ETHNIC DIVERSITY AND THE MODALITIES OF MANAGING DIVERSITY IN ASSAM

Chapter-III

Ethnic Diversity and the Modalities of Managing Diversities in Assam

As stated earlier, the theoretical aspects of ethnic conflict and multiculturalism is well explained in the second chapter, and considering the theoretical aspects an attempt is made to look at the dynamics of diversity and the system of managing diversity specifically in Assam in this chapter.

Northeast India, comprising of the contiguous 'seven sister' states of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura is a strategically located region with international boundary on three sides. It is bounded by Bhutan and Tibet region of China on the North, Myanmar on the east and Bangladesh on the south and southwest.[43]

Geographically, the region is connected by a meagre linkage known as "chicken's neck" with the rest of India on the western side. The region covers an area of 2, 62,179 sq. km., which is 7.9 percent of India's total geographical area. The population of the region as per the 2011 census stand at 44,980,294, which is 3.9 percent of the total population of India.[44]

In the construction of ethnic diversity, the following aspects such as the dynamic construction of sameness and difference, the difficult and complex dynamics involved in social interaction, as well as the existence of different point of views and the need to understand are involved. In order to analyse diversity, the power mechanism depicting the continuous search for the rigid position,

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[43] Kom Ch. Sekholal and Brahma Chintu, "Sixth Schedule: Negotiating Ethnic Autonomy and Discourses in Northeast India", *The Journal of African & Asian Local Government Studies*, 2012, p.31.
[44] ibid

as well as a search for a kind of multicultural competence are taken into account.

Ethnic diversities in Assam and the structure of managing and regulating ethnic diversities is analysed as well. Ethnic diversity is becoming one of the persistent and most problematic issues in contemporary globalised world. On the one hand, it is pervasive with the increased interactions and mobility of the people and almost all societies are becoming more and more ethnically diverse. On the other hand, it is problematic since ethnic diversity appears in a variety of forms, contexts and social conditions.[45]

Despite the many excellent studies on ethnic diversity and on how to manage in divided societies, particularly Assam, there remains a dearth of practical suggestions for policymakers on how to design and implement democratic levers that can make inter-community peace continue, even as times change and new factors strengthen the communities.

Diversity management can also be understood like an approach to manage every ethnic group according to their characteristics and the uniqueness of their specific contribution to help them work together efficiently and increase their communication and relations. To speak of diversity management also means to understand that there are some differences among people and that these differences, if managed correctly, are a huge resource for societies to obtain better outcomes.

A range of approaches have developed over time in response to increased ethnic diversity, including: assimilation, integration, and multiculturalism or cultural pluralism. Assimilation is based on the principle that the arrival of migrants should have as little

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[45]Reza Hasmath (ed.) *Managing Ethnic Diversity: Meanings and Practices from an International Perspective*, Surrey: Ashgate, 2011,p.140

disruption to the society and culture. As such, typical policy responses include making it compulsory for the people to recognise the cultural differences in the public sphere. In contrast, multiculturalism/cultural pluralism involve the active promotion of cultural differences, for example, state-supported schemes for minority communities. Integration is positioned between assimilation and multiculturalism/cultural pluralism as it is based, at least in theory, on the concept that the incorporation [46] of a society is a negotiated process whereby every diverse group make adjustments to their culture and values.

3.1 Defining Ethnic Diversity

Diversity means variety and having or being of different types. 'Ethnic' mostly means anything which is in relation with ethnic matters. Ethnic diversity describes a social system comprising people with distinctly different group affiliations of ethnic significance. 'Ethnic' also can be considered as a group of people which are somewhat integrated and aware that they have same interests even if they are only potential common interests. Thus, an 'ethnic group' is not only a group of people or a part of a society, but a conscious group of people connected deeply in terms of common experiences.

The concept of diversity is taking a wider scope than multicultural concept attempted, treating ethnic and racial difference similar to disability, and inequality. This means that diversity politics could create greater pressure towards the dominant 'majority' groups. [47] From the perspective of ethnicity, there are also many groups in disadvantaged position, who in

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[46] Smith Jessica, *Where next for ethnic diversity policymaking at the local level?*,CLES, 2010, p.11.

[47] Cashmore. Ellis, *Encyclopaedia of Race & Ethnic Studies,* London & New York:RoutLedge, 2004, p.142.

theory would support their demands. However, the weakness of this position is that minority front is so diverse that there is no power in claiming recognition.

Mention be made that the aim of ethnic diversity is mainstreaming culture where as multicultural policy typically is interested in preserving cultures. Diversity is celebrated to the ultimate extent that everyone should realize that they are different from one another by highlighting the individualized culture of contemporary ethnic societies. It is also clearly understood as an issue of competence based on the duty and opportunity of ethnicity.

Diversity is also treated as a fact of life; something unavoidable everyone needs to cope with through practicing multicultural activities, and is particularly a skill people should learn. The process of diversity are not empirically clear, but should be analyzed as extend beyond the processes of time and space. The recognition of ethnic identities takes place simultaneously with unequal positioning and marginalization.

