

POLITICS OF MIGRATION IN POST - ACCORD ASSAM

*DISSERTATION SUBMITTED TO JAWAHARLAL NEHRU UNIVERSITY
IN PART-FULFILLMENT OF THE REQUIREMENTS OF THE
AWARD OF THE DEGREE OF*

MASTER OF PHILOSOPHY

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2002**




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19/07/2002

Certificate

Certified that the dissertation entitled “**Politics of Migration in Post – Accord Assam**” submitted by **Pahi Saikia** is in partial fulfillment of Master of Philosophy degree from the University. The work presented is original and has not been submitted in part or full for any other degree of this or any other University to the best of my knowledge.

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FOR
AITA AND PUTHA
&
MAA AND DEUTA

Acknowledgement

The first and foremost words of acknowledgement must naturally go to my Supervisor and Chairperson, Prof. Rakesh Gupta for his guidance and thoughtful suggestions. Prof. Gupta had patiently offered me sound advice whenever I felt the need. He inspired me immensely to make an extensive study of the research topic, gave much of his valuable time, providing critical judgements, penetrating comments and scholarly insight. His encouragement and support have been invaluable to me to materialise this work.

I would also like to acknowledge the long association with my respective teachers in the centre and their advice throughout the M.Phil period. I wish to express my appreciation to Ismail Hussain, Lecturer, Institute of Engineering, Guwahati, Samujjal Bhattacharya, spokesperson All Assam Students' Union, Sarat Sinha, former Chief Minister of Assam, P.L. Senapati, General Manager, The Sentinel, Guwahati, who kindly contributed to my work with their ground experiences, suggestions and insights.

I extend my gratitude to the staff of the JNU Library, Institute for Defence and Strategic Analysis (IDSA) Library, New Delhi and Nehru Memorial Library, New Delhi for the valuable assistance they provided to me. I am also deeply indebted to various authors who helped me to understand the subject matter through their various academic writings.

My deepest thanks to Abhishek, whose ideas have in many subtle ways during the course of this work influenced me a lot. A special note of thanks to my friends Sudhanshu, IBM Global Services, Nitish, an IT Professional, Bimal, CA, Ajay, EIL,

Prem, Gajendra, Vaidu, Sandeep and Mahesh, without whose kind effort in typing, editing, etc. would not have brought this work to fruition. I also extend my thanks to Dilip for his extensive support with ideas and materials.

Finally, I am indebted to my parents, sisters, Moushmi and Amrita, and brother-in-law, Ranjit da for their stimulating and enlightening effect whose support and affection helped me to reach at this stage.

Last but not the least, I am grateful to the people of Assam, who with their experiences and views proved to be of great help in the compilation of this work.

Date:19th July 2002

(PAHI SAIKIA)

Abbreviations

AAGSP-All Assam Gana Sangram Parishad

AAMSU-All Assam Muslim Students Union

AASU-All Assam Students Union

AGP-Assam Gana Parishad

ANU-African National University

BJP-Bhartiya Janta Party

BRO-Border Roads Organisation

BSF-Border Security Force

CPI (M)-Communist Party of India (Marxist)

CRPF-Central Reserve Police Force

CUP-Cambridge University Press

ECOSOC-Economic and Social Council

EPW-Economic and Political Weekly

IIC-India International Centre

ILO-International Labour Organisation

IMDT-Illegal Migrants Determination Tribunal

ISI-Inter Services Intelligence

MLA-Member of Legislative Assembly

MP-Member of Parliament

NCP-Nationalist Congress Party

NGO'S-Non-Governmental Organisations

NRC-National Register of Citizens

OUP-Oxford University Press

PWD-Public Works Department

ULFA-United Liberation Front of Assam

UMF-United Minorities Front

UN-United Nations

UNHCR-United Nations Human Rights Commission

USA-United States of America

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INTRODUCTION

A wealth of specialist literature exists on the subject of migration. Throughout history, people have had to abandon their homes and seek safety elsewhere to escape persecution, armed conflict or political violence and in search of greener pastures. This has happened in every part of the world. Migration is as old as human history and has become an international phenomenon. With globalisation has come a dramatic increase in the volume and scope of international migration and therefore its study cannot be ignored. Transnational as well as internal migrations have transformed societies and cultures, creating multi-ethnic societies. This work is an attempt to address the issue of migration by looking at the history of population movements and the theories that have so far evolved; its close relationship with the problem of ethnicity and gradually to provide an analysis of the particular mode of migration of Bangladeshi nationals in Assam, the political context leading to their mass exodus, the politics of the response of both the sending as well as receiving countries and the international response too and thus the evolution of any policies and practices of the respective governments to deal with the problem.

