
Conceptualizing The Tribal Identity in The Context of Space: Case of Manipur

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The accusation of marginalization and step motherly treatment by the Indian state against the states of the North East is widely prevalent not only in the political circles and in the academic world but also among the various people's movement that have emerged in this much misconstrued region. Central dominance and prejudices continue to determine most of the major initiatives of the Indian state towards attempted resolution of many claims of the tribal communities in this region. Within the Indian state for decades there has been institutionalized oppression, exclusion, discrimination and denial of rights in various forms against the *periphery*; i.e. those living in the *marginal space* like the Dalits, Tribals, Denotified tribes, Women, Religious minorities, Ethnic minorities and Sexual minorities. However from within this expansive categorization of what is acknowledged as the periphery, the various tribal groups of the seven north eastern states viz. Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura occupy a somewhat special place since the Constitution of India does not provide us with a precise definition of the term “tribes”. Article 342 of the Indian Constitution states that the President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

What often remains unobserved in this tumult and uproar over marginalization and neglect by the Union is how even from within the marginalized; certain groups, through varied reprehensible and discriminatory practices continue to dominate and further marginalize the smaller groups. This contemporary tendency of *exclusion of the further smaller groups by the already marginalized minorities* represents the *neo-colonial practices* of the latter to *arrest the economic growth* and to *dwarf the identity* of the former in order to maintain the status quo and socio-cultural subordination coupled with political subjugation- a well calibrated attempt to deny the *living space* to the much smaller groups. The state of Manipur best exemplifies such practices.

The present state of Manipur is one of the eight states of the eastern most region of India bordering Burma (also known as Myanmar); a region categorized in popular discourse as the North East region (NER). It is bordered to the north by the state of Nagaland and to the west by the State of Assam and Mizoram to the south. Manipur can broadly be divided into two parts based on the topography of the state, the Hills and the Dales (Valleys). At present there are nine districts in the state, four of which are in the valley area with the remaining five forming the hill areas of the state. The hill areas constitute of five districts viz. Chandel, Churachandpur, Senapati, Tamenglong and Ukhrul while the valley districts include Imphal East and West District, Bishenpur and Thoubal District. The valley areas (dale) of the state are inhabited by the Meiteis and the hill districts of the state are inhabited by the tribes either from the Naga ethnic group or the Kuki-Chin-Zomi ethnic group. The 33 tribes from these two broad ethnic groups account for 40 percent of the state's population and occupy 90 percent of total geographical area of the state. Despite of being the occupant of the major proportion of the total geographical space; the Hill tribes of Manipur are suffering from acute identity crisis which has led to the emergence of the

demand for the creation of the Autonomous Tribal State within the state of Manipur.

The demand for the establishment of an *Autonomous Tribal State* (ATS) within the state of Manipur under Article 244A¹ of the Indian Constitution has been advocated by the Zomi Council from Churachandpur District. The Zomis are the people known by outsiders as “Chin' in Burma, 'Lushai' and 'Kuki' in India and Bangladesh. They have been effectively fragmented by the colonial administrators to suit their selfish design; thus, leaving them to be a minority community in their own lands. Zomi Council, the apex body of the various Zomi tribes is presently representing six tribes of Manipur viz. Paite, Simte, Vaiphei, Zou, Tedim-Chin (Sukte) and Mate tribes. The Council have been tirelessly working to promote and protect the distinct identity of the Zomis, to create an Autonomous Tribal State (ATS) within the State of Manipur and to provide Constitutional protection under the Sixth Schedule to the existing Autonomous District Councils in the state; to fulfil the socio-economic, linguistic, cultural and developmental aspirations of the people; preserve the indigenous identity and rich traditional practices; protect their rights over land and its resources and maintain the territorial integrity as well as security of the state and the nation. The assertion of identity or precisely the quest to establish a tribal identity through the creation of an autonomous tribal state is the manifestation of the decades of exploitation and oppression by the dominant Meitei communities. Some of the most prominent examples of the discriminatory and exclusionist practices of the Meitei majority are listed below:

A) Imposition of unwanted legislations to deprive rights of tribal people over customary land and resources in the state

