whole of Meghalaya and Mizoram. Nagaland never had district councils but a constitutional amendment in 1963 introducing Article 371A enabled it to follow its customary law in civil matters. Mizoram followed suit in 1986 with Article 371G. Most tribes of Arunachal Pradesh follow their customary law but the Sixth Schedule does not apply to them. The administrative system evolved under the British continues to be used. Manipur too does not have the Schedule but has some laws governing its Hill areas. Tripura does not have the Sixth Schedule but district autonomous councils have been introduced in response to unrest (Barooah 2002: 99-100).

Thus, the context and implications of the struggles and laws as well as of post-1947 land reforms are not uniform because of the diversity of land relations between and within States. Though tenancy was abolished, there is evidence in some Hill areas like the Angami, of a new form of tenancy appearing for the first time and changing the traditional pattern (D'Souza and Kekhrieseno 2003). Knowledgeable persons say that *land alienation* is taking place not only in the areas not protected by the Sixth Schedule but also where it is operative and non-tribals cannot acquire land. Alienation is



taking place both between tribals and to non-tribals. When it takes the form of sale or mortgaging to members of the same tribe it sharpens class formation among them and leads to absentee landlordism (Sinha 1994: 159-168).

This process is not surprising because though on paper the Sixth Schedule is better than the Fifth, in practice the administrative loopholes in it annul most of its advantages. The community is its basis but the individual-oriented administration that imposes itself on it, causes a contradiction in it and eventually weakens the Schedule itself. Often it treats the *gaonburah* or village head as the owner of land and deals with him alone to acquire village land. At other times commercial forces enter their region with the support of the individual oriented administration. However, the situation of those outside the Schedule is worse. With the intensification of the process of commercialisation and globalisation alienation is likely to add to impoverishment, class formation and to the hardships of the land dependants.

### **Evolution of the Protective Laws**

That brings us to the evolution of the protective laws. Some think that the Schedule is built on tribal traditions while others state that it is the dominant individual ownership system modified marginally to satisfy tribal leaders. Without entering the debate on its nature we shall look at its history and see what it entails for the tribal communities of the region. It originated in the colonial need to ensure peaceful trading relations in the Hill areas that were left largely outside the domain of interventionist economic planning but not outside its all encompassing grasp. The hill tribes were allowed to govern themselves under their customary laws without a direct daily role for the foreigner. Despite such isolation colonial intervention did destabilise tribal lifestyle. So most of their communities resisted this intrusion. Very few revolts in the region have been recorded in the official histories of the freedom movement but one hears of resistance from the Aka, Miri, Mishmi, Naga and others (Mackenzie 1995).

From the need for commercial peace with the tribes evolved the laws that later formed the basis of the Sixth Schedule and of the amendments recognising their customary laws. The first British reaction to tribal resistance to the colonial rulers and their dominant class Indian collaborators was to isolate the tribes from their neighbours. The tribes continued their contacts but remained relatively isolated. Exploitation continued. In the Northeast as in the rest of tribal India, when revolts for the protection of land, culture and identity broke out, the first official reaction was repression. Compromises followed when the unrest spread to Nagaland, Mizoram and other States. In the British age the compromise meant to ensure commercial peace was to isolate them further with the Inner Line Permit that was a more stringent measure than the laws banning tribal land alienation in the rest of India. As we shall see later, its purpose was more to protect the planters in the plains from their raids than to protect the tribes but the colonialist presented it as protection from people in the plains. The British isolated them also because they considered the Northeast a buffer zone against China and Burma (Doley 1998: 15-16).

The changes in their favour have continued also after independence. In Assam the Sixth Schedule was introduced in Karbi Anglong and North Cachar Hills as a compromise when these tribes demanded a State of their own or that they be made a part of Meghalaya formed in 1971 (Phukan 1990: 8-9). In other words, recognition of the customary laws and later the Sixth Schedule is the State's response to their resistance to the colonialist and the Indian dominant classes. Slowly, tribal leaders led the region towards the Sixth Schedule and other protective measures that accorded legal sanction to their customary laws (Singh 1985).

Protective legislation has also taken the form of legal recognition of the customary law. Article 371A in 1963 to bring Nagaland under its purview and 371G in 1986 for Mizoram resulted from insurgency that led to negotiations between their nationalist groups and the Government of India. To limit ourselves to Nagaland to which the Angami tribe that we studied belongs, the first protective

measure was the Inner Line Permit. Though presented as protection from outsiders, in practice it was meant mainly to protect the tea gardens in Assam from the Naga tribals who raided them regularly. During 1849-50 the British colonisers sent as many as ten expeditions to subdue them but the raids continued. Between 1854 and 1865 nineteen raids by the Angamis alone killed 232 persons including some British officers. As reaction to them, a Naga Hills district was carved out in 1866, the inner line permit introduced in 1873 and Kohima was occupied in 1879-80. Apart from protecting the plains areas this occupation also functioned as the base to attack and annexe the rest of Nagaland in order to control its commerce (Aosenba 2001: 12-20). They only controlled these territories, did not annexe them since they needed them more for commerce than for land and taxation. However, when required they occupied them. The inner line permit was meant to protect these interests.