“Down the ages groups of people have been coming to the banks of the Brahmaputra in search of peace and shelter. Nobody can say whose footprints were those on the fertile valleys of the Lohit, whether Tibetan, Burmese, Thai, Mongol, Kirat or Aryan.” It is thus that to the banks of the Brahmaputra came the aliens and the indigenous people. After intermingling over thousands of years, a group of people who thought in the same way and had the same ideas about life came to be known as a race. Hence, the common phrase, *“Assam has been a melting pot of diverse cultures.”* However, in recent years, the use of the term, *“ethnic Assamese”* in discussions of Assam, is perhaps to distinguish the ethnic Assamese from Assam’s many *“immigrant”*

communities and “tribal” communities, in Assam’s complex ethnic and political landscape.¹

However, according to various literatures, migration to Assam can be traced back to medieval times. Assam remained a land frontier attracting large-scale immigration. Myron Weiner has been looking into the problem of migrant-local conflicts in India with Assam as a case study. Weiner remarked, “*the controversies between migrants and the native population have been so intense that census figures on language and migration should only be taken as crude approximations that really underestimate the numbers of migrants and the non-Assamese speakers*”.²

The present problem of migration has its historical roots in the British period, when low wage labourers were brought in from parts of Bihar, Orissa, and Madhya Pradesh to work in tea plantations and peasants from Bangladesh to work in the arable wastelands of Assam. The problem of migration especially those illegally entering Assam from Bangladesh has become a major political issue in the domestic sphere as well as India’s relations with Bangladesh.

Ethnic politics had intensified in the eighties because of the rising fears of the authentic Assamese of losing their rightful place in the sphere of wealth and power. The All Assam Students Union (AASU) took up the cause of illegal Bangladeshi nationals residing in Assam, and gave a formal shape to the Assam agitation 1979-1985. The so

¹Baruah, Sanjib, *India Against itself-Assam and the Politics of Nationality*, Oxford University Press, New Delhi, 1999.

²Weiner, Myron, *Sons of the Soil: Migration and Ethnic Conflict in India*, Princeton, N.J., Princeton University Press, 1978.

called Gandhian means adopted at the initial stage were soon abandoned to make way for bloodshed and bomb culture the worst being Nellie massacre. In order to find a political solution the Central government put forward the Assam Accord, which the leaders agreed to sign on 15 August 1985. It talked of disenfranchising the immigrants who had settled in Assam between 1965-71 and deporting those who came after 1971. Besides this, the parliament passed the IM (DT) Act in 1983, which set out the procedures for identifying the immigrants.

In post Accord Assam the assumption of AASU backed Assam Gana Parishad (AGP) government soon belied the great expectations of the people. Soon it became evident that though lakhs of people have been identified as "*doubtful cases*" but virtually none could be deported to Bangladesh. This reason, added to it the failure to implement the Assam Accord has been a major factor of AGP losing its social base. The issue has been raised from time to time at various political circles.

Another issue that has raised serious debates at various quarters is the revision of electoral rolls and classifying the voters as "*citizens*" and "*suspected citizens*". Governor S.K. Sinha's 42-page report sent to the Union Home ministry on November 8, 1998 mentioned that the influx of Bangladeshi nationals had changed the demographic pattern of the state. Moreover, it has posed serious threats to the identity of the people and security of the nation.

During the post Accord period Assam politics had entered into a new phase with the United Liberation Front of Assam (ULFA) developing a blind eye with regard to the

infiltrators in view of the shelter and assistance they have been reportedly receiving from Bangladesh.