Some of the initiatives of the Meitei dominated Manipur Government for imposition of legislations that deprive tribals of

self governance, rights over customary land and resources are as follows:

- *The Manipur Land Revenue and Land Reforms Act, 1960*²

The Manipur Land Revenue & Land Reform Act, 1960 (MLR & LR Act, 1960) was enacted by the Parliament to consolidate and amend the law relating to land revenue in the State of Manipur. The Act intends to bring about uniformity in distribution of land throughout the State. However, Section 2 of the Act says: “It extends to the whole of the State of Manipur except the hill areas thereof provided that the State Government may, by notification in the official Gazette, extend the whole or part or any section of this Act to any hill areas of Manipur.” Under the Act, hill districts do not automatically mean hill areas. According to Section 2(1) of the Act, hill area means such areas in the hill tracts of the State of Manipur as the State Government by notification in the official Gazette declared to be hill areas. The State Government had notified 1161 villages as hill areas in the 5 (five) Hill Districts for the purpose of this Act. According to the tribes, the extension of the Act to their areas is encroachment into their territory. So far 89 villages of Churachandpur district and 14 villages each of Tamenglong and Senapati districts had also been covered by the Act. There is also a special protective provision of the Act on the transfer of land belonging to a tribal to non-tribal. Section 158 says, “No transfer of land by a person who is a member of Scheduled tribes shall be valid unless the transfer is to another member of Schedule tribes; ...or the transfer is by way of mortgage to a co-operative society.” Although the State Government had made an exceptional provision of the Act to the restriction of land transfer, the tribal population remains apprehensive of the fact that in case of the transfer made by way of mortgage to a co-operative society, the consent of the District Council and written permission of the Deputy Commissioner is not required. The co-operative society to whom the land is to be

transferred is not clearly identified. It is understood that the society would certainly be of general class/people. Taking advantage of this exceptional provision, some valley based co-operative societies had lured tribals with a fat dividend to mortgage their land. One such example is that the Chairman of the Tharon Village Authority in Tamenglong hill district had been lured to offer some areas of land to non-tribal individuals and co-operative farming societies on contractual farming. Moreover the recent Amendment of the Act in 2011 has enabled the valley people (the Meiteis) to settle down and own immovable property in the hill areas.

- *The Manipur Hill Areas (Acquisition of Chiefs Rights) Act, 1967*

This Act authorizes the state government to acquire the rights, titles and interests of the tribal chiefs in the hill areas of Manipur. According to the Act, the chiefs are to be compensated on the basis of the following criteria: (1) the area of land under chiefs; (2) total number of households within each chieftom; and, (3) compensation in instalment or lump sum. But because of the objection raised mainly by the Chiefs' Union (CU) among the tribal chiefs, the Act could not be implemented till today³. Manipur Hill Village Authorities Act, 1956 considers that the tribals have their own system of land holding based on customary and traditional practices. It is believed that the founder of the village took all risk and responsibility to establish a village and as such he earned the title '*Founder*'. Later on he became the chief of the village and the first owner of the entire village territory. Tribals claimed absolute ownership over their land. They believe that the lands they possess are acquired from the nature. As such the tribals do not have any land laws except that of traditional and customary base practices.⁴ In 2011, the fourth amendment of the Manipur Hill Village Authorities Act, 1956 was introduced to convert the present Village Authorities into urban local bodies called Municipalities. This is a direct attempt by the plane leaders and the

state government to abolish the chieftainship and traditional customs and practices of the tribal people of Manipur.

- *Manipur (Hill Areas) District Council Act, 1971 and Manipur (Hill Areas) District Council (Third amendment) Act, 2008*

In the 1960s, when the demand for the Union Territory of Manipur to be converted into a full fledged state was gaining momentum, the need for maintaining a separate administration for tribes in the hill areas was acknowledged. The Manipur (Hill Areas) District Council Act was enacted by the Parliament of India on 26th December 1971 when present day Manipur was still a Union Territory. The Act, established six Autonomous District Councils (ADC) in the Hill Areas of Manipur: (i) Manipur North ADC now Senapati ADC (ii) Sadar Hills ADC (iii) Manipur East ADC now Ukhrul ADC (iv) Tengnoupal ADC now Chandel ADC (v) Manipur South ADC now Churachandpur ADC and (vi) Manipur West ADC now Tamenglong ADC. On 21st January 1972, Manipur became a full-fledged state. Subsequently, while exercising its rule-making powers, the Government of Manipur (GoM) through the Governor, framed the Manipur Autonomous District Council (Election of Members) Rules, 1972 to facilitate the process of electing Council members.⁵

