Chapter 1
Introduction

I. The Setting

India’s North-East, a euphemism for the seven-sister states of India, viz., Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura (now includes Sikkim), is home to 213\(^1\) notified Scheduled Tribes. Mostly belonging to the Tibeto-Burman and Austro-Asiatic ethnolinguistic groups, their ethnocultural boundaries extend into South-East Asia. Hence, North-East India is also described as ‘the northwestern borderland of Southeast Asia.’\(^2\) The 4500 kilometre (km) international boundary lines that it shares with Bangladesh, Bhutan, China and Myanmar easily transforms it into a region of extreme geo-strategic and political significance. To be sure, the emotional and cultural integration of North-East India’s tribal groups with mainland India is often considered as tenuous as the 22 km Siliguri land corridor, also known as the Chicken’s neck,\(^3\) which links the former with the latter. Not surprisingly, the region harbours “one of South Asia’s hottest trouble spots.”\(^4\) The Institute of Conflict Management, New Delhi, which runs the South Asia Terrorism Portal, lists 39 active terrorist/insurgency groups in India’s North-


\(^3\) The *North Eastern Vision 2020* formulated by MDONER and NEC includes ‘a two-way deficit of understanding with the rest of the country’ as one of the five deficits it underlined vis-à-vis India’s North-East. The other four being: basic needs deficit, infrastructure deficit, resource deficit, and governance deficit. See GoI, MDONER and NEC, *The North Eastern Vision 2020*, pp.18-9. Also see Wasbir Hussain, “Ethno-Nationalism and the Politics of Terror in India’s Northeast,” *South Asia: Journal of South Asian Studies*, Vol.30, no.1, April 2007, pp.93-110. Also see B.G. Verghese, *India’s Northeast Resurgent: Ethnicity, Insurgency, Governance, Development* (Delhi: Konark, 1996), especially “Introduction”.

East, out of which 11 are proscribed ‘terrorist groups’. Thus almost every conceivable ethnic group in India’s North-East have their own armed groups which are perched on perceived ethnic territorial homelands and pursuing nation-building projects of their own. Most of these nation-building projects run parallel to, and in due course of time are counterposed against, Indian state-nation building projects.

The antecedent special and preferential treatments enjoyed by these tribal groups under the British Raj and the walls of separation created between mainland India and its North-Eastern Frontier on the one hand, and the immanent hills-valley divide within the latter — deliberately recognised and institutionalised since the colonial Raj — on the other hand engendered autonomous ‘societal cultures’. These underpinned ‘independist’ demands especially of the Naga and Zo people and leverage them to question the very edifice of India’s state nation-building project from the very outset. For one thing, the Indian ‘national identity’ articulated by the Hindu nationalists in the 1940s and 50s, rooted as it were into the trans Ganga-Yamuna civilisation (also known as the Indic civilisation), had not been able to penetrate into Northeastern tribal societies because of the altogether alien tribal institutional structures. Hence, the idea of cultural separateness and fear of cultural assimilation within the Indian state-nation was so palpable that ‘independist’ Naga and Zo people audaciously contest and try to renegotiate the terms of their incorporation into the postcolonial Indian state and polity. For another, the adoption
of what we call, ‘constricted ethnofederalism’ in the creation of states in India’s North-East as an extension of the principle of asymmetric federalism, is considered insensitive to their ‘unique history and political situations.’ As this was unduly informed by the development-security paradigms and the imperative of the nationalising space of the Indian state-nation, it subsumed the counter nation-building projects of the Naga and Zo people, and for that matter all tribal groups in India’s North-East, within ‘law and order’ problems. At stake here is the strange multiplicity of identities constructed/produced and reproduced by the instrumentality of state recognition’s regime, and the concomitant issues of minority and minoritisation, national integration, autonomy and patriotism. We shall examine these intricate issues in chapter 3-7.

As elsewhere, the encounter between tribal communities in India’s North-East and the modern state has been on unequal and fragmentary terms. The tragic immiseration of these historic communities that often comes along with it is compounded as their historic rights and identities — largely communitarian in character — juxtapose with the project of Indian state-nation building. This is precisely because the latter with its explicit thrust on development implies ‘the extension of an active sense of membership (read here as citizenship) to the entire populace, the secure acceptance of state authority, the redistribution of resources to further the equality of members, and the extension of effective state operation to the periphery.’9 The interface between tribal societies and the modern state, and subsequent transformation of the former by ‘Scheduled Tribe’ recognition regime to suit the ‘classificatory and serialisation grid’ of the postcolonial Indian state have deep imbrications for crafting autonomous institutions in India’s North-East. The concurrent pressures of national integration and demands of differentiation are so much pronounced in what Manor calls ‘this wildly diverse region’ that ‘have often (though not always) been enough to overwhelm even the most carefully devised strategies.’10 While these impel ‘constructive constitutionalism’ whereby ‘bouquet

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approach’ is privileged over the ‘melting pot approach’, they considerably define and redefine national identity and citizenship to cohere with the emerging contours of ‘federal design and multicultural national construction.’

We have specifically chosen the Hill Areas of Manipur in India’s North-East as our case study as it offers us a classic case where the Westminster model of representative democracy flounder to accommodate the particularities of ethnic demands and aspirations. The struggle over norms of recognition which would go above and beyond the common rights of citizenship is located at the intersection of the modern state and tribal communities. The intermediation between these two categories through the instrumentality of state recognition’s labels/symbols (identities/territoriality) and autonomous institutions would constitute the core of our study here. Without much ado, and having made this cursory introduction of the research problematic, we shall now make a brief survey of literature pertinent to this research and then formulate the objectives and scope, methodology and sources of our study before we give a sketch of the structure of this work.