In the recent times, the demand of AASU to scrap the IM (DT) Act and its overemphasis upon the term “*indigenous people*” as having close proximity to Clause 6 of the Assam Accord which reads that constitutional legislation and administrative safeguards, as may be appropriate, shall be provided to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people, signifies the gravity of the problem. There have been proposed moves at various political circles to provide reservation for “*indigenous people*” in the elected bodies of the state as per the provision of Clause 6 of the Accord. The “*Quit India*” notice that has been served to these illegal migrants under the Foreigners Act of 1946 has also become a bone of contention among political leaders.

In the light of the above-mentioned course of events the issues that may be of concern are as follows:

- Is the problem of illegal immigrants in Assam, a political issue, taken up by various political groups, competing with each other to take advantage of the religious, ethnic, linguistic and political divisions that have emerged consequently?
- Is it emerging as the moot cause of political tussle between the AGP and the Congress?
- How far would the AGP justify its position, which primarily came to power with the

support of the caste Assamese Hindus, and later saw the significance of the minority vote?

- How does the problem of illegal migration pose a threat to national security?

Therefore, the real issue is the lack of any political leadership, which can express the political aspirations of the people of Assam at national level politics. The need of the hour is to abandon the earlier concept of economic development based on the possession of few resources such as oil, natural gas and tea. Rather the authentic Assamese must strive to become competent enough by accumulation of knowledge capital.

The work tries to discuss the subject with certain basic assumptions to understand the situation in a better manner. The following hypotheses might prove to be of some use while reaching at some conclusion:

- A multi-ethnic society can assimilate different ethnic groups as long as it does not disturb its demographic structure.
- Encouragement of border trade will lead to better opportunities for the surplus population and hence help in reducing migration.
- Porous border and lack of proper vigilance on the part of security enhance migration
- Dual labour market where migrants pursue low paying jobs whereas the local inhabitants opt for higher paid ones with better skill.
- The fear of loss of major vote bank has made deportation difficult.

Organisation of the work:

Chapter 1 titled, "*Theories and perspectives on the causes and consequences of internal and external migration*", begins by assessing the theoretical considerations on the issue of migration put forward by different writers. The views of Ravenstein, Stouffer, Lewis, Lee, etc. have gained wide acceptance. This chapter is an attempt to illustrate the problem of migration comprising the theories evolved by these writers; the causes and the determinants that lead to population movements; the impact of various types of migrations on the receiving as well as sending countries and finally the socio-cultural adaption as an emerging problem in the receiving countries.

Chapter 2 discusses the various theories of ethnicity and ethnic conflict. This chapter tries to describe how these theories may be relevant in order to study the ethnic conflict in Assam vis-à-vis the problem of migration.

While Chapter 3 focusses primarily on the Bangladeshi illegal migrants in Assam, there is also a brief description of the problem gaining worldwide significance. It goes on to discuss in a broad based manner taking into account the census data and subsequently analysing the political context in which such movements are taking place. Finally, mentioning some policy initiatives put forward by prominent writers on the issue and the need to implement the same.

The concluding chapter, stresses the continuing need to find lasting solutions to the problem of undocumented migration in Assam, emphasising means to be devised for border peace and security and evolving ways to enhance diplomatic negotiations with the country concerned in the respective matter.

Theories and Perspectives on the causes and consequences of Internal and External Migration

The movement of people within and across boundaries has been an enduring component of human history. Whatever forces are of particular significance for specific outflows, migration entails a number of distinct, though complex, consequences for countries both of origin and destination, as well as the people involved in this process, the migrant and his family.