Another event that changed Naga history was conversion of most of its inhabitants to Christianity. The missionaries in Nagaland were American Baptists who differed from the British Anglicans and Presbyterians both by nationality and religious denomination. These differences as well as the missionary inputs ensured tension with the colonialist whose commercial enterprise required the collaboration of the local leaders. He depended on the traditional chiefs who did not respond to the missionaries who concentrated on education from which new leaders emerged. The chiefs opposed the missionary because the morality he preached and the new leaders were a threat to their power. Conversion also began the process of bringing the warring tribes together under the same roof in the church and in the school. It was a threat to the British who depended on division among them. Though eventually the chiefs too converted, the difference in their approach persisted (Sen 1992: 37-40).

During the freedom movement, by and large the traditional chiefs supported the British while the new leaders joined the freedom fighters because they viewed the State as a modern institution. But the two were united in their effort to protect their resources and identity though their understanding of their use and the extent of autonomy



differed. The new leaders wanted autonomy within Independent India while the traditional chiefs veered towards sovereignty. But even while co-operating with the freedom fighters, the new leaders remained ambiguous towards them because of their homogenising tendency. They felt that on one side the freedom fighters did not understand their identity and on the other they were excluded from the benefits of the British administration. As stated above the decisive moment came during the Japanese invasion when Z.A. Phizo, a traditional Angami chief brought 27 tribes together under the Naga umbrella. He realised then that they could come together to demand their sovereignty. In 1946, Phizo is reported to have met Mahatma Gandhi who was sympathetic to their cause of autonomy with which the Naga would have been satisfied. Gandhi viewed it within his perspective of the village based panchayati raj but most national leaders failed to understand the Northeast in general and the Naga aspirations in particular (Sanyu 1996: 115-126).

That gave a fillip to the sovereignty movement. The Naga leaders claimed that Nagaland was never a part of India, and declared independence on August 14, 1947. During the decades that followed, the Naga People's Council took the initiative in bringing about a compromise between the underground "Naga Federal Government" and the Government of India. We do not need to deal with all the events. What matters to us is the fact that, these efforts did not lead to immediate peace but as a compromise a separate State was granted to them with civil administration run under the Naga customary law recognised by Article 371A (Aosenba 2001: 63-70). Thus the Government of India accepted the principle of autonomy as a counterweight to their demand of sovereignty. Similar was the situation in Mizoram where the revolt led by Laldenga resulted in Article 371G (Barooah 2002: 103-104).

### **Community Resources, Development and Land Relations**

Another response of the State is development projects that have serious implications for the tribal communities since they cause land alienation and result in displacement. Initiated by the British colo-

niser to acquire land for plantations and mines, displacement and land alienation continued after 1947 because of the East Pakistani refugees and later immigrants from the Hindi belt and Bangladesh. Once the East Pakistani refugees were resettled, in the 1960s the State's focus shifted to schemes such as oil refineries and cement plants (Hussain 2002: 286-287). Today importance is being given to the power sector. In reply to a question the Power Minister outlined in the *Rajya Sabha* on 14<sup>th</sup> March 2002, plans to build 10 major hydroelectric dams in the Northeast. He estimated its hydro-power potential as 58,971 MW or 38% of India's total (*The Assam Tribune*, March 15, 2002). Besides, 38 more dams are under active consideration and work on them may be initiated within a decade. There is also another list of more than 100 possible dams for eventual consideration (Menon et al. 2003).

There is every reason to believe that these dams will damage the fragile ecology of the region but we shall exclude its technical aspects and limit ourselves to the communities that will feel their impact. Also globalisation seems to play a role in their planning. According to persons who visited an exhibition organised by the Government of India at The Hague, Holland in November 2000 to attract foreign investment, most pavilions were named after geographical landmarks in the Northeast, especially water sources such as the Barak and the Brahmaputra. The message it tried to convey was that its water resources, the people's livelihood are available to the foreign companies as a source of profit.

To limit ourselves to their implications for land relations, ignored in the discourse is the threat the projects pose to the livelihood of thousands of families. As planned, they cannot produce jobs for all those whom they will deprive of their livelihood, leave alone deal with the estimated 30 lakh unemployed backlog. The region certainly needs development out of a sense of justice to its youth. But are such projects a solution to the problems that the region faces? They will deprive many more families of their livelihood with no viable alternatives and can result in more frustration and a sense of being discriminated against. Besides, as stated sev-

eral times, land is not only an economic asset but also the centre of their culture and identity.

