

# Editorial

Thursday, December 5, 2019

## Confusing the constitution

"WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation".

It is this preamble that the nation's constitution was framed 395 articles in 22 parts and 8 schedules at the time of commencement. At present the nation's constitution consist 448 articles in 25 parts, 12 schedules, 5 appendices and 98 amendments. All amendments are done under the preamble.

The equality mention here envisages that no section of the society enjoys special privileges and individuals are provided with adequate opportunities without any discrimination. All are equal in front of law. The word secularism which was added later says that India is a country where any citizen can choose any religion.

Article 14 which stated that all citizens are equal before law and that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India and also prohibit discrimination on grounds of religion, race, caste, sex or place of birth.

The Citizenship (Amendment) Bill, 2016 is the direct violation of this Article 14 of our constitution.

When it comes to the state of Manipur it is already a known fact that Protected Area Permit System which had been imposed in the state has been lifted but continues for foreign tourist from Afghanistan and China. When the country restrict tourist from Afghanistan in visiting the state of Manipur, what actually is the agenda of accepting the illegal migrants base on religion from Afghanistan be granted citizenship for those entered before December 2014.

A concept - illogical to Foreigners' Prohibition Act.

Well on the issues about the illegal immigrant - many times, the state of Manipur was put under turmoil with people protesting urging the government for framing of legislation. The influx of illegal immigrants had already threatened the existence of the indigenous communities of the state. During early eighties, student bodies upraised and the state was put under turmoil with the protest reaching its momentum. The agitation was settled only after signing of an agreement with the government of that time and then representatives of the All Manipur Students' Union, however the unfortunate part is that the content of the memorandum signed between the two have never been converted into reality.

To the leaders of the BJP both at Centre and State - 'Manipur was burnt 2001 when there was a BJP led government in the centre. And this time too when BJP is at the Centre Manipur is likely to burn with another sentimental issue. Make sure that the ugly party of the BJP doesn't return to this state which was once an erstwhile Kingdom in Asia. Or else people might not have other option to undergo beyond expectation.

## Assam Rifles recovers drugs worth more than Rs 150 crores in a single day in Manipur

IT News  
Imphal Dec.5

In a major breakthrough, a joint team of Assam Rifles and State Police recovered a large quantity of drugs in two separate operations in the state in a single day.

On the first instance, based on specific information an operation was launched by troops of Assam Rifles in Sada Kumbi area in Thoubal district. During the operation, two individuals identified as Wungreingam Awngshui and Ning Khan were apprehended, both the apprehendees confessed to their involvement in illegally running underground processing lab in the area and further supplying drugs to the youth of Manipur and

Nagaland. During detailed search, the joint team recovered approx 41.3 Kg of Heroin Brown Sugar (Solid), 10 liters of Morphinated (Liquid), Rs 2.8 lakhs cash and drug processing equipment. The assessed value of the recovered drugs is more than Rs 150 crores.

In another operation 02 December at Khudengtabi, troops of Assam Rifles intercepted a suspicious White Coloured Swift Car driven by Mr Md Amar Shah, age 24 yrs, r/o Monjing Wangmatba. After a thorough check of the vehicle, the team recovered 40,000 WYI tables valued at more than Rs 1.2 Crore. The apprehended individuals and the recoveries have been handed over to the Police for further investigation.

### Corrigendum

Apropos to an article published in this newspaper on September 6, 2019, under the heading "Wakatchaba", I, on behalf of this newspaper do hereby tender my apology if, the writing really hurt or damage the reputation of some persons, but the content of the article is not understandable with the language of this newspaper and it was erroneously published on advertisement basis. Once more we do tender our apology to whoever is affected by the advertisement and names mentioned in that item is not related with the news policy of this newspaper.

Regards,  
Editor

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# Remembering Dr. B.R. Ambedkar: A Discourse on Tribal Justice & Legacy of Ambedkarism



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*"Justice has always evoked ideas of equality, of proportion of compensation. Equity signifies equality. Rules and regulations, right and righteousness are concerned with equality in value. If all men are equal, then all men are of the same essence, and the common essence entitles them of the same fundamental rights and equal liberty... In short justice is another name of liberty, equality and fraternity."*

~ Dr. B. R. Ambedkar

As we can see that from the mid-19th century onwards, the British Raj invested a lot of intellectual energy and material efforts attempting to explore and understand the mystery of caste and tribe, leaving behind humongous amounts of scientific records written by anthropologists, ethnologists, military officers, administrators and adventurers in India many of which were based on their direct experiences and field research. These texts primarily explain the dominant narrative that was prevalent around that time, when ideas such as the "martial race theory", the "inward migration theory" and the "original inhabitant theory" were explained through the lens of Victorian anthropology and Political kaleidoscope. It was the time when the politics of 'Ethnic Identity' and notion of 'Tribal Nations & Nationalism' was taking its primary shape. The census exercise, which involved enumeration of vast bodies of people starting in the 1880s, was a direct result of the intellectual imprints and multidimensional transitions then recorded in the world of the 'unknowns'. In the 1920s, categories of caste, tribe and religion were broken up into smaller categories, which to this day influence politics in the subcontinent to great extent.