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12 The North-East region barely constitutes 7.9 percent of India’s geographical area and accounts for just 3.8 percent of the total population of the country (2001 census). The minuscule number of Members of Parliament that the North-East sends to India’s Parliament precludes effective role in national decision-making processes. See Table 1 below. Interestingly the whole of North-East put together barely sends 25 MPs out of the total 543 elected MPs of the country. This is even less than the number of MPs send by ten individual states like Andhra Pradesh (42), Bihar (40), Gujarat (26), Karnataka (28), Madhya Pradesh (29), Maharashtra (48), Rajasthan (25), Tamil Nadu (39), Uttar Pradesh (80) and West Bengal (42). The moot question then is: can a different system of representation or a special weightage system of Parliamentary representation vis-à-vis North-Eastern states help obviate the sense of alienation and step-motherly treatment? While this is a pertinent question, it is beyond the scope of this work to go into the details of this.
### Table 1

**Selected Profile of Scheduled Tribes in India’s North-East**

*(Based on 2001 Census)*

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>States</th>
<th>Population of the State</th>
<th>Total ST Population (with % age)</th>
<th>No. of Recognised STs</th>
<th>Total No. of Seats in State Legislative Assembly</th>
<th>No. of ST Members in State Legislative Assembly</th>
<th>Total LS MPs of the State</th>
<th>No. of LS MP Seat Reserve for STs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Arunachal Pradesh</td>
<td>1,097,968</td>
<td>705,158 (64.2)</td>
<td>100</td>
<td>60</td>
<td>59</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Assam</td>
<td>26,655,528</td>
<td>3,308,570 (12.4)</td>
<td>23</td>
<td>126</td>
<td>16</td>
<td>14</td>
<td>2#</td>
</tr>
<tr>
<td>3</td>
<td>Manipur</td>
<td>2,166,788</td>
<td>741,141 (34.2)</td>
<td>29+4*</td>
<td>60</td>
<td>19</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>Meghalaya</td>
<td>2,318,822</td>
<td>1,992,862 (31.3)</td>
<td>17</td>
<td>60</td>
<td>55</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>Mizoram</td>
<td>888,573</td>
<td>839,310 (94.5)</td>
<td>14</td>
<td>40</td>
<td>39</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>6</td>
<td>Nagaland</td>
<td>1,990,036</td>
<td>1,774,026 (89.1)</td>
<td>5</td>
<td>60</td>
<td>59</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Sikkim</td>
<td>540,851</td>
<td>111,405 (20.6)</td>
<td>2</td>
<td>32</td>
<td>12</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
<td>Tripura</td>
<td>3,199,203</td>
<td>993,426 (31.1)</td>
<td>19</td>
<td>60</td>
<td>20</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>38,857,769</strong></td>
<td><strong>10,465,898 (26.9)</strong></td>
<td></td>
<td><strong>213</strong></td>
<td><strong>498</strong></td>
<td><strong>279</strong></td>
<td><strong>25</strong></td>
<td><strong>7</strong></td>
</tr>
</tbody>
</table>

4. GoI, *State/UT wise Seats in the Assembly and their Reservation Status* (New Delhi: Election Commission of India) [Online version available at http://www.eci.gov.in/miscellaneous_statistics/seat_in_legislativeassemblies.asp] [All the online versions above were accessed on 21 September 2008].

Notes:
- *Four new Scheduled Tribes were added to the ST List in Manipur in 2003.
- # Excludes 1 seat reserved for Scheduled Caste.
- LS= Lok Sabha (Lower house of the Indian Parliament).

## II. Survey of Literature

Let us now make a selective survey on some of the influential texts on federalism as a broad principle and autonomy as one of its operational instruments, which serve as starters for the current enterprise. For the sake of convenience, let us categorise this
section into two: (i) General theoretical survey on federalism, and (ii) North-East India specific literature survey.

II(a). General Theoretical Survey on Federalism

The present day concern on federalism as an institutional response to the plural character of modern societies was raised by Boehm while writing on ‘Federalism’ in the *Encyclopaedia of Social Sciences* in 1931.\(^{13}\) He neatly projected the fundamental tendency of federalism as harmonisation actualised by its substitution of coordinating in place of subordinating relationship. Elazar ably broadened this line of thinking when he contributed on the same subject in the *International Encyclopedia of the Social Sciences*, 1968.\(^{14}\) He clearly reflected the prevailing indisposition of the concept which, according to him, foundered on, *inter alia*, the problems of distinguishing between: (i) the federal principle as a broad social concept and federalism as a narrower political device; and (ii) federalism and ‘inter-governmental relations’ as distinct political phenomena.\(^{15}\) His observation that: ‘federalism can exist only where there is considerable tolerance of diversity and willingness to take political action through conciliation even when the power to act unilaterally is available’ makes an intellectual reading.\(^{16}\) Elazar elaborated and gives us a more expansive view of the concept in his book, *Exploring Federalism*, 1987. It is in this book that he gives us the invaluable concept of federalism as a principle concerned with the ‘combination of self-rule and shared-rule.’\(^{17}\) The books does not only gives us the ‘joy of exploration’ — to borrow him — of the concept of federalism in a comparative perspective, but also ‘demonstrates that federalism offers a way to approach political phenomenon in its own right and is not to be subsumed within other models of political enquiry.’\(^{18}\) We have also drawn largely from some of his many published essays

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\(^{15}\) Ibid., p.358.

\(^{16}\) Ibid., p.360.


\(^{18}\) Ibid., p.xi.
like: "The Evolving Federal System" (1981),19 "Federalism and Consociational Regimes" (1985)20 and "International and Comparative Federalism" (1993).21 Watts gives us a comparative perspective on federalism. His works help us foreground the current enterprise in a broader comparative framework. Among his many published works, we have gainfully employed his "Federalism, Federal Political Systems, and Federations" (1998)22, "The Distribution of Powers, Responsibilities and Resources in Federations" (2002),23 and "A Comparative Perspective on Asymmetry in Federations" (2005)24 in this work. Watt's monumental book, Comparing Federal Systems,25 builds upon the ideas of Elazar and considers federalism as the 'closest institutional approximation to the multinational reality of the contemporary world.'26 He extensively explores contemporary approaches to asymmetric federalism which are being extensively used in the current enterprise.