There is a host of definitions of the term migration. Dictionaries generally refer to migration as a change of residence from one place to another. Various scholars have also put forward their views in this regard. For instance, Weinberg opines that human migration is the changing of the place of abode permanently or, when temporarily, for an appreciable duration as example, in the case of seasonal workers. It is used symbolically in the transition from one surrounding to another in the course of human life.¹ Eisenstadt considers migration, “ *as a physical transition of an individual or a group from one society to another. This transition usually involves abandoning one social setting and entering another and different one.*”² Malthus regarded migration, “ *as an inevitable consequence of over population,* ” and considered the great open spaces of the New World as providing a temporary escape from the cycle of poverty and misery which kept death rates high and prevented improvements in living standards for the majority.³ Marx highlighted the complicity of governments and the military in coercing peasants and small farmers into

¹ Weinberg, A. A., “*Migration and Belonging: A study of mental health and personal adjustment in Israel*”, 1961, in Kosinski, Leszek A and Prothero, R. Mansell (eds.) *People on the Move: Studies on Internal Migration*, London, Methuen & Co. Ltd., p.3, 1975.

² Eisenstadt, S. N., “*Analysis of patterns of immigration and absorption of immigrants*”, in *ibid*.p.3.

³ Richmond, H. Anthony, *Immigration and Ethnic Conflict*, York University, Toronto, Macmillan Press, 1988.

migration, through enclosure movements, clearances and state assisted emigration movements.⁴ Weber saw migration as an incidental factor creating new social classes and ethnic status groups.⁵ While Durkheim saw migration, “ *as one of the factors which led to the breakdown of traditional communities held together by mechanical solidarity.*”⁶ Everett Lee who later on propounded a theory of migration held migration broadly, “ *as a permanent or semi-permanent change of residence. No restriction is placed upon the distance of the move or upon the voluntary or involuntary nature of the act and distinction is made between external and internal migration.*” (Lee: “ A Theory of Migration”)⁷

Therefore, in the simplest sense we may say that migration is a ubiquitous demographic phenomenon, which results in population redistribution. It involves a change of usual residence by a person, family or household permanently or temporarily for a substantial period of time by breaking social and cultural ties. Thus, migration by its very nature involves at least three major actors: migrant, the area or country of origin and the area or country of destination.

Migration takes many forms. It can involve local moves of little economic significance, it may encompass vast, but temporary population movements in search of seasonal jobs; it may involve the permanent shift of individuals and groups from one economic system to another, with consequences for output structure and growth, employment patterns and social change. Migration, may involve the creation of an unorganized, unskilled, readily exploitable labour force.

⁴ Ibid.

⁵ ibid.

⁶ Ibid.

⁷ Cherunilam, Francis, *Migration-Causes, Correlates, Consequences, Trends and Policies*, Himalaya Publishing House, New Delhi, 1987.

Refugees and those in search of economic opportunities

Refugees are individuals whose race, religion, nationality, membership in a particular social group or political opinions makes them targets of persecution and who escape by living outside the country of their origin or nationality and are unable to return to it. According to UNHCR, between 1960 and 1996, there were over 294 million refugees the world over.

Based on the reasons for migration it can be voluntary, sequential and forced. If a migrant has the opportunity to exercise his own discretion in deciding whether to migrate or not or in the matter of selecting the place of migration, it is regarded as voluntary migration. Sequential migration takes place due to some element of customary obligation and suggestion of compelling circumstances, for example, migration following marriage, etc. Forced migration is caused by compulsion or coercion like separation, political or religious persecution, eviction, etc. for example, refugees. In 1950-51, with the establishment of the office of the UNHCR and the adoption of the UN Convention relating to the status of refugees, the formal structure to respond to the needs of refugees and standards for protection of refugees under international law was provided. The convention provides a general definition of a refugee as someone outside his or her own country and unable to return as a result of a well-founded fear of persecution on grounds of race, religion, nationality, political opinion or membership of a social group. It places obligations upon states, which are party to it, the most fundamental of which is the principle of "non-refoulement" which concerns the obligation of countries of asylum not to return people forcibly to situations where they have a well-founded fear of persecution. Solutions to such problems have been divided by the UNHCR into three categories: - voluntary repatriation, local integration in the country of asylum and resettlement from country

of asylum to a third country.⁸ In 1972, UNHCR assisted in organisation of mass repatriation of refugees to Bangladesh.

