

Editorial

Monday, January 14, 2019

No Shield for Manipur against the Citizenship Bill

The Citizenship (Amendment) Bill will make the Manipur People's (Protection) Bill, 2018 (henceforth the People's Bill) a painful joke. The faint-hearted position taken by the State government is stated in its press release dated January 10, 2019. It is a matter of shame that the government is taking the issue lightly at the cost of our future.

Also, the State Cabinet's decision to urge the Centre to give assent to the People's Bill is a face saving act in the wake of passing the controversial Citizenship (Amendment) Bill (henceforth the Citizenship Bill) in the Lok Sabha. Before, the State government fell into deep slumber since the passing of the People's Bill on July 23, 2018.

Surprisingly, State government is calling for exemption of Manipur from the jurisdiction of the Citizenship Bill. Every thinking soul will find it difficult to digest. It looks more like a political farce. Probably, lack of clarity on the part of the officials is adding fuel to the fire. Or, it is a game of puppetry driven by wrong judgement in New Delhi. If timing is important, Prime Minister Modi's visit to Imphal carries a message open to interpretation.

The People's Bill is not a shield behind which Manipur can hide. It does not stop anyone who will visit Manipur with identity cards or such other documents to prove the person as bona fide citizen of India. In this context, additional population from India's neighbouring countries could take advantage of the Citizenship Bill to look for opportunities across India including Manipur.

The Bill will only empower the State authorities to register non-Manipuri People visiting the State and issue pass accordingly to regulate their entry and exit. A pass with a cost to discourage dumping of population may be considered. Nevertheless, identifying the bona fide citizen of India will remain a loophole for forgery and backdoor channels are common.

Passing of the Citizenship Bill means more people coming to Northeast India and acceptance of those already living there. The Centre has failed to implement the Foreigners Act, 1946 and Passport (Entry into India) Act, 1920 to detect and deport a large number of illegal immigrants living in the country. The Citizenship Bill will take a U-turn instead. It is a well known fact that demographic threat has been driving political movements in Northeast India including insurgency.

The State government's position on the Citizenship Bill is an insult to the indigenous peoples' movements in Northeast India. It questions the sanctity and rationale of the 1985 Assam Accord and the National Register of Citizens (NRC). It makes a mockery of the demand for a permit system in Manipur as well. Happy-go-lucky attitude of the government is a major setback for the state and the region as a whole.

Instead of opposing the controversial Bill, the government is referring to mere apprehension in the minds of the people about the State getting flooded with a large number of illegal immigrants and foreigners from neighbouring countries. In fact, the issue of illegal immigrants is a reality we have seen in Northeast India, not just an apprehension.

Moreover, official corruption and vote bank politics are rampant in the State itself. The position taken supports the Centre's attempt for an electoral surgical strike before the upcoming assembly elections in many states. In the process, the State government will join the Centre in opening the floodgates of immigrants. This indifferent attitude underscores the political impotency and inability to analyse the issue critically.

First, the Citizenship Bill is communal. Moreover, the Bill will put more pressure on land and resources in Northeast India. Even in states where land rights are restricted only to the native peoples, the extra population will add more burdens as far as economic activities and employment opportunities are concerned. More candidates competing for jobs will cost the ethnic minorities.

Meanwhile, the fear of big corporations grabbing land and natural resources has increased in the wake of the North East Development Summit 2017. The People's Bill merely prohibits non-Manipuri people acquiring of land in Manipur without the consent and sanction of the State government authorities. In October 2018, speaking at the India Today Conclave East 2018, Chief Minister Biren rightly said that it will not bar anybody from buying property or settling down in the State.

With President of India's assent, the Bill will help the State government regulate (or facilitate) land ownership by non-Manipuri people or Multinational Corporation. It clarifies that the People's Bill is not a defensive shield against the Citizenship Bill. In search of a mechanism to shield Manipur from the existing socio-political challenges, the Government of Manipur must add more teeth to the People's Bill and stand firm against the Citizenship Bill.