Forsyth (ed.), Federalism and Nationalism (1989) is another mine in the study of federalism. A compilation of research articles, it throws light on the interface between federalism and nationalism with special focus on Africa. In the introductory note Forsyth considered that the British North America Act of 1867, which formed the bedrock of the Canadian Confederation, was the first instance to create a federal rather than a unitary form of government. Evidently this was done to accommodate differences based on ethnicity. Forsyth contends that such an experiment draws it lineage from prolonged efforts to reform the structure of the Austrian Empire between the years 1848 and 1918 so

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as to accommodate different ethnic units within one and the same state. The book is replete with details of federal experience across the globe.\textsuperscript{27}

It is broadly in this tradition that Kymlicka gives us an influential exposition of liberal theory of minority rights. Beginning with his book, \textit{Liberalism, Community and Culture} (1991), his erudite article, "The Rights of Minority Cultures" (1992) and down to his subsequent works, \textit{inter alia}, \textit{Multicultural Citizenship} (1995), \textit{Politics in the Vernacular} (2001),\textsuperscript{28} "Federalism and Nationalism in Canada" (2002),\textsuperscript{29} and \textit{Multiculturalism in Asia} (edited with He)(2005),\textsuperscript{30} he seeks to give us what he calls a 'stable and morally defensible way' to accommodate national and ethnic differences.\textsuperscript{31} Crucial to this is the provision of special legal or constitutional measures above and beyond the common rights of citizenship which, instead of bringing about 'illiberalism', gives the minorities a 'meaningful context for choice.'\textsuperscript{32} A prolific writer, Kymlicka continues to shape much of the contemporary debates on minority rights. The present work extensively employs his ideas.

Another influential text on federalism, which introduces us to our present concern, is Smith (ed.), \textit{Federalism: The Multiethnic Challenge} (1995). A collection of thought provoking articles, the book comprehensively seeks to put federalism in a comparative perspective vis-à-vis the challenges posed by two contemporary phenomena: (i) globalisation which cause locally conscious and assertive identities to question the efficacy of the Centre (read here as the Central Government) to act as the most appropriate arena for expressing and integrating regional views or for defining a national interest that transcends locality; and (ii) sub-state or locally-based nationalism.\textsuperscript{33} He accredits federalism with fashioning a sense of identity in which sub-state nationalities are

\textsuperscript{27}Murray Forsyth (ed.), \textit{Federalism and Nationalism} (Leicester: Leicester University Press, 1989), p.4.
\textsuperscript{28}Kymlicka, \textit{Politics in the Vernacular}.
\textsuperscript{30}Kymlicka and He (eds.), \textit{Multiculturalism in Asia}.
\textsuperscript{32}See Kymlicka, \textit{Politics in the Vernacular}, especially "Introduction".
not — to use Anderson’s phrase — ‘imagined as ultimate sovereign’, but rather as possessing ‘multiple and overlapping communities of imagination.’\(^{34}\)

On asymmetric federalism the present work uses Tarlton’s “Symmetry and Asymmetry as Elements of Federalism” (1965)\(^{35}\) as the benchmark. In this essay Tarlton developed ‘asymmetrical federalism’ as an analytical tool for the first time to examine the various ways in which the component units within the federation relate themselves to the national government. Tarlton’s work traced its lineage to Livingston’s influential essay, “A Note on the Nature of Federalism” (1952)\(^{36}\) which emphasised giving institutional expressions to social diversities. Although Tarlton’s underscored the importance of Livingston’s insights, his basic concern was to maintain federal cohesion and stability, a concern which reflected the centralised/national federalism strand of thought. The *Handbook of Federal Countries* (2002) edited by Griffiths is another useful source material for this work. A collection of essays on federal systems across the globe, two essays are of particular interests here, viz.: McGarry, “Federal Political Systems and the Accommodation of National Minorities” and Pernthaler, “Asymmetric Federalism as a Comprehensive Framework of Regional Autonomy.” McGarry counters the pervasive contention that multinational federal systems promote illiberalism and that they institutionalise and exacerbate conflict, leading in many cases to the break-up of the state. According to him, ‘conflict and instability often predate concession of autonomy, and they are frequently a reaction to a lack of autonomy in minority regions or to a process of centralisation.’\(^{37}\) He contends that federal political system is an attractive method of conflict regulation and preferable to many of alternatives as it provides ‘a possible solution to the tension between the desire to maintain territorial integrity of existing states and the desire of national minorities for self-government.’\(^{38}\) He shows how ‘asymmetrical

\(^{34}\) Ibid., pp.2-3.
\(^{38}\) Ibid., p.417.
federalism’ is the key to this in a ‘position paper’ that he contributed for the Third International Conference on Federalism which was held at the European Parliament, Brussels during 3-4 March 2005. McGarry develops this further in his essay, “Asymmetry in Federations, Federacies and Unitary States” (2007).

In the same vein Pernthaler appreciated upon asymmetric federal systems as ‘based on homogeneous ... systems which however are combined with elements of differentiation.’ He considers that in a particular geographical situation where there is a desire to enhance regional integration, asymmetric federalism forms the basis of a possible ‘third level’ consisting of integrated regional autonomous units between the state and the region. In such a situation he contends that autonomy has to be embodied in constitutional or international law and that it has to permit public functions to be fulfilled within the autonomous spheres of competences.

Bermeo, “The Import of Institutions” (2002) draws from contemporary debates on federalism and challenged the pervasive contention that federal institutions exacerbate ethnic conflict. On the contrary, she contends that federalism promotes successful accommodation of conflicting ethnic demands. Bermeo makes a timely call for a ‘peace-preserving’ federalism and invites us to study what kind of institutions save lives.

The present work also draws largely from Habermas, who systematized and popularized the concept of ‘constitutional patriotism’ and considerably shape contemporary debates on autonomy, citizenship and national identity. He developed this concept in the course of his participation in the “historians’ debates” (1987-89) over

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42 Ibid., p.484.
43 Ibid., p.472.
attempts to revive ‘neonationalist dogmas’ in Germany in the late 1980s. Towards this end, he wrote a series of essays, of which: “The Public Use of History” (1989), “Historical Consciousness and Post-Traditional Identity” (1989), and “Citizenship and National Identity” (1990), are pertinent to the current work. Along with these essays, the interviews Habermas had with Michael Haller on “The Asylum Debate” and “The Normative Deficits of Unification” — both of which came out in The Past as Future (1994) — and his subsequent publications, inter alia, The Inclusion of the Other (1999), and The Postnational Constellation (2001) help us locate the development of his thought on the subject. He formulated his thesis at a time when the nation-state, which at one time represented a cogent response to the historical challenge to find a functional equivalent for the early modern form of social integration, is besieged with problems generated by globalisation that can no longer be solved within the framework of nation-states or by the traditional method of agreement between sovereign states. In the wake of this, Habermas forcefully put forward the need for the ‘founding and expansion of political institutions on the supranational level.’ Central to this thesis is the role of a constitution that is capable of cultivating a political culture where ‘citizens must be able to experience the fair value of their rights also in the form of social security and the reciprocal recognition of different cultural forms of life.’ His contention that ‘democratic citizenship can only realize its integrative potential — that is, it can only

