

Editorial

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The Bill that haunt the government

If suppose, Mr. N. Biren sit in the opposition bench, Will he support the Citizen Amendment Bill? This is what people from every nook and corner of the state have been asking. Late 90s when Manipur's Territorial integrity was under threat due to the peace talk between a rebel group NSCN-IM and the central government, the present Chief Minister of Manipur Mr. N. Biren Singh, then was the Editor of Imphal based newspaper Naharogi Thoudang, which have the motto "For the cause of Human Rights", strongly advocated that no part of the Manipur's boundary should be distorted to bring solution for a particular armed rebel group. Before he joined politics to contest the election in early 2000, Mr. Biren was the champion in addressing for the safety of the Manipur's unity. He had many times put up issues about the illegal influx of migrants in the state and had always urged the then government for framing of a legislation to protect the indigenous people of the state. He was hard many times about the intrusion of the Manipur's territories by the Myanmar's authority and had always urged the government for a better connectivity.

Well these are history, the day he joint politics to contest election, everything see to be change. Mr. Biren along with R. T. Meinya were elected as a representatives of DRPP, a regional party formed after promising by holding axe at Bir Tidendrait park, from Heingang and Konthoujam Assembly constituency.

How Mr. N. Biren make adjustment with the Indian political system, and how he change form party to party to hold Ministerial portfolio, and how he left the Congress party he had taken major role to become the Chief Minister id another story. As the one time Chief Minister of Manipur Radhabind Koijam had stated "Everything is possible in politics" this writing is not about criticizing about his frequent change of political party. This newspaper felt that changing strategy by changing party to serve the erstwhile kingdom is what a political party is supposed to do.

In March, 2016, When Mr. N. Biren Singh came to power, there was a jubilant cry among the right thinking people of the state. It was because people expect that the one time activist, journalist will certainly do something for the welfare of the erstwhile kingdom which was merged in the the Indian Union in a controversial way. Well and good, Manipur became a part of Indian Union. But the way Manipur become a part of the Indian Union seem not benefitted at all.

During the previous government led by Chief Minister Okram Ibobi Singh various issues plague the state. Students were not allowed to attend schools for many days due to band and blockade, the story of fake encounter killing still hunt, intrusion by Myanmar army in Manipur's territory of India was the talk of the town. There were protest and bandh for most of the time, particularly during the moth of June July and August. Having said so, the character of the erstwhile kingdom was never compromise during those days.

Now When N. Biren Singh was elected and become the chief Minister accidentally, what has been expected have not been converted into action. Border issue is still not settled and instead the government is sided with the Central agency by using all means to make the wrong - Right instead of correcting. The pride of the erstwhile kingdom has been ruined telling the Indian people that Manipur was a part of the Hindustan during dwarka era.

Everybody knows that illegal influx of migrants has been a serious problem since the many decades. All Manipur Students Union had upraised regarding the matter and few years back people's uprising force the state assembly to pass three Inner Line per related Bill, which flare up Churachandpur town. Now against a Bill for protection of the Manipur Peoples' (Protection) Bill was passed by the state assembly but is still yet to get assent from the president. It was at this juncture that the Lok Sabha passed the Citizen Amendment Bill, 2016 on Jan 8.

The Bill not only disregards the secular character of the Constitution of India but is surly going to make Manipur a dumping ground for illegal migrants.

As of now Manipur is in no way protected by any legislation and anytime there are possibility that the Manipuri become minority in the near future.

Last word: We know the chief Minister is serious on this issue but is helpless as his opposition to the Bill would mean removing him from the chair of the top most. May be this might be the region that he tried every means to convince the people that the Bill will not come into force in the state of Manipur, which is in no way possible. It is the people that you are being elected make your stand firm understanding the sentiment of the people. Only then there will be no one who can throw you from your sit.

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

Courtesy Beyond the Horizon
By:-Jiten Yumnam

Native peoples." or peace and social liberation, let us raise the unity and struggle of youth! Council since 1st July 1947 before the lapse of the British paramountcy and since then, I have already remained as a Constitutional Ruler." Clearly, steps were taken in Manipur to transform itself into an autonomous, democratic, modern Asiatic State.

96. The proclamation also stated the people "would rather die unsullied than outlive the disgrace of surrender to any measure that work prejudicial to the preservation of the separate entity of the State, while fostering the good and cordial relations with the Dominion of India." 97. Steps were taken to democratize governance in Manipur, by constituting an elected government and eliminating the power of the monarchy to act independently. The institution of a democratically elected government is to be seen as the first step of the Manipuri peoples to return to indigenous norms and practices of self-governance and self-determination in a modernized context - sovereign peoples' republic. This process was arbitrarily and illegally disrupted by the successor Dominion government of India which itself had not yet engaged in any democratic processes either in developing its constitution or in electoral proceedings. In short, during this period, the successor government of India was an imperialist and colonial government with no differences of structure or in modes of functioning between it and the government it replaced.