Mainstream equalities and unity related activities may well be viewed as dispensable. But it is also important that central government allocates sufficient funds to enable local government to develop policies that are effective in harnessing the opportunities of ethnic diversity and overcoming any potential challenges that can emerge from local population change. Moreover, there is a real risk that the situation of the deplorable living condition of the people will result in a rise in community tensions. As such, it is crucial that local authorities retain capacity and that central government provides resources where necessary for activities that promote good community relations.

Although multicultural policies are managed by the majority ethnic group within a society; diversity discourse attempts to deal with the aspects of equality by embracing everyone to recognize their own uniqueness, but by doing so it will fail to acknowledge the command and power structures within societies, and thus may depoliticize ethnicity.

3.2 Ethnic Diversity: An approach

Managing ethnic diversity is necessary to clarify the concept of ethnicity in order to select the variables that are necessary to justify the contradiction of social fragmentation and social stratification. Diversity management is the latest development in a series of approach which has aimed to get exclude minorities better represented in the society.

Ethnicity can be seen as one of several outcomes of group interactions in which there is differential power between the majority and minority groups. An excellent way to conceptualize this idea is to look at the interface of size and access to power to determine whether ethnic groups are dominant or subordinate. Accordingly, if an ethnic group has both power and size, it is the majority. And finally, if the group has neither size nor power, they can be considered as a minority group. As such, any of the group types could comprise of several ethnic groups or just one. Through situations of social change and increased mobility they may start to interconnect one another so that members of all ethnic groups are found in all spheres.

Therefore, ethnicity can be a useful concept to analyze contact and mutual accommodation between groups, as well as, the strategic positions of group power within the structure of modern society. This characterization opens the door to discuss the

management of ethnic diversity by looking at power relations, and the management of social, political and economic resources among, and between dominant minority groups.

However, diversity management is said to be normally different from previous employment equity approaches which is directed at underrepresented minority ethnic groups, such as equal opportunity in a number of ways. Managing ethnic diversity naturally brings both opportunities and challenges to an organization, potentially leading to the realization of effective benefits as well as expenses. In relation to diversity management, recognising cultural differences between ethnic groups and understanding such differences are necessary. The advantage of ethnic diversity management is said to be its more positive approach, rather than the negative one of simply avoiding break of anti-discrimination.

The basic concept of managing diversity accepts that the administrative centre consists of a diverse population of people. The diversity consists of visible and non-visible differences which will include factors such as sex, age, ethnicity, background, race, disability, personality and pluralism. The main factors of diversity concern in the research is 'Ethnicity' which is found in the premise of maintaining these differences will create a productive environment in which everybody feels valued, whereby their identity will be acknowledged.

There are different factors as to which particular dimension of diversity is important whereby primary and secondary dimension are concerned. The former dimension consists of age, ethnicity, gender, physical abilities or qualities, race, and affection. The secondary dimension of diversity are those that can be changed, but does not limited to educational background, geographic

location, income, marital status, military experience, parental status, religious belief and work experience.[48]

Managing diversity should be a comprehensive process for managing these differences that people brings for the productive wellbeing of all, especially for a definite management. The postcolonial Indian state's management of ethnicity in Assam has been problematic as Assam continues to experience bloody ethnic discord, ruthless insurgencies, and the deaths of civilians.[49]

Management of ethnic diversity recognizes two dimensions: the primary model mainly biological, consist of age, gender, race, ethnicity, disabilities and the secondary or socio-spiritual model mainly consists the values system, worldviews, mindsets, beliefs, paradigms, core intelligences etc. [50] The dimension of ethnic diversity focused on the individual, by embracing and valuing differences. It can be evaluated through prejudice, cultural competence, cross communication and conflict resolution. However, if this is all that is done such efforts will come to nothing for the individual interactional dimension is only one dimension of change.

Peaceful management needs approaches that recognize the importance of building sustainable internal political structures. This means that issues about a state's internal political organization are more important in managing conflicts and accordingly, there has to be a greater focus on domestic political actors, most of all the state itself.

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[48]Wentling, R. M. and Palma Rivas. N, "Current issues of Diversity initiative in selected multinational Corporation Diversity in the workforce", *National Centre for Research in vocational education*, Series Report No.3, University of California,Berkely,1997.

[49]Rosado. Caleb, "What Do We Mean By Managing Diversity"? *Workforce Diversity, Concepts and Cases,* Vol. 3, Hyderabad, India: ICAFAI University, 2006.p.2.

[50]ibid.p.4

The purpose of valuing diversity and appreciating differences is not simply to make people feel good about each other but to make them feel that diverse ethnic groups are valued, respected and honoured in a multi ethnic society.