48 Ibid., pp.249-67.
53 Habermas, The Inclusion of the Other, p.107. Also see Habermas, The Postnational Constellation, pp.58-112.
54 Habermas, The Inclusion of the Other, p.118.
found solidarity between strangers — if it proves itself as a mechanism that actually realises the material conditions of preferred forms of life" is gainfully employed in the present enterprise.

Taylor underscores ‘The politics of recognition’ as the ‘driving force behind nationalist movement in politics’ in a frequently cited essay. He convincingly argues that ‘our identity’ is the outcome of our ‘dialogical relationship’ with ‘the significant other.’ As a contingent corollary to this he avers that ‘the struggle for recognition can find only one satisfactory solution and that is a regime of reciprocal recognition among equals.’

Hannum, Autonomy, Sovereignty and Self-Determination (1992) helps us locate the evolving international debates on autonomy. For him there are two connotations to the term ‘autonomy’: one satisfied only by the establishment of an independent state, and the other satisfied by protection from discrimination and preservation of cultural, linguistic and other values from majority assault. Hannum considers autonomy as a prognosis to ‘reconciling conflicting interests of majority and minorities’ that according to him has become ‘an endemic as well as an inescapable problem in society.’

Bogdanor, “Forms of Autonomy and the Protection of Minorities” (1997) considers autonomy as an instrument whose essence is the sharing of power. This, he says, is increasingly adopted as a model of government in divided societies, which have attained stability, and signifies a departure from the Westminster model of majority rule. His prognosis that ‘what is therefore required of a federal or a regional constitution is not that it provides for a strict and detailed delimitation of powers, for that is likely to prove too inflexible to allow for the bargaining and adjustment needed to make a system of shared

55 Ibid., p.119.
57 Ibid.
59 Ibid., p.12.
powers operate effectively" is helpful for the present work. Ghai's edited *Autonomy and Ethnicity* (2000) also helps us locate our research problematic in a broader perspective. Ghai avers that "autonomy has been used to separate as well as to bring people together." Hence it has emerged as 'one of the most sought after, and resisted, devices for conflict management.'

Another work which significantly animates international discourse on autonomy is Gilbert's "Autonomy and Minority Groups" (2002). While Gilbert admits that there is no extant right to autonomy in international law, he however notes the amplified use of the term 'autonomy'. For him autonomy is largely used to imply the right to 'self-government' (realised through territorial self-government) and 'control of the group’s own cultural affairs.' Gilbert underlines the radical nature of right to autonomy, which is not only applicable to all groups in society — whether deemed peoples or minorities — but also encompasses the right of peoples to self-determination.

### II(b). North-East India Specific Literature Survey

Let us now shift our focus to a more North-East India specific survey of influential texts, which animate debates and discussions on the federal problem of accommodating autonomy demands of minority groups within the Indian state-nation.

Constitutional discourse on the issue of administration of the 'tribal hill districts' of the then Assam province began when the Constituent Assembly took up the Bordoloi Committee Report (28 July 1947) in its debates between 5th and 7th September 1949. Savyasaachi's *Tribal Forest Dwellers and Self-Rule* (1998) helps us locate the broad contours of the Constituent Assembly’s Debates (CAD). The book examines the issues

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61 Ibid., p.73.
63 Ibid.
65 Ibid., p.342.
raised in CAD in the first part, which is followed by the reproduced version of the official report. Savyasaachi contends that CAD confined the meaning of self-rule to rapid economic and industrial growth and to ‘political-legal’ autonomy required for this purpose. The right of cultural identity that ensues from it is linked with property and not territory. This implies that a community can be constituted by acquiring means (property being one) to promote its cultural activities, so long as territorial integrity of public spaces, as defined by law is not violated. This, he contends, opens up public spaces for competition and political struggle between various communities over territory and property that led to dichotomy between the majority and the minority on the one hand and between the ‘mainstream’ and the ‘margins’ on the other.\(^67\)

Elwin showed a keen sensitivity to this precarious condition and formulated a realistic principle for the tribals in his monumental book, *A Philosophy for NEFA* (1959)\(^68\) that continues to shape the broad contours of tribal policy in India. This principle emphasised on ‘understanding and consent of the tribal people’ and warns against what Rustomji aptly calls ‘the patronising attitude of assuming that they (officers/administrators) knew better what was good for the tribals than did the tribals themselves.’\(^69\)

Singh, who as the governor of Assam played a key role during the Shillong Accord of 1975, carried on this tradition in his essay “National Policy for the North-East Region” (1999). He put into perspective the evolution of tribal policy, the efficacy of which has been laid down by the British Raj.\(^70\) Syiemlieh’s essay, “The Future of the Hills of North-East India, 1928-1947” (1996);\(^71\) Agnihotri, “Constitutional Development in North-East


India Since 1947” (1996); 72 Bhaumik, “North-East India”(1998); 73 Verghese’s book, India’s Northeast Resurgent (1996), 74 and his essays, “Around India’s Northeast” (1998), 75 and “The North East and its Neighbourhood” (2003), 76 among others, more or less dwell on this aspect and help us understand the dynamics of policy making in North-East India.

The inadequacy of tribal policies and the contingent constitutional arrangements that they engendered got a browbeat since the 1960s when various nationalist upsurges starting with the Naga, the Mizo and literally almost every ethnocultural minority group in North-East India challenged the Indian state-nation. This brought about renewed interest in the process of nation-building and the nationality question in North-East India.

Pakem (ed.), Nationality, Ethnicity and Cultural Identity in North-East India (1990); Misra, North-East India (1991); Phukon and Dutta, Politics of Identity and Nation Building in Northeast India (1999); Misra, The Periphery Strikes Back (2000), etc. are attempts to understand the whole gamut of issues.