The Indian Constitution recognized two social groups as especially disadvantaged: the scheduled castes, known in everyday language as Dalits; and the scheduled tribes, commonly known as Adivasis or Tribals. Both groups are extraordinarily heterogeneous in their composition; divided by language, clan, religion, and forms of livelihood. There is absolutely nothing in common between a Matang in Maharashtra and a Jatav in Uttar Pradesh, except that both can apply for a government job under the 'SC' quota. There is absolutely nothing in common between an Irla in the Nilgiri Hills of Tamil Nadu and a Gond in the Mahadeo Hills of Madhya Pradesh or Garo from Garo Hills, except that they can apply for a government job under the 'ST' quota. However, something that can bring the members of Scheduled Castes and Scheduled Tribes together on a single platform is a social condition that they have been subjected to, the suffering that they share and the discrimination that they witness in the larger political, social, cultural, religious spectrum of India. These broken men of India who were the victims of the system saw the light of liberation when Dr. B.R. Ambedkar's strong and promising voice echoed in their dark ghettos.

Dr. Ambedkar's battle was against the systematic oppression that sanctioned and sanctified by religion. His battle was quite unique in the sense that he had to fight with the British oppression as well as oppression that predominantly exist in Indian society at the behest of Hindu religion. Owing to the situation that was ALSO prevalent during the days of Ambedkar since thousands of years; the tribal as well as dalit communities both have equally been made the victims of discriminatory practices as well as inhuman treatments and atrocities.

Dr. Ambedkar clearly identified the social, economic and political backwardness of tribal communities. He observed that Tribals are the sovereign people in themselves living free life without any external influence from outside society since time immemorial. They used to have absolute autonomy over their land, forest and all natural resources however; these privileges were lost when Britishers arrived with their so called "civilized" laws and hostile rules and regulations against the interests of the tribal population.

The role that East India Company played in violating the rights of the poor tribals with the Barrel of the Gun was unparalleled in the modern history of India. Company not only exploited their labour but also looted their natural resources-the wealth that the tribals have inherited from Mother Nature. Economic exploitation was a major feature of Tribal policy of British government. They constructed roads; railways to transport raw materials from the virgin forests of India back home to England. The sterling pound got its strength from the wealth of India looted by British Raj. Moreover, the so called non-tribal, high caste, socially and politically privileged civilized population infested with the notion of caste supremacy never gave equal social treatment to tribal aborigines, as forever they remained "impure savages", "Junglees", "Demons" (Rakshasas, Asuras) in the eyes of caste-ridden Indian society. The Tribal population in the north east part of India too could not escape from the axe of inhuman discriminatory practices like that of 'Untouchability'. In the then Kingdom of Manipur when the valley people Meites (who were originally Animists) started converting to Hinduism under the influence of a Hindu Priest named Shantidas Gosai in 18th century not only their religious rituals and understanding about the divinity changed but also their social fabric which was free from the notion of discrimination and social stratification also affected, moreover, their relationship with the Hill People (The Nagas) have dramatically transformed as they started to consider and treating them as 'impure' or 'untouchables'. Further, it is pertinent to note that intermarriage between the people of valley and the hills had been practised in Manipur. The Kings of both valley and the hills had wives from both the places which supply concrete evidence as to the absence of any discriminatory practices like untouchability which became widespread and turned out to be an integral part of the culture only after the arrival of the Hinduism in valley. Similar kind of instances has been found in case of relationship between the Nagas of the then Naga Hills and the non-tribal people from the plains in the nearby regions. Dr. B. R. Ambedkar was fully