While making a distinction between a refugee and a migrant it can be said that a refugee is also a migrant but a migrant may not necessarily be a refugee. There are differing opinions in both minimalist and maximalist terms while using terms like “environmental refugees”. The former holds out that it is economic growth, especially employment-related motives, which predetermine and dominate the way people move within and outside a country. Environmental factors are but one of a series of factors which force people to move. On the other hand, the Maximalists take the position that environmental refugees are people who have been uprooted from their homes by a natural calamity such as flooding and drought. Circumstances may force them to seek shelter in a neighbouring region or a neighbouring country.⁹

When we refer to environmental displacement we may consider the views of experts cited in Sanjoy Hazarika’s “Rites of Passage-Border crossings, Imagined homelands, India’s East and Bangladesh” as follows: -

- Acute onset movements with the possibility of return. This is one of the most visible forms of flight, caused by natural disasters such as cyclones, earthquakes, floods and volcanic eruptions. Man-made tragedies such as industrial accidents such as the Bhopal gas disaster in India are also behind such temporary displacements.
- Acute onset movements, without the possibility of return. This is applicable to groups displaced by nuclear contamination or

⁸ Cults, Mark; Loughana.S; Nicholson, Francis (eds.), *The State of the World's Refugees Fifty Years of Humanitarian Action*, UNHCR, Oxford University Press, Oxford, 2000.

⁹ Hazarika, Sanjoy, *Rites of Passage-Border Crossings, Imagined Homelands, India's East and Bangladesh*, Penguin Books, New Delhi, p.77, 2000.

dumping of other hazardous wastes or destruction by especially severe natural disasters.

- Slow onset movements with predictability without possibility of return. In this case, displacement is caused, for example, by dam construction and other large-scale development projects.
- Slow onset movements, with the possibility of return. Chronic water shortages, deforestation, agricultural failure and land-related problems such as unclear land tenure and even extensive pollution of resources (land, water and air) are major causes of flight in this category.
- Low onset movements, without the possibility of return because of natural conditions in the area of departure. This is a reference to irreversible natural phenomena, such as desertification or rising sea water levels.

Myron Weiner too tried to separate refugees from migrants categorically as rejected peoples and unwanted migrants. The former refers to political refugees such as Tibetans in India, Muslim Rohingyas of Myanmar in Bangladesh, Afghanistan and Rwandan refugees fleeing their respective countries in the wake of war or civil strife, etc. The other category includes those groups crossing international borders in search of better economic opportunities, for instance, Russians settled in Estonia and Bangladeshis in India's Northeast. Now, we can move on to make a distinction between legal and illegal migration.

Legal and Illegal Migration

Most of the legal migrants are particularly young people (especially in the Global South) without productive employment and therefore in search of jobs. United

States of America and Germany have been the most favoured host states, but continuous migration also takes place within the Global South.

Illegal migration is also known as irregular and undocumented migration that occurs circumventing the regulations governing migration or without the knowledge of the authorities concerned. There has been large-scale illegal movement of population across several national borders and it is difficult to make accurate estimates of the magnitude of such migratory flows. According to the proceedings of the UN Expert Group on Population Distribution, Migration and Development, an estimated 12 to 13 million people worldwide fall into this category. Due to labour shortage and high economic growth, countries comprising ASEAN have also encouraged flows of illegal migration of workers. Overall, labour migration from Bangladesh increased from 6000 in 1976 to more than 1.5 million in 1996 to South Asia and many other parts of the world.¹⁰

There are a variety of reasons for such migration taking place, including, absence of explicit immigration policies or an administrative infrastructure to implement the existing ones, administrative inefficiency, imprecise or incompatible laws or regulations; complex regulations, etc. The US has always been a country of immigrants and historically it has developed highly successful processes for assimilation. However, there was a growing public opposition to immigration in 1990's. For instance, the state authority in California, the largest receiver of immigrants won a public opinion of curbing education to children of illegal

¹⁰ Mahmud, Raisul Awal, (ed.) *Emigration Dynamics in Developing Countries*, vol.2: South Asia, by Reginald Appleyard, Ashgate Publishing Company, USA, 1998.

immigrants; refusing them citizenship and ending state payments for their emergency medical care.¹¹

Keeping this broad framework in mind, we can now move on to discuss the relationship between internal and external migration. Both have been considered to be two distinct and independent phenomena. A migrant in internal migration is an individual who within a given nation moves from one regional unit to another for certain minimum period of time. This involves a change of residence from one community to another and usually the crossing of a specified kind of internal administrative boundary. This definition incorporates seasonal and other temporary migrations with their differing manifestations in both developed and developing countries. Thus, internal migration in principle implies movement of people within a geographically defined territory unrestricted by much legal constraints.