There are also a host of literature which seeks to examine, in a broader comparative perspective, the intersection between culture, identities and institutions in North-East India. Mitra’s Culture and Rationality (1999) is one such notable venture. Making a comparative study of sub-nationalism in South Asia, he laments that the absence of any satisfactory theoretical framework on the issue led to the following: (i) the description of specific cases or (ii) the lumping together of all challenges to the national state under the broad labels of balkanisation, criminalisation of politics and growing violence. He attributes this ‘theoretical thinness’ of literature on sub-nationalism to its apparent ‘naturalness’ and pleads for an explanatory framework that gives primacy to the political

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74 B.G. Verghese, India’s Northeast Resurgent: Ethnicity, Insurgency, Governance, Development (Delhi: Konark, 1996).
75 Verghese, “Around India’s Northeast,” pp.77-98.
process. He has since condensed his earlier arguments in a larger comparative perspective in his *The Puzzle of India's Governance* (2006). Mitra and Singh, *When Rebels Become Stakeholders* (2009) is another important work which examines the interface between diverse social groups and the state. It highlights the resilience of state and democracy in India to transform 'rebels' into important 'stakeholders'. Gellner's *Ethnic Activism and Civil Society in South Asia* (2009) also helps us to look beyond 'methodological nationalism' and reorients our focus on the state's instrumentalities of 'classification' and 'enumeration' as also on the roles of 'symbols' and 'rituals' to understand state-society relations in complex societies.

Dasgupta, "Community, Authenticity and Autonomy" (1998); and Kohli, "Can Democracies Accommodate Ethnic Nationalism?" (1998) that came out in the same book considerably help us understand the riddle of autonomy movements. Dasgupta considers that federal institutional arrangements for processing and converting demands into support for federal system in India were not defined in oversimplified terms as an absence of federal control over states. He reminded us that a series of negotiated jurisdiction and their changing boundaries authorised by a federalising process were in place to link the centre, the state, the autonomous councils and the scheduled areas. This system, he contended, has the potential of 'preempting and preventing conflict by creating in advanced ways of inducting people into the process of identification with national, developmental, civic, or other cooperative norms or values.'

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83 Ibid., p.368.
Kohli’s essay gives us ‘two approximate variables’ that influences the varying trajectories of self-determination movements, viz., (i) level of institutionalisation of the central state and (ii) the degree to which ruling strategy of leaders accommodate demands for self-determination. He argued that the more the authority of the central state is institutionalised and the more accommodating the ruling strategy, the more likely is that self-determination will traverse the shape of an inverse $U$-curve — they will first rise, then after a more or less prolonged period of negotiation with the central state, they will inevitably decline in intensity as exhaustion sets in and some compromise is reached.\(^{84}\) His conclusion that democracy in a developing country setting both encourages ethnic conflict and under specific circumstances provides a framework for its accommodation has been appreciated and gainfully employed in the formulation of the present enterprise.

Arora adumbrated upon what he calls ‘multilevel and asymmetrical innovations’ in his essay, “Adapting Federalism to India” (1995). He further developed this in his essays, “Negotiating Differences” (2000) and “Coalitions, Reforms and the New Federal Polity” (2001). He considers asymmetric federal arrangement in the form of sub-state structure (exemplified by the Bodoland Autonomous Council and recently upgraded to the Bodoland Territorial Council) as 'related to the quest for a more responsive and participatory federal democracy.'\(^{85}\) The quintessence of a bumpy road to such an arrangement was aptly articulated in a book that he co-edited with Mukarji, Federalism in India (1992); as they put it:

The reluctant recognition of diversity resulted in the lack of a coherent policy frame for its integration … policy shifts resulted from often violent pressures and protests from below, and political expediency frequently became the guiding principle. Asking ethnolinguistic groups to prove that they were important enough to be institutionally


recognised was perhaps the most counter-productive method for promoting national unity ever devised\textsuperscript{86} (emphasis added).

Mahajan examines the whole gamut of minority rights in India in a larger comparative framework in her book, *Identities and Rights* (1998). She contextualises the Indian debates on minority rights and juxtaposes these with European experience. Mahajan considers that the Indian Constitution deviated from the traditional liberal commitment to uniformity and formal equality by focusing on the cultural policies of the state and by devising ways whereby cultural communities receive equal consideration in the public realm.\textsuperscript{87} She extends the horizon of debates on minority rights in her book, *The Multicultural Path* (2002). The book gives us fresh insights into the difference in the logic of two oft conflated, yet strikingly disparate schema evident in the Indian Constitution, viz.; (i) A liberal scheme of affirmative action/protective discrimination which seeks to include hitherto segregated and excluded communities who were disadvantaged on account of past prejudices. This is done by a constitutional design of recognising identified communities under the rubric of Scheduled Castes and Scheduled Tribes. (ii) A multicultural framework which provides space for incorporating all communities as equals, and with the same rights. The Constitution identified Muslims, Sikhs, Christians and Parsees as minorities who deserved special rights to protect and preserve their culture.\textsuperscript{88} According to her, the basic difference between the two sets of groups is based on the understanding that the former needed temporary measures to make up for the loss they had suffered by being excluded. The latter, on the other hand, drawing from their hitherto distinct culture wanted an assurance that the state would not take on the culture of

the majority."\(^{89}\) Mahajan condenses her earlier arguments in her essay "Indian Exceptionalism or Indian Model" (2005).\(^{90}\)

An important contribution to the debate on autonomy in North-East India is Chaube’s “North-East India” (2000). He contended that the formal assertion of the theory of ‘indestructibility of the Union’ by the Indian federation via the Constitution (Sixteenth Amendment) Act, 1963 weakens the bargaining model of the federation. For him, the balancing of equality and autonomy has historically served the Constitutions of multi-ethnic and multi-cultural states, especially when ethno-cultural groups are territorially delineated into federation. The absence of this, Chaube avers, accentuates group rights.\(^{91}\)

In his book *Hill Politics in Northeast India* he examined “the contradiction/competition between the traditional chiefs making use of tribals’ love for pristine freedom to preserve their vested interests against the republican wave in India and a new elite — the Christianised literati — claiming the leadership of a democratically constituted society that would at the same time retain its autonomy."\(^{92}\) He concluded that separatist demands have been sponsored by the ‘powerful class of officers and by the chiefs’ and contended that the problem of the hills in India’s North-East is ‘a problem of growth, which under special circumstances, has been articulated in political movements.’\(^{93}\)

This book was followed in a slightly different sequel by Rao, *A Century of Tribal Politics in North-East India, 1874-1974* which came out in 1976 with a focus on the evolution of the hill state demand culminating in the birth of Meghalaya. In the subsequent volumes, Rao virtually covers the social and political history of the entire North-East India. They have now become *sine qua non* readings for students working on India’s North-East.