3.3 Ethnic Diversity in Assam

Though small in size, in terms of diversity, Northeast India is a locale to more than two hundred ethnic groups each characterized by distinct languages, dialects, and socio-cultural identities competing for their own space and control. Most of them have lived in isolation, not only from the rest of the country but even from each other. Some of the notable ethnic groups in the region are the Kukis, Meiteis, Nagas, Komrems, Mizos, Lais, Maras, Hmars, Assamese, Bodos, Karbis, Dimasas, Kokboroks, Hrangkhawls, Darlongs, Khasis, Garos, and Santhals. Amongst them, Assamese, Khasis, Meiteis, Mizos, and Nagas have their own state leaving those others to continually seek similar autonomy. As such, the Bodos, Garos and Kukis are expressive in their demands for separate state.[51]

Presently Northeast India has several Autonomous District Councils—three in Assam, three in Meghalaya, three in Mizoram, one in Tripura and six in Manipur. Assam one of the North Eastern state, bordering China, Myanmar, Bangladesh and Nepal offers classic cases of identity struggle as it is full of myriad of ethnic groups. In the long history of this region the feelings of in-group-out-group, perceived marginalization, and minority-consciousness have variously surfaced as key factors causing ethnic unrest. Depending on varied influences of marginality and ethnicity some

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[51]Kom Ch. Sekholal and Brahma Chintu, "Sixth Schedule: Negotiating Ethnic Autonomy Discourses in Northeast India", *The Journal of African & Asian Local Government Studies*, 2012, p.32.

movements remained more clear and specific than others, in articulating and defining their objectives.

After its partitions, Assam was left with 23 tribes, comprising of 14 hill tribes of Karbi Anglong and North Cachar Hills; and nine plain tribes inhabiting the plains of the Brahmaputra Valley. Seeing development in the hills, some tribes became conscious to develop their sub-regions. But the postcolonial Indian state's management of diversity in Assam has been problematic as it continues to experience bloody ethnic discord, ruthless insurgencies and the deaths of civilians. [52] As such, diversity management is a comprehensive process for managing these differences that people brings for the productive well being of the ethnic communities for a definite management.

3.4 Modalities of Managing Ethnic Diversity in Assam

India has been very rich in having a nation with different cultures, life styles, religions and languages, a nation which is deeply related to each other through their history, culture and religion. But, the country has had its internal and external challenges to the point that its unity and integration have been damaged and threatened even though it was thoroughly integrated. Therefore, it has always been a strategic goal for Iran's government to protect, extend and develop its national integration. A new change has proposed diversity management not only in countries with different nations, but also in multi-cultural organizations and institutes.

Although the cultural presences of tribes and cultures throughout the history of India have caused cultural dynamism and production, yet there have been circumstances in which the

[52] Deb. Bimal J, (ed) *Ethnic issues secularism and conflict resolution in North East India,* Concept publishing, New Delhi, 2006,p.p 164-165.

presence of trouble in the ethnic regions has increased, because of some important political, social and economical variables in internal and external arenas. One of the important variables affecting the ethnic societies is the government's approaches and techniques for adjusting their relations with ethnicities, managing them and governing relations through these policies and techniques. The different significance and position is in presenting and analysing the ethnic issues to the extent that many expert and researchers have known the relations between the government and races to be the core factor of national unity and integration. In countries such as India which is involved with ethnic and cultural pluralism, the relations and links between the government and races are determined through designing and defining specific legal and administrative tactics which is wholly called ethnic policy and management.

Some of today's ethnic issues come from ethnic policies and the impure model of diversity management from the past, especially from the post-independence era which was the core factor of the lack of an integrated and compiled strategy of ethnic diversity management. One reason causing this lack of strategy is related to the aggressions of the society's viewpoints and approaches regarding ethnic management and the deputies in charge. Another reason causing this is related to the lack of an integrated and ethnic management model.

Assam, a state in the north eastern region of India has a unique characteristic of multi-ethnic diversity, which has become an inalienable part of the political and administrative process. It also displays a high degree of diversity and this has been acquired through a long process of settlement by various ethnic groups drawn from the neighbouring countries of Asia. In a multi-ethnic

society the process of maintaining ethnic boundary is somewhat different as it has been depicted by the tribal groups from various parts of the state. The strength of the various ethnic groups and their society of Assam is its diversity surrounding a mutual co-existence.

Managing ethnic diversity is a difficult task both in societies with an ethnic diversity tradition, which already have an institutional setup meant to accommodate diversity, and in societies that have only recently faced the issue of multi-ethnicity and are trying to develop an institutional model for managing ethnic minority-majority relations. Ethnic diversity management has become a topical and often controversial subject that aroused much policy and academic debate especially around multiculturalism as an authority method of multi-ethnic societies.

Participation in a political system has proven to be the most effective modality for peaceful management of ethnic diversity in general, and ethnic conflicts in particular. Primordial loyalties are often moderated, reduced, or even eliminated as modern socio-economic formations freely evolve. It also offer members of ethnic groups a substitute or at least an incomplete alternative for collective protection, and enhancement of legitimate rights and needs as it allow cross modern associational networks which have come to be lumped under the concept of civil society[53].

Managing ethnic diversity contributes to the ongoing debate about the outcomes of multiculturalism offering a comprehensive study, which incorporates insights from a wide range of traditional and multi-ethnic societies around the world. The first is recognition of the rich diversity in a given society or organization, and respect should be given to every diverse ethnic group in a multi ethnic

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[53]Rosado. Caleb, "What Do We Mean By Managing Diversity"? *Workforce Diversity, Concepts and Cases, Vol. 3,* Hyderabad, India: ICAFAI University, 2006, p 6.

society thereby managing diversity. Respect and recognition are not the same, since recognizing the existence of an ethnic group does not necessarily bring out respect for the group in general.