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N.B. Article sent to Imphal Times which coincides with the editorial policy of this Newspaper are provided space so that the idea and criticism of the writer is the voice of this newspaper

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Citizenship (Amendment) Bill, 2016 : Our Identity and Culture is at stake

By- Rini Kakati

On Tuesday, when I was on my way home after attending a discussion meeting on Brexit at Central London. I had a shock to hear the decision of Rajnath Singh, Union Home Minister to pass the Citizenship (Amendment) Bill, 2016. It will be alarming for the people of Assam as that if the Citizenship (Amendment) Bill is implemented in Assam, it will totally destroy the Assam as we know it and pose a major threat to the Assamese language and culture. But, one small consolation has been offered to Assam - the Centre has approved the proposal to notify six communities from Assam as Schedule Tribes. The communities are Koch-Rajbongshis, 36 Tea Tribes, Tai Ahoms, Morans, Motoks and Chutiyas.

Few years back, Former Union Home Secretary GK Pillai when he said, the Citizenship (Amendment) Bill, 2016 will go against the Assam Accord and the NRC update. In fact, it will turn the highly expensive NRC update process into a totally meaningless effort.

We are saddened by such a move to undermine the needs of the indigenous people of Assam. The Centre do not approve of individual like Dr. Hiren Gohain, prominent Assam academic, Samujjal Bhattacharya, AASU Leader, Akhil Gogoi, KMSS Leader and Manjit Mahanta, journalist who stood up for the cause.

This was predicted by Late Former Governor of Assam Lt Gen SK Sinha as patriot in 1998 that if infiltration of foreigners nationals from Bangladesh is not checked, the situation in Assam would soon be worse than that of Kashmir and even a Bangladeshi national can become the Chief Minister of Assam in course of time. Lt Gen SK Sinha even sent a detailed report to the President of India in November 1998 highlighting the problem along with his suggestions to deal with the problem, but unfortunately, no remedial action was taken.

So, setting up a high-level



committee for the implementation of Clause 6 of the Assam Accord means absolutely nothing in the context of the plan hatched by the Centre. Their intention is to grant Indian citizenship to millions of Bangladeshi Hindus in the Barak Valley who have literally been given a welcome call to migrate to India and to put an end to Assam and the Assamese.

They could do it, knowing our inability to stand our ground against the machinations of other communities due to the poor strength of the Assamese. There is always competition form an ever-increasing number of people from other States settling in Assam. The majority expatriates will come from Bangladesh and they will all make a beeline for Assam which is nearer to their country than any other State of India barring Tripura and Bengal. How can we forget that the BJP came to power in Assam with the promise of implementing the Assam Accord. We all expected Chief Minister Sarbananda Sonowal, who was once a president of the All Assam Students' Union (AASU), to play a major role in implementing the Assam Accord. But he is doing the opposite. That is where we are hurt. Our question is of how far any

political party can go on breaking promises in a democracy without the consent of the people who are about to be directly affected by a newly imposed black law and moral right to take such high-handed draconian steps against its own people? . The upcoming violent protests and demonstrations of anger take us all back to 1979 AASU Movement, when the indigenous people of Assam launched a peaceful and democratic agitation demanding detection and deportation of those millions of East Pakistanis / Bangladeshis.

We have to identify ourselves as Assamese rather than dividing ourselves in various sections in front of the whole nation. AASU, KMSS, AJYP and other organizations must come under one umbrella keeping the greater interest of Assam. Our unity should be intact to send away all moves of the government of the day to decimate us.

Assamese always have to fight for their rights. The rest of the other states could not be bother when Nehru had bid farewell to the people of Assam and the Northeast when the Chinese occupied Bomdila in 1962?

Both Meghalaya and Manipur have

rejected the Bill outright and that even allies of the BJP like the Shiv Sena and the Janata Dal have decided to oppose the Bill. Although they know that the Bill is not going to affect the mainland States of the Indian Union. But knowing the consequences they are aware that this undemocratic and anti-people measures like the enactment of the Citizenship (Amendment) Bill, 2016 could well be extended to any parts of the States and their people.

Our appeal to younger generation not to neglect studies, exams, attending school and colleges in the name of protest: strike, Assam bandh, hunger strike, road blockade etc. In the past we have seen it lost their relevance. Those culminated in wastage of time and energy only.