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\(^{89}\) Ibid.


\(^{93}\) Ibid., p.118.
In a lighter vein, Bhat, *The Challenge of the North-East* (1975) made a comprehensive study of the administrative evolution of the region except Nagaland. The book however borrowed heavily from the main report of the Administrative Reforms Commission's *Report on the Administration of Union Territories and NEFA*, 1968. This Report along with the works of Chaube (1973, reprint 1999), Rao (1976) and Bhat (1975) comprehensively capture the underpinnings of autonomy debates, which define the contours of administrative arrangements in the 1960s through the 1990s, and that continues till today.

Roy Burman has also contributed much to the discussion on autonomy vis-à-vis the Indian federal context. Of particular interest to our work are his essays like “Challenges and Responses in Tribal India” (2002), “Constitutional Framework for Tribal Autonomy with Special Reference to North-East India” (1998, and “Federalism in Perspective” (1993). Roy Burman makes a case for federalism that envisages ‘a continuum of multi-level synthesis starting from the local to the global’ and situates it in the ‘dialectics of state and community’. He contends that unless the erosion of the state apparatus at the national, international, regional and local levels harmonises with the empowerment of the community (bound together by moral compact) from the local to the global levels, hegemonies of different types will fill up the vacuum.94

Baruah is another author who considerably shapes the debates on federalism vis-à-vis the North-East. In an important intervention to the debate on the problem of the Nagas, his “Confronting Constructionism” (2003) makes a case for “an arrangement that crosses both transnational and interstate borders and recognises Naga identity, alongside both the sovereignty of India and Burma and the territorial integrity of states like Manipur and Assam.' For Baruah, it would be too naïve ‘to expect the Naga conflict to end

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suddenly on a whimper of some vague promise of cultural autonomy. He makes a persuasive case for rethinking tribal policy in North-East India which will address the ‘tragic immiserisation’ of tribals in this part of the country in another essay, “Protective Discrimination and Crisis of Citizenship in North-East India” (2003). In an earlier monograph, *India Against Itself* (1999) he painstakingly dealt with the challenges posed by subnationalist manoeuvres in India’s North-East. His book *Durable Disorder* (2005) seeks to examine and ‘comprehend the political meaning and significance of persisting political violence’ in this part of the country. Baruah recently weaves together the emerging debates on counter-insurgency in India’s North-East in an edited book, *Beyond Counter-Insurgency* (2009).

Of late there has also been a keen interest to understand the complex web of transnational linkages that indeterminate insurgent/terrorist groups in North-East India have. Upadhyay’s *India’s Fragile Borderlands* (2009), Saikia’s edited *Frontier in Flames* (2007), and the joint edited collective, *Terrorism* (2009) by Saikia and Stepanova, are inter alia, important contributions to the growing literature on this subject.

There are also attempt to understand the state-society dynamics and the role of democratic institutions in engendering legitimacy in North-East India. Hassan’s essay, “Explaining Manipur’s Breakdown and Mizoram’s Peace” (2006) is an important contribution to these aspects. He compares the process of state formation between Manipur and Mizoram to explain the emerging political dynamics in the two states. For

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him, unlike Manipur where the state continues to be weak, the emergence of a ‘strong
state’ in Mizoram enables it to exercise ‘societal control’ and helps establish ‘peace’ and
‘legitimacy’. Hassan has expanded his work in a book form in Building Legitimacy
(2008).\textsuperscript{102}

In an attempt to understand the problem of ‘marginalisation’ of North-East India,
Nag comes out with this refreshing idea that the region not only faces political, economic
and cultural marginalization, it also suffers from what he calls ‘historiographical
marginalisation.’\textsuperscript{103} His book, Contesting Marginality (2002) is an attempt to address this
anomaly. The urgency of this task is evident from the fact that “while the rest of India
has move ahead to reach the concept and ideology of peoples’ history, north-east Indian
historiography is still chained to its colonial framework set by Gait’s History of Assam
(1905).”\textsuperscript{104} He forcefully presents the precarious situation drawing from what Kejariwal
calls, ‘strange insularity in the historiography of north-east India in the sense that it never
tried to view its history against the background of development of India as a whole.’
Coincidentally, Kejariwal also found ‘a discernible lack of interest or information about
north-east India outside the north-east.’\textsuperscript{105} This book, in as much as it is also a response to
critics about the limited focus of his earlier books, Roots of Ethnic Conflict (1990) and
India and North-East India (1998) provides us with empirical details for our subject
matter. It was broadly along this tradition that Imchen sought to address what he calls
‘one major dilemma of Indian nation-state’.\textsuperscript{106} For him, this stems from to failure of the
‘constitutional approach’ (of quasi-Anglo Saxon model) to resolve the complex
‘relationship between the collective rights of minorities, tribal indigenous collectivities


\textsuperscript{103} Nag, Contesting Marginality, p.17.

\textsuperscript{104} Ibid.


\textsuperscript{106} C.L. Imchen, “The Indigenous Other in India,” in Raha and Ghosh (eds.), North-East India, p.194.
with political rights based on the principle of majority rule. Biswas and Suklabaidya (2007) have also made a perceptive analysis of colonial ethnography to understand the various facets of ethnic-lifeworlds in North-East India.

Apart from these, there are case studies of various movements by local experts which give us empirical insights into a wide range of issues. In this category mention may be made of the following: Bokht, *A Sociological Study of the Bodo Movement* (1989); Prasad (ed.), *Autonomy Movements in Mizoram* (1994); Bhattacharjee, *Ethnicity and Autonomy Movement* (1996); Maithani (ed.), *Local Self-Government System in North-East India* (1997); Saikia, *Assam and India* (2005), etc. The inter-relatedness of the problems of minority groups in North-East India makes the study of these literatures indispensable.