98. The sequence of events unequivocally illustrates this. In 1949, the constitutional monarch was invited to Shillong to discuss various matters of mutual concern with the Governor of Assam. He was not permitted to leave or to consult with the State Council until he signed the merger agreement with India. 76. Under the authority of the Governor-General of India (the same authority as the one of similar title during the British paramountcy) an agreement was forced upon the "Maharajah" of sovereign indigenous nation of Manipur on 21 September 1949. Article 1 of this agreement ceded to the Dominion Government full and exclusive authority, jurisdiction and powers for and in relation to the governance of the nation (of Manipur) and agreed to transfer sovereignty to the Dominion Government on the 15 October 1949. 99. The democratically elected State Assembly of sovereign Manipur 102. The report mentions a general description of "a gap left by the nonindigenous colonial political powers" being "filled by population sections whose indigenous (or autochthonous) condition is indisputable by any of today's standards" 79 (emphasis added). This assertion is to be read in the context of the discussion under Chapter II (Some reflections on the minority/indigenous people dichotomy) of his second progress report to the Sub-Commission 80 and the opinion expressed in his first progress report 81 reaffirmed later 82. In the absence of incontrovertible evidence cited to illustrate this assertion, it is impossible to comment on the validity of this finding.

103. However, two points of contention occur here. One is whether a gap was indeed left by decolonization. It is our contention that no such gap existed in the case of indigenous peoples who indeed perceived themselves clearly as competent self-governing nations, and who were evidently so perceived, even

if unjustly deprived of their sovereignty partly or wholly 83. This concept of a gap is unquestionably itself evidence of a colonial perception of the necessity for a European style State. Secondly, whether the modern States that emerged in this alleged gap can be anything other than successor colonial governments, fitting as they have, neatly into their colonial predecessor's shoes. It must be clearly understood that populations indigenous to Asia are not necessarily indigenous to every region of Asia.

Clarifications regarding the character and origins of the Modern State in Asia

104. The Modern State in Asia is radically dissimilar to those of Europe and to those of the Americas and Australia, including New Zealand. The former have been created out of an arbitrary division of colonial territories, frequently forcibly amalgamating a number of pre-colonial States into a contemporary one by colonial fiat at the departure of the European colonialists.

The processes of such State formation are therefore as dictated by European political culture as those of the Americas and Australia. In addition to the amalgamation of pre-colonial states, the post-colonial process has also recolonized indigenous lands and territories of neighbouring nations many of which can clearly be identified by all criteria as indigenous in character, distinct and alien from the dominant mainstream cultures that have orchestrated their assimilation.

105. This group of peoples and nations, with specific characteristics distinct from mainstream civilizations of Asia, form one category that claims indigenous status. Another group of nations claiming indigenous status is that of peoples from territories where European colonizers imported large Asian populations from other regions of Asia, either as labour or to assist in colonial government. These sections have grown in the post-colonial era to positions of predominance in their new homelands, effectively dispossessing and marginalizing the indigenous peoples of those territories. This study, informed by a remarkably Eurocentric view of all Asian or African peoples as forming a large, undifferentiated, perhaps undifferentiable "indigenous" conglomerate, fails to recognize or identify either of these two groups.

106. This is borne out by the Special Rapporteur's statement regarding expansions into adjoining territories, forgetting that such expansions whether natural or otherwise, routinely cover ground larger in area than whole countries in Europe and cross civilizations as vastly different as those of sub-continental India and South East Asia 84. There is moreover a tendency to reject the reality of the political legacy and imperatives of colonialism inherited by successor governments in Asia and to identify these only with those governments comprising persons of European ethnic origin.

Unfortunately, the legacy of European colonialism has been far more than the spread of its race in positions of dominance over the globe. Imperialistic and colonializing trends and tendencies in Asian successor governments, belying their multinational or indigenous claims, are numerous.

107. Many contemporary nations of indigenous origin in Asia, recognized as legitimate successor governments under contemporary international law 85, have not been constituted with the participation and free informed consent of the indigenous peoples or nations whose territories they

have assimilated. Their assimilation of these territories is frequently a direct consequence of the European colonization and de-colonization processes engaged in by European powers. The pattern of this colonization adheres in every detail to the classic pattern described by the study 86.