Multiculturalism and Ethnic Diversity also entails the acknowledgement of the validity of the cultural expressions and contributions of the various groups. This is not to imply that all cultural contributions are of equal value and social worth, or that all should be tolerated. But the tradition and the practices of the ethnic groups are to be put into consideration as some cultural practices are better than others for the overall betterment of the multi ethnic society.

Cultural expressions and contributions that differ from those of the dominant group in society are only acknowledged but they should also be valued of what people have to offer, and not rejecting or condemning it simply because it differs from what the majority, or those in power, regard as important.

Ethnic diversity also encourages and enable the contribution of the various groups to society or an organization. Empowering the ethnic groups is also necessary to enable people to be self-critical of their own biases so as to strengthen themselves and others to achieve and organize their community. The nature of multiculturalism, the underlying concept of multicultural education, will ignite the ability to have a good time that go above all barriers and brings about a unity in diversity. The key dynamic in diversity management then is to maintain the two dimensions of unity and diversity in balanced tension, without looking on to either side.

Looking on the side of diversity magnifies differences and separation at the expense of the common, shared humanity. Unity is not identical with uniformity, neither is diversity identical with

separation. The solution to the tension is to respect and value diversity while working for unity, otherwise exclusion is the result. Thus the strength of a nation, state or district lies in unity in diversity.

The Sixth Schedule of the Indian Constitution is termed as a set-up surrounded with the idea of decentralization from the existing state structure with certain autonomy provisions to manage ethnic diversity. The aim of this constitutional plan is to see that the ethnic aspirations of this part of the region are met and to integrate the region into the mainstream.

Marked by diversity in customs, cultures, traditions and languages, Assam is a home to over hundreds of tribal groups in the country, speaking a variety of languages and dialects with a strong tradition of social and cultural identity. Divided by language, religion and ethnicity, it has been passing through a series of an openly existing competing ethnic diverse group dissents.

Of late, identity mobilization and counter-mobilization by various groups seems to spill into the political arena and deepen the sense of separation and self-identification in the region. The result has been cycles of mobilization and counter-mobilization which eventually worsen ethnic relations. Therefore it is necessary to understand the system of managing ethnic diversity to address ethnic minorities' aspirations against their struggle from the dominance of the majority.

When ethnic diversity in a multi-ethnic society are institutionally structured the patterns of ethnic relations and their constituent ethnic groupings ensures that the forms of policy, and their outcomes, are highly different. Nevertheless, certain themes are continually identified by some to influence the formulation of

policy as issues are needed to be addressed and managed in present-day multi-ethnic societies. Before examining these, there are certain policy and issues which relate directly to the existing general issues of institutional relations between the constituent ethnic groups.

The most urgent issue is the State, which is experiencing the on-going ethnically related political instability, striving to re-establish a relationship between ethnic groups in the wake of conflict involving physical violence. The main reliable factor to maintain diversity is the establishment of communication and contacts across ethnic boundaries which will allow discussions between groups and individuals, thereby regaining a sense of personal security.

What makes management of ethnic diversity more complex than the distant past is that it is rooted in the fact that the modern discourse on ethnicity has contributed to a new form of ethnic self-awareness, mostly about their ethnic origins and traditions. This has led to the continuation of ethnic arrangement which provide a large space for ethnic communities to prosper.

Through situations of social change and increased mobility ethnic diversity may start to crosscut one another so that members of all ethnic groups are found in all situations. Against this favourable background, questions about the modern management of ethnic diversity in traditional and non-traditionally viewed multi-ethnic society have come to the forefront. While crossing the threshold of progress, the people of Assam are also experiencing ethnic based diversity in the fields of politics and administration.

3.5 The Sixth Schedule

In Assam, ethnic diversity is managed by the Government of India through multiple provisions that have been incorporated into the Constitution of India. One such Constitutional Provision is the Sixth Schedule that provides for the administration of particular tribal areas as autonomous entities basically known as Autonomous District Councils.

Emergence and working of the Sixth Schedule

Till the colonial infringement, except for the states of Manipur and Tripura, the remaining areas of Northeast India formed parts of the erstwhile British province of Assam. The British occupied Assam after the first Anglo-Burmese war in 1826 and it took more than half a century for the British to colonize all the areas of erstwhile Assam. Until then, most of the tribal areas were autonomous territories governed by tribal chieftainship. The colonization of Assam resulted in connecting the region more and more with mainland India and such linkage facilitate integration was due to the British colonial interests with the discovery of tea, oil and coal in the region. Surprisingly, in the colonial period no significant tribal or non-tribal nationalism was acknowledged in the region.

The overt reaction of the Assamese to the early Bengali penetration was seen; however Assamese nationalism was not a kind that avowed for separate province. But in post-independent period, different kinds of tribal and non-tribal nationalisms emerged in the region and with this in mind, the Indian state has tried to settle ethnic issues but not to the complete satisfaction of the ethnic groups. This is evident from an historical overview of the steps taken to solve the issue.