There is also a host of literature, which seeks to make a comprehensive study of the constitutional and legal dimensions of the tribal question in North-East India. Law Research Institute, *A Study of Administration of Justice Among the Tribes and Races of North Eastern Region* (excluding Nagaland and Meghalaya)(Director J.N. Das)(1987); Singh, *Constitutional and Legal History of Manipur* (1986), etc. are among others which come to us as handy tools of reference for appraising the problems of the ‘tribals’ in North-East India.

In the last category of our literature survey comes different commissions reports prepared under the auspices of the centre and state governments. Various constitutional accords, acts, bills, and regulations also authenticate the present research undertaking. Among the many mention may be made of: the *States Reorganisation Commission Report* (1955), *Report of the Study Team on the Union Territories and NEFA* (1968), the *Bhuria Committee Report* (1994), various reports of the Rajiv Gandhi Foundation’s Task

107 Ibid.
110 The Study Team was an integral part of the Administrative Reforms Commission constituted by the Government of India and which gave its report in 1968.
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The survey is by no means exhaustive. Complete treatment of the whole question of autonomy is in fact hard to come by especially in the Indian federal context where most of the literature available is concentrated on inter-governmental relations. Considering these contingencies, the present study makes use of every possible discrete literature available on the subject.

III. Objectives and Scope of Study

The research enterprise seeks to examine the extent and limits of asymmetric federal arrangements necessary to accommodate autonomy demands of tribal groups constituting 'historic communities' in North-East India with a particular focus on the Hill Areas of Manipur. Known as 'Scheduled Tribe(s)' in India's constitutional discourse, they are distinguished from the 'national minorities' on the ground that they were not party to the federal Constitution making process. Being opted in the federal system and given a semblance of security by envisioning a 'combination of self-rule and shared-rule', they did not enjoy adequate and substantial protection of their collective rights and identity under the original design of India's Constitution. Of late, they have shown increasing consciousness about their 'historic rights' and put forth specific autonomy demands, which have been met with various asymmetric federal arrangements from time to time.

111 The High Level Commission headed by S.P. Shukla gave its final report under the title, Transforming the Northeast: Tackling Backlogs in Basic Minimum Services and Infrastructural Needs on 7 March 1997 to the Prime Minister of India.


113 In Australia and Canada they are known as Aboriginals.

114 See Elazar, Exploring Federalism; and Watts, Comparing Federal Systems. The reluctance of the Nagas to sign, and their subsequent opting out of, the Bordoloi Committee Report which formed the foundation of the Sixth Schedule in India's North-East literally bereft postcolonial Indian state of legitimate structures to accommodate the aspirations of the Nagas. It's altogether a different story that the Nagas were incorporated into the Indian state towards the close of the 1950s.
The study seeks to examine asymmetric federalism against the embedded project of centralised/national federation which informed the earlier generation of works on the subject. It attempts to understand asymmetric federal institutional designs in India or elsewhere not only as a concern to maintain the cohesion of the nation-state but also as a broader concern to create structures of opportunities and inclusive democratic practices. In doing so, our basic objective is to examine how the instrumentalities of the state engendered by such designs — especially recognition of 'tribe' identities to suit its 'classificatory and serialization grid', the concomitant politics of territoriality, and autonomy demands which stem from it — impact upon the construction/production and reproduction of 'competing inequalities' on the one hand, and help engender 'constitutional patriotism' in North-East India on the other hand. In the meantime we shall also examine how these impacts on India's federal institutional design and multicultural national construction or vice versa. We shall do this by taking up the case of the Naga and Zo people in North-East India. We shall unravel the complex web of interrelationship between identities, autonomy and patriotism by looking at both the colonial and postcolonial state's practices. This implies that the temporal scope of our study can not be fixated on a particular time frame, but it has to oscillate depending upon the specificity of the problems discussed. We consciously and deliberately frame our problematic as such as we are convinced that holistic and proper study of our subject matter needs to draw upon critical debates/discourse from various time periods. A critical and comprehensive study of such nature can hardly avoid the indelible thread which connects/interconnects the colonial with the postcolonial asymmetric institutional designs in a continuum, as it were. We shall foreground our study to the evolving debates on asymmetric federalism and liberal theory of minority rights in a comparative perspective.

IV. Methodology and Sources
To help facilitate what Geertz calls 'thick description'\textsuperscript{115} the study proceeds at two levels — meso and micro. At the meso level, we employ the historical institutional approach to

\textsuperscript{115} Clifford Geertz, \textit{The Interpretation of Cultures: Selected Essays} (New York: Basic Books, 1973). See especially Chapter 1 on, "Thick Description: Toward an Interpretive Theory of Culture," pp.3-30. Geertz in fact borrowed the term 'thick description' from Gilbert Ryle to imply 'thinking and reflecting' and 'the
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examine how and to what extent asymmetric federal arrangements accommodate autonomy demands of various minority tribal groups and help construct 'constitutional patriotism' in North-East India. At the micro level we adopt a case study approach by taking up the case of the Hill Areas of Manipur. Focused interviews with forty-five (45) respondents based in Lamka (officially known as Churachandpur) and Imphal in Manipur between December 2006 and January 2007 was held.

As our purpose is inductive, we deliberately conducted interviews with small-size respondents and used our discretion in selecting the persons to be interviewed whose ideas and opinion on the research problems are crucially important and reflective of the larger picture in understanding the real problem. The profiles of people interviewed are varied and ranged from administrators, government officials, tribal leaders, and ordinary citizens. A unique feature of the current research enterprise is the interviews that we conducted with leaders of three prominent underground armed groups and leading tribal leaders/elders based in Lamka.

One obvious weakness of the research methodology is the elitist profile of the respondents. The small-size of the respondents may as well be pointed out. However, conducting informed and focused interviews with small-sized respondents could possibly be the best bet to cull out the necessary research information and materials to support the analytical and explanatory framework. Hence, some of the conclusions of the research may be considered approximate to the reality and representative of the larger picture. The research limitations may be obviated by undertaking more extensive field interviews in the future.