Since its inception, the functioning of the District Councils was weighed down by a number of problems as follows⁶: **First**, any person (even a non-tribal) can vote and become a candidate to the District Council if he/she is registered as a voter to the Lok Sabha. Such provisions contribute to the inability of tribals to participate in decision-making where they are legitimate stakeholders. **Secondly**, the clauses of the Act empowers the District Council to acquire land for purposes which they think are 'likely to promote the interest of the inhabitants'; sell the land to non-tribals without consulting the people who are its real stake holders. The management of land and forest

should not be with the government and these provisions are ways through which the government seeks to covertly take control over the tribal land and forests: an integral part of their identity. **Thirdly**, the District Council can make recommendation to the Government to legislate on matters relating to the appointment or succession of chiefs, on the matters of inheritance of property, marriage and divorce and social custom. The lack of checks and balances on the limits and cases beyond which the District Councils can exercise these powers means that they can act on their own volition without consulting the people and without regard for the interest of the people can lead to corruption that would affect the core values and practices of the tribal people and their institutions. **Fourthly**, the provision that the District Council can recommend a village for recognition to the State Government directly interferes with the customs and the people's right to determine for themselves. **Fifthly**, District Councils neither have executive and legislative nor judicial powers. It only enjoys limited administrative powers under the pervasive control of the state government. **Sixthly**, District Councils lack financial autonomy since it cannot levy taxes and generate its own revenue but is dependent on grant-in-aid from the state government. **Finally**, the District Council's accountability to the Deputy Commissioner, a bureaucrat appointed on the whims and fancies of the government to preside over any meeting of the District Council goes against the very concept of democratic governance, thereby, defeating the whole purpose of the Act itself.

B) Imposition of Manipuri language

The imposition of the Meitei language (Meitei Mayek) in the education curriculum till the eighth standard since January 1999 is a prime example of the Meitei attempt to assert their dominance over the tribals. Despite protest this much loathed imposition is still in place. Nagas and the other tribals in Manipur rejected Meitei Mayek

outright as an instrument of cultural domination, and student organizations like All Tribal Students Union, Manipur (ATSUM), All Naga Student Association, Manipur (ANSAM), and Kuki Student Organization (KSO) protested against its imposition. The United Naga Council (UNC), the Naga apex body of Manipur articulated their opposition towards introduction of Meetei Mayek to the tribal communities. Linguistic conflict has further fractured the sense of a Manipuri identity. The struggle has been particularly intense in areas with significant and high populations of Nagas.

C) Violation of service quota and promotion rules in state government services

Although the Constitution of India prohibits any discrimination based on religion, race, caste, sex and place of birth but, while providing equality of opportunity for all citizens, the Constitution also contains special clauses to ensure reservation 'for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes'. In the interest of the integrity of the state of Manipur, the unwritten 'social contract' between tribals and the valley dwellers states that the general population could have access to the produce of the land while in matters of employment, tribals would share in the development of the state by 'representation' of one-third of the work force as a corollary to the principle of democracy.⁶ This agreement was never fulfilled. As per the unofficial 2001 census, the population of the tribal peoples has increased to about 37%. However, reciprocal increase in reservation percentage is a far cry when even the present reserved percentage has also been under constant manipulation and is at stake from time to time.⁷ Despite of the adoption of the Manipur Reservation of Vacancies in Posts & Services (for SC and ST) Amendment Bill 2006 on September 18, 2006, the present position is

not very hopeful. With no effective watchdog to oversee the rights and privileges of the tribal peoples, they are continuously marginalized and exploited in matters of recruitment for services, admission in Government institutions and seats in Government sponsored courses such as medical, engineering and other technical courses. Therefore on reservation matter, tribes of Manipur are disappointed for two big reasons - **One**, their representation in government jobs and government sponsored institution is meagre and is not in proportion with their population. **Two**, the general community (the Meiteis to be specific) who constitute a little more than half of the state total population are getting more than 80% of all the government jobs and seats.