Under the Government of India Act, 1919 (Section52A), certain areas of British India were declared as "backward tracts". Under the Government of India Act, 1935 (Chapter 5, Sections 91 and 92), these areas were re selected as "excluded areas" and "partially excluded" areas. According to these provisions, control over these areas was retained by the Indian Government and was not given to parliamentary institutions. While the executive authority of the provinces extended to these areas, the law provided that no act of the federal legislature or of the provincial legislature would apply to these areas unless the governor by public notification so directs. The governor could also direct that such acts be applied to those areas subject to such exceptions or modifications as he deems fit; and the governor exercised these functions at his discretion.[54]

Under the Government of India Act, 1935, the hill areas of Assam were dually classified as Excluded and Partially Excluded Areas. The Lushai Hills (now Mizoram) the Naga Hills (now Nagaland) and the North Cachar Hills were under the excluded areas, over which the provincial ministry had no jurisdiction. Expenditure incurred in these hill areas was also not voted by the provincial legislature because there were no representatives from these hill districts. Not only this, even no federal or provincial legislation extended to the districts automatically. On the other, the Khasi and Jaintia Hills, the Garo Hills (all the three now forms a state of Meghalaya), and the Mikir Hills were categorized as partially excluded areas. These districts had five representatives in the Assam Legislative Assembly but in the Garo Hills and the Mikir Hills, the franchise was limited to the traditional village headmen.

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[54]Sixth Schedule', in the Constitution of India (as amended up to 1 June 1996), (Government of India: Ministry of Law, Justice and Company Affairs), 1996, pp. 151–64.

Briefly, these areas were administered by the state government subject to the special powers of the Governor.[55]

This, in fact, did not change the administrative machinery of the districts. In effect the 1935 Constitution did not afford local self-government or political autonomy to the hill tribes of the excluded and partially excluded areas to manage their local affairs according to their own genius and ability. No political activities of any kind in these districts were permitted. There was also no political entity, which could voice the people's aspirations and grievances. The British Superintendent and the local chiefs in most of the districts of the excluded areas used to rule the people as virtual dictators. After Independence, there were demands for regional autonomy and better status within the constitutional framework from the tribes of the hill areas of Assam. The Interim Government of India in 1947 was sensitive to the political aspirations of the tribal people of the hill areas of Assam in the backdrop of assurances given by the outgoing British rulers.[56]

In order to ensure their participation in decision making and management of the affairs and safeguarding tribal interests, the government appointed a Sub-Committee of the Constituent Assembly – the North-East Frontier (Assam) Tribal and Excluded Areas Committee – under the Chairmanship of Gopinath Bardoloi, Chief Minister of Assam. The Bardoloi Committee made a spot assessment of the demands and aspirations of the hill tribes and submitted its recommendations for a simple and inexpensive set-up (District of the tribal areas, which were later accepted and incorporated into the Article 244 (2) of the Sixth Schedule of the Indian Constitution. The Bardoloi Committee also made provision for Regional Council for the tribes other than the main tribe. This

[55]ibid
[56]Baruah. Sanjib, Durable disorder, understanding the Politics of North East India, Oxford University Press, New Delhi,2005,pp.189-192.

scheme sought to build up autonomous administration (District Councils and the Regional Council) in the hill areas of Assam (United Khasi-Jaintia Hills District, Garo Hills District, Lushai Hills District, Naga Hills District, North Cachar Hills District, and Mikir Hills District) to enable the tribal people to preserve their traditional way of life, and safeguard their customs and cultures.

Further, the Committee also recommended the abolition of the excluded and the partially excluded areas and representation of the hills districts in the legislative Assembly on the basis of adult franchise. It expected the state and the central governments to help the tribal's in securing the benefits of a democratic, progressive and liberal constitution of the country. After the Indian Constitution was brought into force, the Government setup an Interim Tribal Advisory Council in each hill district and also considered necessary the participation of the tribal representatives in the administration of the areas, even during the interim period pending the formation of the District Councils.

The councils had no constitutional basis and the councils used to advise the District Superintendent/Deputy Commissioners on various administrative problems and development schemes of the district. Thus, such pattern of involvement became an exercise for the hill tribes in matters of their self governance. Under paragraph 2 of the Sixth Schedule to the Indian Constitution, the Government of Assam farmed the Assam Autonomous District (Constitution of District Councils) Rules 1951 and the Pawi-Lakher (Constitution of Regional Councils) Rules, 1952 for the autonomous region in the Lushai Hills District.[57]

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[57]Kom Ch. Sekholal and Brahma Chintu, "Sixth Schedule: Negotiating Ethnic Autonomy Discourses in Northeast India", *The Journal of African & Asian Local Government Studies,* 2012, p.32.