Now that Dhiren Bezbaruah, Nagen Saikia, Rongbong Terang and Mukunda Rajbongshhi have decided to quit the Centre's panel on Clause 6 of the Assam Accord, we are urging them to arrange a round table conference in Delhi to discuss with the Central Government directly including our Chief Minister and Himanta Biswa Sarma, Finance Minister. Only meaningful discussion and compromise may well get through to them hopefully !

Contd. from yesterday issue

Criticism And Constructive Submission Regarding The Study On Treaties, Agreements And Other Constructive Arrangements Between States And Indigenous Populations

145. Three broad areas offer themselves for conclusions in this submission. The first pertains to the situation of indigenous peoples globally, irrespective of region. It has been clearly demonstrated throughout history as well as in the study on treaties, agreements and other constructive arrangements between States and indigenous populations, that the relationship of indigenous nations and peoples with State entities has been and continues to be unequal and disbalanced against the legitimate interests of the former.

146. The strengthening of the international indigenous movement and development of international forums appropriate to the needs of indigenous peoples for monitoring and resolution of differences with State parties is essential. A strengthening of domestic procedures and municipal laws, in consultation with indigenous peoples concerned would also greatly contribute to processes of equity, justice and resolution.

147. In this regard, the conclusions of the Special Rapporteur and his findings are to be much commended. We especially commend and support his unequivocal position regarding the sovereign nation status of indigenous peoples and their inalienable right to self-

determination.

148. The second area that must be considered is the situation of indigenous peoples of Asia and Africa. It is necessary here to re-iterate that the history of contemporary State formation in these continents requires careful and situation appropriate analysis. Indigenous peoples of these continents are implicated either as direct parties or as third parties to numerous overlapping treaties often as a function of the decolonization process itself.

149. Conflicting claims over territories in this region are common to the history of decolonization. Particularly since pre-colonial configurations of feudal states or indigenous nations with fluid boundaries gave way to a dominance of European type states with rigid and exclusive territorial hegemony.

150. Frequently, European decolonization was barely effected when a coercive or fraudulent re-colonization process was undertaken by successor States. Examples similar to the Manipur case, presented in this response are numerous. Indigenous nations have been traumatically affected by this re-colonization, especially since, in the negotiations between the contemporary states involved territories have been arbitrarily

fragmented.

151. When, as is frequently the case in Asia, the States between which indigenous territories are divided are not on friendly terms, these territories become heavily militarized buffer zones, boundaries excessively policed, subjected to intensive assimilatory processes and targeted for extreme discriminatory practices. International processes such as those practiced by the Saami or Circumpolar Conference appears to be beyond negotiation.

152. In the particular case of Manipur cited in this submission, there is no question but that a process of annexation by a combination of coercive and fraudulent tactics was used to merge this sovereign nation into the Union of India. Any study or assessment of the situation must take into account the cumulative erosive impact of unequal treaties culminating in an annexation that is evidently illegal by indigenous as well as by international law.

153. In addition to the excellent recommendations of the Special Rapporteur, it may be recommended that the Report should be finalized without further delay. However a supplementary study and report on the cases of Asian and African indigenous peoples must be added before it is considered complete.

154. The final version of the study should exclude discussion of the indigenous nation - minority dichotomy. This question has been settled for all practical and ideological purposes by the Working Group and accepted by all indigenous peoples and a substantial proportion of State parties. No constructive purpose can be served by resurrecting this debate.

155. The domestic processes recommended by the Special Rapporteur should go far towards resolving potential or existing conflict between States and indigenous peoples. However, given the historical realities of State - indigenous people relationship there exists an urgent need for the equal participation of indigenous nations as sovereign peoples in all forums of the United Nations in order to internationalize problems appropriate to such a forum. Such a process should be established with minimum delay.

156. The case study on Manipur provided in this submission should be accepted as pertinent and included in the Special Rapporteur's study on treaties, agreements and other constructive arrangements between States and indigenous populations as a representative case from Asia. (Concluded)