108. In many instances over Asia, the successor governments and confrontational powers are identical in structure and practice to the European colonial governments they replaced 87. They can by no means claim indigenous status over the entire territories they have assimilated 88. 109. The "pious excuses" 89 found to ethically justify this are equally suspect in the contemporary context of developing countries and states in Asia, though the precise vocabulary may have been modified to conform to current political, economic and social imperatives 90.

Provisions of the government of India for indigenous and tribal peoples

110. The government of India does not recognise indigenous peoples as distinct nationalities of the Indian State. In fact, it denies that any ethnic group is more or less indigenous than any other. In a country the geographical extent of India, with the evident and frequently applauded diversity of cultures and ethnic origin and with its very recent history as a single political entity, this denial is patently absurd and in the demonstrable political, economic and cultural vested interests. Policies of the government and the dominant sections have unequivocally been targeted at assimilation. The resurgence at the highest political and cultural levels of fundamentalist Hindutva and its implications, already demonstrated as aggressively annihilatory and assimilationist, are indicative of this intrinsic bias 91. 111. There is a President of India's list of "Scheduled Tribes". Inclusion in this list of some indigenous peoples as "tribal" has, from inception been derogatory to their rights. While some elements of land protection have been provided these have been minimal, recognizing only usufruct rights. Even these have been violated more than observed 92. 112. Many colonial laws inherited from British governance, ratified with barely any substantive modification, has been imposed on the peoples of India 93. These are especially anathematic and destructive to the indigenous peoples.

113. Inclusion of indigenous peoples in this scheduled list is also selective. A number of peoples, in Manipur notably the Meitei as a whole and a large number of smaller tribes are unlisted. This has resulted in no protection whatsoever for their lands or indigenous institutions. 114. Notably, Manipur, which had held exercised adult franchise with an election before the successor government of India did, was not permitted to hold elections subsequent to the annexation. It was governed as a Part "C" state (Constitution of India) until 1952, when it was declared a Union Territory under the direct governance of Delhi.

115. In 1972, after twenty-three years of suspended sovereignty, following years of demands and violent repression for a government responsible to the people, was Manipur declared a full fledged state of the Indian Union with its own Legislative Assembly. 116. Subsequently the elected government has suffered from immense constraints in acting as a democratic government. The continued massive presence of State military and para-military forces protected by emergency

laws is empowered to overrule civilian governance at all times. Repressive laws against the demand for restoration of civil and political rights frequently act against the civilian population 94. Economic pressures against the State Government and the people such as suspension of overdue payments to the administration are frequently invoked in order to bring the State administration in line with Central decisions. As it has been since British colonial times, the indigenous peoples of Manipur are permitted only a nominal participation in the governance of their own lands.

The impact of loss of sovereignty on indigenous society: the case of Manipur

117. Loss of sovereignty has critical impact on the lives of the indigenous peoples of Manipur. Both discriminatory and assimilatory policies have been used with equal success to achieve this. Most importantly, the peoples have lost the right to identify themselves as a distinct identity. The census of India classifies them only by religion such as "Hindu" and disguises indigenous identity separate from mainstream "Hindus." Demographic information is therefore difficult to analyse especially concerning population of mainstream Hindus incoming as settlers 95. 118. Concepts of exclusive territorial rights have also deeply affected and derogated the relations between the three major groups of indigenous peoples inhabiting these territories. While it is not claimed that there was an unbroken peace existing between these groups, certainly there has never before existed the concept of ethnic cleansing for the purpose of claiming territorial exclusivity or domination of internal governance within each other's communities. This genocidal conflict is a recent phenomenon and a direct result of colonial intervention in these territories and the introduction of the concept of exclusive territoriality and landed property rights.

119. The indigenous self-governing systems have all been dismantled at the national level through legislation imposed under first the British and then India's constitution. Consensual processes making for informed and cohesive people's decision making have been replaced with a corrupt electoral system at every level that incites violence and disunity in the interests of acquiring personal power.

120. Consensual and collective self-governing institutions are however struggling to retain their viability, supported at grassroots level even when actively disempowered and criminalized by State agency and legislation. Communities still prefer to adhere to indigenous law practices in resolving disputes and to recognise traditional authorities in day to day decision making. Even armed resistance groups are invited to arbitrate and carry out sentencing in the case of crimes or disputes rather than government agencies as representing a truer leadership of the people than the alien structures of governance and justice.

121. Traditional voluntary associations of youth have developed into two forms. The naharol or the "youth" under the guidance and leadership of recognized elders are voluntarily participating in large numbers in the armed resistance and national liberation movements. Less controversial developments have been the formation of local clubs and

(To be Contend.....)