Accordingly, the District Councils and the Regional Councils were constituted in 1952 and 1953 respectively. After the Mizo Hills was elevated to the status of the Union Territory of Mizoram in accordance with the North-Eastern Areas (Re-organisation) Act, 1971 the Mizo District Council was abolished in 1972. The Pawi-Lakher Regional Council which was constituted for the Pawis, the Lakhers and the Chakmas, was also trifurcated into three District Councils in 1972 under the provisions of the said Act. Similarly, but with differing autonomy provisions, the Government of Manipur as per the provisions of the Manipur (Hill Areas) District Councils Act, 1971 passed by the Parliament also constituted six Autonomous District Councils for the tribal people for the hill areas of Manipur. These councils were however outside the purview of the Sixth Schedule. Presently, there are eighteen District Councils in Northeast India– five in Assam, three in Meghalaya, three in Mizoram, one in Tripura and six in Manipur. Here, it is interesting to note that the Nagas, for whom the Sixth Schedule was mainly engineered, having a state of Nagaland curved out in their favour have disclaimed the existence of such councils in their state.[58]

The Constitution of India has incorporated several special provisions to preserve the ethnic, cultural and religious identity of the people and to maintain the demographic diversities of the North Eastern region: The recommendations of the Bordoloi Committee made provisions for Regional Councils for tribes other than the main tribe, in the North Eastern region.[59] The scheme sought to build up autonomous administration (District Councils and the Regional Councils) in the hill areas of Assam. The provision for a District Council was incorporated into the Article

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[58]ibid
[59]Prasad, Dr. R.N. 'Dialogue', *Astha Bharati*, October-December, Volume 6, No. 2, New Delhi, 2004, p.1.

244 (2) of the Sixth Schedule of the Constitution on accepting the recommendations of the Bordoloi Committee.[60]

Created on the 17th November 1951, the district of United Mikir and North Cachar Hills was formed under the provisions of the Sixth Schedule to meet the aspirations of the Hill tribes by providing them with adequate opportunities for their socio-economic and cultural development. The North Cachar Hills Autonomous Council renamed as Dima Hasao Autonomous Council may be described as a "State in miniature" having all the components of a Government like Legislative, Executive and Judiciary. It has full autonomy to legislate and administer the subjects like land, revenue, primary education, customary laws etc. assigned to it under Sixth Schedule of the Constitution of India. The Dima Hasao Autonomous Council consists of 28 seats where 10 seats are for the MDCs and the other 18 are for the MACs and the main powers and functions are as follows:

Legislative functions: The District Councils have powers to make laws for allotment, occupation, use of land, other than reserved forests for purposes of agriculture, grazing and other residential and non-residential purposes; management of unreserved forests, use of water courses and canals for agriculture purpose, regulation of shifting cultivation, establishment of village councils and town committees, administration of village policy, public health and sanitation, appointment and succession of chiefs or headmen, inheritance of property, marriage, divorce and social customs, money lending and trading by non-tribals within the autonomous districts.

The Governor has power to alter laws or rules passed by the District Councils, which are in violation of the provisions of the

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[60]ibid.p.1

Sixth Schedule. The Sixth Schedule thus makes the Governor the head of the Autonomous District Council.

Executive Functions: The District Council has the executive powers to construct or manage primary schools, dispensaries, markets, cattle pounds, ferries, fisheries, roads and waterways. It also prescribes the medium of instruction and manner of education in primary schools within its jurisdiction. The District Council has no legislative or regulatory power over the latter subjects.

Judicial Functions: Para 4 of the Sixth Schedule entitles the Council to constitute Village and District Council Courts in the autonomous areas to adjudicate or try cases or customary laws in which both the parties are tribals. The District Council Court and the Regional Council Court are courts of appeal in respect of all suits and cases tried by the Village Council Courts and the Subordinate District Council Courts. No other court except the High Court and the Supreme Court of India have jurisdiction over suits and cases decided by the Council Courts.

Financial Functions: The District and the Regional Councils are responsibility for framing rules for the management of finances with the approval of the Governor. They are also given mutually exclusive powers to collect land revenues, levy and collect taxes on lands, holdings, shops, entry of goods into market and tolls etc within their respective jurisdictions. But the District Council has the concurrent power on the professions, trade, callings, employments, animals, vehicles and huts, tolls on passengers, and goods carried in ferries and maintenance of schools, dispensaries or roads. Under para 9 of the Sixth Schedule, the royalty on the licenses or leases for the extraction of minerals in the autonomous districts goes to the District Council. As regards the tax on motor vehicles is assigned and collected by the State Government on

behalf of the District Council. Grants-in-aid, loans and advances etc from the state government, constitute other sources of income of the Councils. They may be extended there with such exceptions and modifications as are considered necessary by the District Regional Council concerned.

For the convenience of administration, the United Mikir and North Cachar Hills District was bifurcated in 1970, and thereafter two districts came into being, namely North Cachar Hills (now Dima Hasao) and Mikir Hills.[61]In order to understand the relevance of the system of diversity management through autonomous councils in the present political landscape of the North Eastern region especially in Assam, we need to understand how the other two autonomous district councils apart from the Dima Hasao Autonomous Council formed on the basis of the Sixth Schedule[62], namely the Bodoland Territorial Council (BTC) and Karbi Anglong Autonomous Council (KAAC) have fared, in Assam.

Keeping in mind the impracticability of horizontal autonomy in the form of granting separate states based on ethnic or linguistic lines, the Sixth Schedule in the Northeast was framed basically to meet the competing demands of the ethnic minorities' aspirations for self-governance. Essentially, it was an instrument of decentralizing powers and recognizing the rights of tribal self rule.