However, the project planners take a purely engineering perspective of the schemes and ignore these and other human issues. It has been the case also with past projects since the 1960s, such as the Umium Hydro-electric dam in Meghalaya, the Bongaigaon, Chandrapur and Namrup thermal plants in Assam and the Dumbur dam in Tripura that have displaced thousands of families (Hussain 2002: 289-293). Besides, the real number of families to be deprived of their livelihood may be hidden because most land to be acquired is CPRs. A few dams are being planned in areas falling under the Sixth Schedule or its equivalent customary law that recognises community ownership but most are in the tribal regions like those of Arunachal Pradesh where the tradition is CPR-based but the Schedule does not apply.

Besides, the Sixth Schedule accords Constitutional recognition to the CPRs, as such challenges the basis of eminent domain. However, the *Land Acquisition Act 1894* according to which land is to be acquired recognises only individual *pattas* (Ramanathan 1999: 19). Besides, tribal tradition views the natural resources as people's livelihood while to the project planners they are only a commodity. The contradiction caused by these two approaches has already resulted in conflicts between the State and some tribal communities in areas where the people are aware of their rights under the schedule and view the natural resources as their sustenance. For example, at Domiasat in Meghalaya the Uranium Corporation of India Ltd (UCIL) has begun the initial survey for this metal but it cannot begin to mine uranium that it considers a precious mineral because the indigenous communities have not given their consent and the State cannot acquire land without it. So for several years, the government and the people are locked in an endless battle. The students even demanded that the Uranium Corporation leave the State (*The Telegraph* May 3, 2004). However, according to a news item (*The Northeast Reporter* June 7, 2004), the local people agreed to hand over their land because they could not resist pressure from the



State and UCIL and because they hoped to get some facilities if UCIL came to their neglected region but later events seem to contradict this claim.

Where the Schedule is not recognised, people can be displaced and not even counted among those who pay the price of the project. We have referred above to the Gumti or Dumbur dam in Tripura that submerged 46.34 sq. km of land and officially displaced only 2,558 families but ignored 5,500 to 6,500 others depending on the CPRs (Bhaumik 2003: 84-85). Such a contradiction can arise even when the customary law applies. For example the Bairabi Hydro-electric dam to be built in the Kolasib district of Mizoram, requires 9,294 ha, two thirds of it forests and the rest private land from 6 villages with a population of 6,500. Among them is Hortoki village with 400 families. Its economy is based on *atkora*, a citrus fruit sold in the plains for Rs. 2-3 each. It gives the village an annual income of Rs. 40 lakhs and makes it self-reliant. Its Village Council had opposed the dam but the State formed a body called NGO Services, to convince them of its benefits. Under pressure from them Hortoki village president stated that given the 'right kind' of rehabilitation, including cultivation of *atkora*, they would move out. There is very little possibility of it happening. Resultant upon pressure from the State, even the compensation sought by them was brought down! So they may be deprived of their livelihood without an alternative and it can lead to more conflicts (Menon 2003).

### **The Law versus the Administration**

That shows the contradiction between the laws that respect their tradition and the administrative systems that go against it. Basic to the Sixth Schedule is community control over land and forests but the administrative system is individual oriented. An example of the contradiction arising from it between their tradition and modernity is the introduction of rubber in the Garo Hills that we have discussed above. These are among the processes that explain why, as stated above, a new tenancy relationship has arisen among some tribes or why a Dimasa leader has got a *patta* for over 200 acres by

depriving other community members of their livelihood. We saw the early stages of changeover to individual ownership among the Aka who are close to their tradition. Though most of them have usufruct rights, some leaders monopolise the land near the village. While two respondents who have salaried jobs and do not practise *jhum* any more, declared themselves landless, two others declared *patta* ownership. It marks the beginning of a transition from community to individual ownership.

That the problem is more with the administrative systems and elite aspirations than with the Sixth Schedule is seen from the fact that the situation is worse among the tribes that do not come under it. The Rongmei in Manipur are a CPR dependent Scheduled Tribe outside the Sixth Schedule. They have lost much of their land in ethnic conflicts but they cannot reclaim it since most of it was CPRs. Only 4 of their 110 respondents in an earlier study are landless but 54 of them owned less than 1 acre and 31 less than 2.5 acres each. Thus 80.91% of them cannot sustain themselves on land, their main livelihood since they are landless or small or marginal farmers (Fernandes and Bharali 2002: 23). The situation gets worse if also the official machinery plays an active role in depriving them of their land as it happened in Tripura.