The study draws from eclectic sources which comprise of parliamentary debates, reports of special committees and commissions appointed from time to time by the Centre, regional institutions, and state government of Manipur. Various memoranda,

thinking of thoughts.' (p.6). This is possible when reading of a text (culture) is supplemented by a comprehensive contextual and intercontextual reading which takes cognizance of its performative aspects, viz., rituals, symbols, signs etc. Apart from being a participant observer, I have also benefited from my field experience of interviewing tribal elders who are fast disappearing repositories of tradition knowledge and wisdom.

116 For detailed profiles of our interviewees, see 'List of Interviews with Date' in Appendix I.

117 Ibid.
treaties, acts, accords/agreements, statutes, and various government and non-governmental organisations’ reports, gazetteers, selective archival records, and studies of colonial British administrators, ethnographers, linguists, and missionaries form invaluable sources. These are supplemented by relevant books, journal/newspaper articles, and internet websites of various organisations working on the area.

V. The Structure

The research work is organised into eight chapters. Chapter 2 spells out the theoretical setting and conceptual framework. It examines the normative and organizational foundations of asymmetric federalism in a comparative perspective. The chapter underscores the import of ‘framing’ the question of accommodating minority rights and traces the patterns in which asymmetric federalism and liberal theory of minority rights increasingly become receptive to collective rights of minority groups. It then locates the Indian debates on asymmetric federalism and underlines the imperative to problematise the extent and limits of the success of asymmetric federalism both as a normative and an institutional device in broadening democratic spaces and inclusionary politics. The chapter also fleshes out key conceptual tools like ‘territorial/non-territorial autonomy’ and ‘constitutional patriotism’ which are being employed in the present study.

Chapter 3 examines the politics of identities in the language of ‘tribe(s)’. It traces the lineaments of uneven and unequal encounters between the colonial Raj and diverse tribal communities in India’s North-East. Against this backdrop, it situates the emerging contours of ‘the politics of recognition’. The chapter locates the state as a contested site of mapping, institutionalization and legitimization of disparate ‘tribe’ identities. It puts into perspective how the ‘classified’ and ‘serialized’ tribes undergo transformation and change and how they configure and reconfigure their identities within and without

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118 See Benedict Anderson, Imagined Communities: Reflections on the Origin and Spread of Nationalism (London: Verso, 1991 revised edition), especially chapter 10. Anderson considers that ‘totalising classificatory grid’ and ‘serialisation’ are respectively the warp and weft of the colonial state’s style of thinking about its domain (p.184). He points out how these are inscribed into census, the map and museums that the state came up with to represent and reproduce its domain, often conducted in unequal terms of relationship.
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themselves. It also examines how they continue to confront the state as the repository of
monistic authenticity and as the sole legitimizing agency in the modern nation-state
system.

Chapter 4 takes up the intricate problems engendered by territoriality, homeland
demands and parallel nation-building projects. It probes how the colonial and postcolonial
politicospatial order cross-cut existing tribal boundaries and silence their ‘multiple and
overlapping sovereignties’. The chapter situates the lineaments of hills-valley divide and
parallel territorial integration or nation-building projects of the Naga and Zo people in
India’s North-East against this backdrop. It argues that the adoption of ‘constricted
ethnofederalism’ as a variant of asymmetric federalism continues to inform the politics of
territoriality of Naga and Zo people, engendering state versus people encounters in the
process. It then examines the emerging contours of dialogic space in Manipur in particular
and North-East India in general.

Chapter 5 is a case study of autonomy and the limits of asymmetric institutional
designs in the Hill Areas of Manipur. The chapter unfolds the genealogy of asymmetric
institutional crafting in these areas. It argues that this has been informed by the attempts
to containerize the hill people within their tribal enclaves from the very outset. It shows
how the paternalising approach to ‘control’ and ‘regulate’ the tribal hill people from a
distant centre engenders multiple overgrowths of disparate institutions which not only
lack organic linkages among themselves and with the state institutions, but also fail to
devote adequate and substantial powers to fulfill the demands of the hill people. While
this hardens the walls of separation between the hills and valley, it also circumscribes the
‘infrastructural power’ of the state. The chapter examines the various issues thrown up by
making asymmetric institutions work in the Hill Areas of Manipur for almost two
decades. It then examines ongoing attempts to upgrade the existing autonomy framework
and the extent to which they attempt to consolidate autonomy and patriotism in the Hill
Areas of Manipur.

Chapter 6 and 7 examine the interconnections between autonomy, constitutional
patriotism and asymmetric federalism at the meso level in North-East India. Chapter 6
unravels the socio-cultural and political routes to these three categories. It examines how the architecture of autonomy structured around Autonomous District Councils under the Sixth Schedule and the omnibus Article 371 underpins North-East’s exceptionalism in the pan-Indian constitutional architecture. The chapter revisits the beleaguered premise of the Sixth Schedule by examining the Constituent Assembly Debates. Using relevant court cases and empirical facts, it examines the challenges to accommodate competing claims posited by the tribals in India’s North-East which would be crucial in broadening the ‘cycle of [their] participation’ and in determining the broad contours of their trust and loyalty to the pan-Indian constitutional architecture.

Chapter 7 extends the preceding chapter by examining the economic and financial routes to autonomy, constitutional patriotism and asymmetric federalism in North-East India. It probes the asymmetric financial and economic regimes that North-East India enjoys under the status of “special category state’s”, Income Tax Act, and Article 275(1). It locates these against the backdrop of fiscal federalism in India and examines the nature and implications of these special and preferential regimes on the political economy of North-East India. The chapter examines how institutional arrangements at the meso level, viz., North-Eastern Council (NEC) and Ministry of Development of North Eastern Region (MDONER) effect change within themselves to respond to the imperative of inclusive development in North-East India. It also shows how these arrangements are driven not only by the domestic political and economic considerations but also have far reaching security and transnational linkages. These linkages, the chapter points out, would have profound implications for the emerging regional federal order and citizenship in North-East India even as India’s ‘Look East Policy’ gains momentum.

The concluding chapter, i.e. chapter 8 sums up the arguments and issues raised in the study.