The autonomy package under the Sixth Schedule of the India Constitution is embedded with the idea of decentralization from the existing state structure in one way or the other. This special arrangement was first made during the British rule in 1915 and

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[61] ibid p.p 3-5
[62] Dima Hasao Autonomous Council was previously known as North Cachar Hills Autonomous Council. The nomenclature was changed in the year 2011.

later included under the Sixth Schedule of the Indian Constitution in Article 244(2) and 275(1).[63]

The Autonomous Councils, based on the Sixth Schedule, were initially formed to protect the culture and life of the tribal communities. To that end, they have seen a measure of success. But, it has been found to be lacking immensely as an autonomous entity working towards fulfilling the aspirations of the tribal communities. Assam has many numbers of autonomous councils in the north Eastern region of India. This is clearly evident in the fact that other than the three Territorial Councils based on the Sixth Schedule namely BTC, KAAC and DHAC--there are six other Tribal Autonomous Councils—Mishing Autonomous Council, Rabha Hajong Autonomous Council, Tiwa Autonomous Council, Deori Autonomous Council, Thengal Kachari Autonomous Council and Sonowal Kachari Autonomous Council, which have been formed purely on the basis of political dispensation to determine the sentiments of the communities.[64]

The above mentioned autonomous district councils may be described as a "State in miniature" having all the characteristics of a Government like Legislative, Executive and Judiciary. It has full autonomy to legislate and administer the subjects like land, revenue, primary education, customary laws etc. assigned to it under Sixth Schedule of the Constitution of India. Significantly, the most significant political development in the history of Assam in containing ethno-nationalist tendency is the formation of Bodo Territorial Council in 2003[65].

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[63]ibid
[64]Kom Ch. Sekholal and Brahma Chintu, "Sixth Schedule: Negotiating Ethnic Autonomy Discourses in Northeast India",*The Journal of African & Asian Local Government Studies,* 2012, p.32.
[65]Prabhakar. M.S, "Territories of fear", *Frontline*, 20:24, November 22, 2003

The BTC is a territorial advantage established according to the Memorandum of Settlement of February 10, 2003. BTC came into existence immediately after surrender of Bodo ethnic militants known as Bodo Liberation Tiger Force (BLTF) under the leadership of Hagrama Mohilary. The area under the BTC jurisdiction is called the Bodo Territorial Autonomous District. [66] As mentioned, the Autonomous District Council, have served as a modality or instrument of managing diversity in a multi ethnic diverse society in Assam. Apart from the Sixth Schedule, the Constitution of India exclusively grants autonomy through District and Regional Councils to the tribal/ethnic groups of Northeast India.

The institutional structures of autonomy in the forms of District Councils and Regional Councils provide an opportunity to the respective tribal groups to maximize their claims of identity, rights and control. However, this form of autonomy is physically linked to other institutions or layers of federal governance in terms of sharing of power, responsibilities and self-governance.

This exercise of empowering local community through the federal institutions and sharing of power and responsibilities is worth a mention. Autonomy arrangements in the Northeast have been designed to meet the ethnic aspirations of groups in the region. Though the ethnic question in the region has not been permanently resolved, there could have been more difficulty without those arrangements to manage the complex case of accommodation of ethnic diversity.

The working of the District and Regional Councils in the Northeast as federal institutions of autonomy and self rule has its own dynamics and problem; it has also strengthened the untreated inter-linkages with other parts of federal institutions, which, in

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[66]ibid

turn, offer opportunity for diversity management. Though the power and functions of various autonomous councils vary, yet it is expedient in providing autonomy within the framework of the Constitution. In spite of these limitations underlying the provisions of the Sixth Schedule this is also true that the District Councils and the regional councils provided under the Sixth Schedule have provided a fair degree of autonomy for the tribal people living in Assam, Meghalaya, Manipur and Mizoram.

Structurally, the Sixth Schedule is considered to give leverage to nondemocratic forces since it is based upon two constitutional bedrocks having contrasting loyalties. Firstly, the village authorities or village council under the leadership of the Village Chief (s), which is based on kinship relations; and secondly, the district council(s), which is based on territorial loyalty and, which in turn operates according to the principle of democratic citizenship.[67]

The objective of setting up the administrative authority is to provide maximum possible autonomy within the framework of the Constitution of India for social, economic, educational, ethnic and cultural advancement of the people in the region. On the other hand, the aim is to provide administrative authority in the name of respective councils for certain matters incidental thereto and connected therewith.

So far as decentralization and local autonomy are concerned, the sixth Schedule should be the present standard. Ironically, the autonomous councils constituted by the state governments do not enjoy all the powers available under the Sixth Schedule.

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[67] For related discussion see S.K. Chaube, 'Tribal Societies and the Problem of Nation-building,' in B. Pakem(ed.) 1990, Nationality, Ethnicity and Cultural Identity in North-East India, New Delhi: Omsons Publications

Despite the massive success of autonomous councils in the region, different groups in Northeast India specifically in Dima Hasao district of Assam continue to demand for bifurcation of district and the creation of new states in their favour. Basically, this is because most communities in the region are under the impression that an adequate share of political power is a necessary condition for retaining their socio-cultural identities and development, not to mention the degree of alienation on the other. Thus, these cultural and developmental aspirations, though legitimate, are often exclusively guided by administrative demands for self-governance in comparison with ethnic areas. It is because of these phenomena that ethnic co-existence; conflicts over land and territoriality continue to disfigure the region with unending unrest.