The above discussion as well as earlier studies show that their tradition was egalitarian but not gender equitable. Whether patrilineal or matrilineal, all the tribes were patriarchal but the woman's status was not as bad as that of her counterparts in caste societies, particularly in the Hindi belt. Among the community ownership based shifting cultivation tribes it was even better than that of non-tribal women in the Northeast. In their communities, the village council took decisions concerning the area to be cultivated in a given year. After it the man of the house chose the plot the family would cultivate. At this stage the woman of the house took charge and organised work around it. As a result, their division of work was more gender sensitive than in settled agriculture. It did not make the woman equal to men but conferred on her a slightly higher status than in other societies (Fernandes and Barbora 2002a: 29-33).

One should have built on this tradition and taken their societies towards gender and class equality. In reality the thrust today is towards individual ownership. According to a news item the Government of India is thinking of moving towards individual ownership because it is difficult to acquire land for development projects as long as the community owns it (*The Telegraph*, December 13, 2003). Meghalaya too is reported to be planning to introduce such a change in order to acquire land for uranium mining (*The Sentinel*, June 1, 2004). That requires a deep study because it will have serious class and gender implications for the tribes.

### Conclusion

Our focus in this introductory chapter has been on an understanding of the Northeast and the social and legal status of land ownership. We have discussed the role of community control and the changes that take place in land relations when individual ownership enters their societies in the name of modernisation. That is the basis both of conflicts and of other forms of social change. The transition of most tribes of the region to individual ownership that we have seen in this chapter cannot be an issue in itself because they have a right to change. However, two issues are of concern to us. The first is encroachment by immigrants and the second is the response of the State machinery. Class formation and shortages that result can take the people towards ethnic conflicts. The Sixth Schedule and their customary law are meant to protect land but often the State supports processes that go against their right to livelihood, intensify class and gender equality and create a situation that goes against equity.

Equity cannot depend either on keeping tribal traditions intact or on the processes that bring about negative changes leading to ethnic conflicts. Many changes are needed but not what the Centre is said to be contemplating in order to make acquisition easy. The people require security of tenure. In most tribal societies individual ownership in its present form is not the solution because studies and experience show that, it results in class formation and strength-



ening of patriarchy. So while accepting the need to change their tradition, most tribes do not see positive change in the present type of individual ownership. One may have to find a *via media* that strengthens their society through a combination of individual and community control.

That requires a deeper study of changing land relations in the Northeast, particularly the possible link between land alienation and conflicts that has rarely been explored except through a communal bias of focusing on one community alone. Besides, while it is generally accepted that land alienation is taking place in the region very little reliable information is available on it, particularly in areas coming under the Sixth Schedule. Moreover the changes in land relations in the Northeast are not homogeneous. They take many forms. Some families acquire more land and others lose it. Some mortgage it in or out and others sell it for economic or social causes. At times land is taken away forcefully in the name of development or during conflicts. However, we have seen in this chapter that very little information exists on the variety of ownership systems, on the processes of alienation and its causes.

Our effort is to fill this gap in our knowledge in order to suggest remedial measures to the community leaders and policy makers and examine the effectiveness of land reforms. That is the context of the discussion on the changes that are taking place among them, especially those that go against the tribal communities. It leads one to a discussion on the type of change that the tribal communities need in order to cope with modernisation. That is the context of this effort to create a field based database. We shall discuss the nature of the changes and present the database in the following chapters which we begin with a discussion on the methodology and the communities studied.

# Land Relations and Ethnic Conflicts: The Case of North Eastern India

The Northeast is known in much of India mainly for its ethnic conflicts. Some present them as terrorist or secessionist and others as unrest caused by a foreign hand. One has to go beyond such simplistic interpretations of a complex phenomenon and look their deeper causes. Studies point to other causes such as the changes that modern legislation introduces in the tribal tradition of land ownership, the shortages caused by encroachment by immigrants, its adverse impact on land relations and what the communities perceive as attacks on their culture and identity. Thus, changing land relations stood out as a major issue. So, in the study on which this book is based, we tested this hypothesis in the present study. That has to be understood also in the context of the neglect of the secondary sector in the Northeast by the economic decision-makers and the consequent massive unemployment. To it should be added the high educational status of most States of the region. We studied these issues through a comparative study of seven ethnic groups some of them protected under the Sixth Schedule or by the customary law and others like the Aka of Arunachal Pradesh, the Bodo of Assam and the Rongmei of Manipur living according to their CPR based customary law with no constitutional protection. The Adivasi of Assam are not even included in the Schedule. The Dimas and the Garo come under the Sixth Schedule. The ethnic Assamese were a control group. Three tribes have been involved in ethnic conflicts around land. The customary law too has changed. We, therefore, made a comparison between these ethnic groups through a longitudinal study of a 30-year period. Our conclusions can provide the direction of a solution to the ethnic conflicts.

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Cover Photo: Woman cutting paddy stalks during harvesting season in Assam  
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