D) Imphal-Centric Administrative system

Manipur has sixty Members of Legislative Assembly (MLA) and two Members of Parliament (MP) - representing Inner Manipur (the Imphal Valley) and Outer Manipur (the hill areas of Manipur). Out of the total sixty MLAs, forty are from the districts of Imphal Valley—they represent Imphal East (9 MLAs), Imphal West (15 MLAs), Thoubal (10 MLAs) and Bishnupur (6 MLAs) which are Meitei dominant districts. The remaining twenty MLAs are from the tribal dominant areas representing the districts of Chandel (2 MLAs), Senapati (6 MLAs), Tamenglong (3 MLAs), Churachandpur (6 MLAs) and Ukhrul (3 MLAs). Here, it is imperative to point out that Thoubal district in Imphal valley which has an area of 514 sq.km and a population of 4, 20,516 has ten assembly constituencies, whereas Senapati district (in a hill area dominated by tribes) having an area of 3271 sq.km and a population of 3,54,972 has only six assembly constituencies. The same goes for Imphal West District which has an area of 519 sq.km, a population of 5,14,683 and 15 assembly constituencies while Churachandpur district (in a hill area dominated by tribes) with a population of 2,71,274 and area 4570

sq.km has only six assembly constituencies. This clearly indicates the distorted, unequal representation of the tribal people as compared to the Meiteis in the Manipur assembly constituency. In addition to the disproportionate representation, Meitei dominated Manipur Assembly has encouraged the continued deployments of troops and imposition of Armed Forces Special Powers Act (AFSPA)⁸ in the hills. Under the pretext of securing law and order, Government of Manipur has meticulously isolated the tribal society by labelling the hills as “Disturbed Area”.

The demand for autonomous tribal state indisputably guarantees the preservation of tribal identity and promotion of their indigenous rights and ways of life. But at the same time it unambiguously promotes the separatist movements which have often led to the loss of innocent blood and unremittingly paralysing the law and order situation in Manipur. So the question which agitates us: Is the process of fragmentation of a nation into several territorial spaces based on ethnic identity can be considered as an effective peace-broker? The integrity of the Indian Union if has to be preserved then the conflicting claims among the various identities have to be reconciled but not at the cost of fragmentation of the nation but by fostering a spirit of complex interdependence among all the ethnic identities; thereby consolidating a space called India which would be proficient in accommodating an assortment of diverse identities.

End Notes:

1. Article 244A of the Indian Constitution states that the Parliament may, by law, form within the State of Assam an autonomous State comprising (whether wholly or in part) all or any of the tribal areas specified in Part I of the table appended to paragraph 20 of the Sixth Schedule. (The Constitution of India)
2. Daimai K, Land Rights of Tribal and State Land Laws: Manipur, The Sangai Express, www.manipuronline.com (accessed on 08/12/2013)
3. Prof Dena Lal, Land Alienation and Self-Government in the Hill Areas of Manipur, Mizoram Express, www.manipuronline.com (accessed on 08/12/2013)

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4. Daimai K, Land Rights of Tribal and State Land Laws: Manipur, The Sangai Express, www.manipuronline.com (accessed on 08/12/2013)
 5. Riamei Joseph, Contestations Against forces of Marginalization: District Council and Tribal Resistance, *Journal of Tribal Intellectual Collective India*, Vol.1, Issue.1, No.5, pp.55-69, June 2013, p.57
 6. Ibid, pp.60-61
 7. Pulamte H John, Tribal Reservation in Manipur: A boon or a bane?, <http://e-pao.net> (accessed on 08/12/2013)
 8. The **Armed Forces (Special Powers) Act (AFSPA)**, was passed on September 11, 1958, by the Parliament of India. It is a law with just six sections granting special powers to the armed forces in what the act terms as "disturbed areas". The Act has been at the heart of concerns about human rights violations in the regions of its enforcement, where arbitrary killings, torture, cruel, inhuman and degrading treatment and enforced disappearances have happened.