In view of the historical factors that gave rise to the Sixth Schedule, the provision means autonomy capable of allowing the tribal communities to exercise self- governance and constitutional safeguards to protect their distinctiveness. In other words, these Councils are meant to devolve judicial, legislative, executive and financial powers to those upon whom it is conferred. However, the administrative logic that decreed autonomy under the Sixth Schedule is naïve and self-defeating as there was no autonomy in the real sense of the term. Particularly, legislative and financial autonomy is put under the scrutiny and authority of the state government. Thus the drawbacks and incapacities associated with the Sixth Schedule require immediate reformulation.

To manage ethnic diversity effectively in an ethnic diverse and domestic multicultural environment, we need to recognize the differences and learn to use them to our advantage, rather than either attempting to ignore differences or simply allowing differences to cause problems. They must be entitled and honoured

with every possible opportunity by the government to enable them to participate themselves in governance.

Decentralized autonomy is important rather than merely accepting that the existing federal structure as the most important explanatory variable in understanding the different intensities and aspirations of diversity. However, in view of the ethnic settlements, it is difficult to state that ethnic federalism or autonomy would be capable of serving the urges and claims of ethnic communities. Yet, in situations where meaningful decentralization or transfer of grass-root governance is ensured, minorities may feel a sense of security and be enabled to promote their own culture and identity. Attachment to the land where they have been living for generations is an important socio-cultural reality. The issue of satisfying the cultural, social and, more importantly, political aspirations of these various ethnic groups needs to be adequately addressed.

Effective elected local government is an important foundation for democracy. Thus, there is a need to evolve an inclusionary public philosophy that not only emphasizes pan-Indian unity, but also ensures institutional accommodation to its ethnic communities. In view of the ethnic contradictions among the people of these regions, a serious rethinking of the current political arrangements needs to be undertaken. Decentralization needs modification and change in order to enhance people's involvement in the governance which in turn might considerably decrease forceful urges and minimize aggressive politics. Only then a true autonomy, based on shared sentiments and feelings could develop. However, if the state and dominant groups in a district continue to discriminate and remain non-accommodative to the marginalised ethnic groups, ethnic movements may intensify which may seriously exacerbate ethnic co-existence, particularly if they see no space in the emerging polity.

In spite of the successful working, the provisions of the Sixth Schedule suffer from certain short-comings and defects. There is no provision for coordination of the activities of the District Council, the Regional Council and the State Government. The State has no power to review and assess the working of these councils except to approve their legislations by the Governor and to sanction loans and grants for development schemes. As a result, the councils do not surrender the unspent balances of the grants to the State Government. They transfer the amounts for other purposes without proper sanction. Besides lacking expert inputs in developmental matters the leaders of the District Councils do not take interest in plan formulation, schemes and its monitoring at the micro level effect. The Councils have failed to uplift the poor masses.

The councils are unable to play any significant role in strengthening the planning process at the micro level. As a consequence, the councils have neither been able to do anything of standard in the interest of hill masses nor to involve the poor tribes in development activities either as beneficiaries or as decision makers on any significant scale. In fact, it is shown that the councils have harmed interests of the poor tribes. Within the councils, over a period of time, due to large development funds available, a nexus has emerged between the neo-rich middle class or classes or rich traders, contractors, bureaucrats and educated, who have emerged from within the tribal society of north east India. This emerging socio-economic power structure in the tribal areas does not allow the benefits of the sixth Schedule to flow down to the weaker section of the tribes.

The elected members in councils and the office-bearers, who are normally from the elite group of tribal society, have vested interests in preserving the exploitative structure and have created

a class which has cornered all the privileges. They have under minded the purpose of the Sixth Schedule to build a democratic edifice for the Councils. The Sixth Schedule has become an alibi for social freeze serving the few at the cost of majority.

It is clear that the power structure, which exists today in our tribal areas, is likely to exploit the poor with or without Fifth and sixth Schedules. If the benefits of the Sixth Schedule have to flow to the poor and if the poor are to be empowered democratically, it is necessary that their position is strengthened by efficient public distribution system (seed banks, grain banks and social security measures), right to work to the tribesmen so as to ensure them minimum employment and incomes to live on, redistribution of assets in favour of the poor by implementing land reforms, and encouraging the role of development bureaucracy and voluntary agencies in rural development.

It is further suggested to get the tribesmen of the Sixth Schedule areas involved in development decision-making and implementing process/powers by extending the provisions of the Constitutional (Seventy Third and Fourth) Amendment Acts, 1992 relating to Panchayats and Municipalities to both the rural and the urban areas of the District Councils.

On the contrary, ethnic diversity would be managed if autonomy ensured by Sixth Schedule functions effectively. No doubt, sixth schedule has been implemented in various district of Assam but the working of the sixth schedule as implemented by the Constitution to the Dima Hasao district of Assam can be well analysed from the changes that have taken place in the district which is well explained in the next chapter.