aware about the social, political, cultural, religious and economic realities, historical facts and the social status of Tribals in India. He knew that Tribal population was never safe in British Raj and will never be safe in independent India unless and until their rights are properly secured in the steel frame of the Constitution of India. The understanding of Dr. Ambedkar about the 'truth' of Tribals especially that of the northeast India can be understood from one of his speeches that he delivered as a Chairman of the Drafting Committee at Constituent Assembly. While replying to the debate on the discussion on the constitutional fate of the tribes of northeast Dr. B. R. Ambedkar, Chairman of the Drafting Committee of the Constituent Assembly vehemently argued: "..... The tribal people in areas other than Assam are more or less Hinduised, more or less assimilated with the civilisation and culture of the majority of the people in whose midst they live. With regard to the tribals in Assam that is not the case. Their roots are still in their own civilisation and their own culture. .... Their laws of inheritance, their laws of marriage, customs and so on are quite different from that of the Hindus. I think that is the main distinction which influenced us to have a different sort of scheme for Assam from the one we have provided for other territories. In other words, the position of the tribals of Assam, whatever may be the reason for it, is somewhat analogous to the position of the Red Indians in the United States, as against the white emigrants there. Now, what did the United States do with regard to the Red Indians? So far as I am aware, what they did was to create what are called Reservations of Boundaries within which the Red Indians lived. They are a "Republic" by themselves. No doubt, by the law of the United States they are citizens of the United States. But that is only a nominal allegiance to the Constitution of the United States. Factually they are a separate, independent people. It was felt by the United States that their laws and modes of living, their habits and manners of life were so distinct that it would be dangerous to bring them at one shot, so to say, within the range of the laws made by the white people for white persons and for the purpose of the white civilisation. I agree that we have been creating Regional and District Councils to some extent on the lines which were adopted by the United States for the purpose of the Red Indians." By looking into the fundamental truths of the conditions of the Tribals Dr. B.R. Ambedkar drafted 5th Schedule for the provisions related to the administration and control of the scheduled areas and scheduled tribes and 6th schedule to deal with the administration of tribal areas in the four northeast states of Assam, Meghalaya, Tripura, and Mizoram. 6th Schedule also constituted Autonomous District Councils and Regional Councils with powers to makes laws for management of land, forests, jhum cultivation, appointment or succession of chieftain or headman, social customs etc. Further subsequent to these special provisions, Art. 275 (1) of the constitution provides for grant-in-aid from the central government to the state for promoting the welfare of the scheduled tribes and the development of scheduled areas. Also, Art. 244 in part X of the

Constitution extends special system for protection and administration for certain areas designated as scheduled areas and tribal areas. Moreover, Dr. Ambedkar observed that it is not sufficient to protect the natural rights of indigenous tribals over their own life and natural existence, however they must also be protected from the social discrimination and atrocities and should also be provided with guaranteed growth trajectory for economic independence and progress so that they would not merely be instruments in the hands of majority of population and therefore, to secure the life and dignity of the Tribals Dr. Ambedkar made a provision for Scheduled Tribes Commission and sealed the fate of tribals securely by virtue of article 342 of the Constitution. Further, provisions regarding Fundamental Rights (Art. 12-35), Directive Principles of State Policies (Art 36-51) also became instrumental in securing the rights of Tribals. Apart from these special provisions, Babasaheb also made necessary provisions for the political as well as social representation of Scheduled Tribes by virtue of ingrainng Affirmative action policy in the constitution which is also known as 'Reservation Policy' in India. Owing to the Constitutional Justice delivered by virtue of Affirmative Action policy the doors to Social participation, Education, Administration and the Political Power has been opened for Tribal people who have been treated lesser than the animals by the discriminatory cultural practices of Indian society.

While addressing to the problems of Tribal population government of India adopted three approaches namely Isolationist approach, Assimilation approach and Integration approach. However, none of the approach completely worked because the people in the centre were never in the position to understand complex problems of the complex tribal societies inhabited in different parts of India since time immemorial. There is an evidence to prove how the Tribals were subjected to the cultural hegemony by getting exposed to the alien culture and practices unknown to them which resulted in mass conversion from erstwhile animistic belief system to some mainstream religions. Conversion of Tribals might have opened the doors to 'modern' world to them, however that did not help them to break the invisible chains of slavery and insult and walk the road to reach the desired destination. What religion could not do, Constitution of India has done to some extent. Acts like Scheduled Caste/Tribes (Prevention of Atrocities) Act 1989 has provided necessary armour to the 'Broken Men' of India, which not only instil confidence in them but also developed necessary fighting spirit. The dark evil of untouchability and perpetual social humiliation was destroyed and permanently annihilated by Art. 17 of the Constitution of India. It was all made possible due to only one man that is Dr. Bhimrao Ramji Ambedkar who is fondly known in every corner of the world as 'BABASAHEB'. Whenever the discourse on Constitution of India is initiated the question regarding the actual contribution of Dr. B.R. Ambedkar is often raise by 'Manuvadi' brain.

(To be Contd.)