International migratory flows are characterized by a diversity of types. We can summarize some of them as follows:

- Most of the migration to the USA, Canada, Australia and New Zealand is permanent in character basically, family settlement and in recent times, refugee settlements have also taken place.
- European countries experienced a considerable amount of illegal immigration.
- In South Asia, labour migration is quite common.
- Within the African continent porous national frontiers and regional inequalities have given rise to a substantial flow of illegal migration.

¹¹Huntington, Samuel P., *The Clash of Civilizations and the Remaking of World Order*. Penguin Books, New Delhi, 1996.

These migrations mentioned above are mostly voluntary migrations. The major cause of such voluntary movement of populations between and within national boundaries is largely the above growing disparity in development between states. Thus, international migration signifies to a large extent inequalities especially in income and living conditions between countries particularly developed and developing.

Characteristics of Migrants and Migration

Age selectivity

It has been generally observed that there is a high concentration of migrants at young adult ages because people tend to be mobile in this group; migration for employment takes place mostly at young age and major part of the female migration is consequential to marriage which mostly occurs at a young age.

Chain Migration

Another phenomenon observed is chain migration, which is a movement in which prospective migrants learn of opportunities, are provided with transportation and have initial accommodation and employment, arranged by means of primary social relationships with previous migrants.

Several migration streams also reflect historical, cultural and linguistic ties. For example, Irish immigrants mostly choose USA because of similarity in languages and traditions; Finns go almost exclusively to Sweden, etc. In several cases, migrants from an area tend to have the same destination and also same occupation. For example, rickshaw pullers in Assam are largely migrants from Bihar and Bangladesh.

Laws and Theoretical Models of Migration

Many studies on migration support some of the laws of migration. The following models identified by various scholars are an attempt to provide a general theoretical background to explain the nature, determinants of migration and its implications on the migration process:

Ravenstein's Laws of Migration¹²

Ravenstein was the pioneer to present the laws of migration. He proposed his laws of migration way back in 1889. His focus is upon rural-urban migration. Migrations according to him accelerates with growth in the means of transport and communication and expansion of trade and industry. He advocated that the "*laws of population and economic laws generally do not have the rigidity of physical laws.*" He made a detailed study of migration statistics and presented papers on the laws of migration. The two famous papers both entitled, "*The Laws of Migration*" published in the Journal of the Royal Statistical Society of June 1885 and June 1889 are regarded as starting point of migration theories.

His first paper was based upon the British Census of 1881. We can summarize below his law as in the first paper and extended or amended in the second:

➤ **Migration and distance**

(a) The great body of our migrants only proceed a short distance and migrants enumerated in certain centres of absorption will grow less as distance from the centre increases.

¹² Mandal, R. B., (ed.) *Frontiers in Migration Analysis*, Concept Publishing Company, New Delhi, 1981.

(b) Migrants proceeding long distance generally go by preference to one of the great centres of commerce and industry.

➤ **Migration by stages**

(a) There takes place consequently a universal shifting or displacement of the population which produces '*currents of migration*', setting in the direction of the great centres of commerce and industry which absorb the migrants.

(b) Inhabitants of the country immediately surrounding a town of rapid growth flock into it; gaps thus left in the rural population, are filled up by migrants from more remote districts.

➤ **Current and counter-current:** Each main current of migration produces a counter current.

➤ **Urban-rural differences in propensity to migrate:** The natives of towns are less migratory than those of the rural parts.

➤ **Predominance of females among short-distance migrants:** Females appear to predominate among short journey migrants.

➤ **Technology and Migration:** An increase in the means of locomotion and a development of manufactures and commerce has led to an increase in migration.

➤ **Dominance of the economic motive:** Bad or oppressive laws, heavy taxation, an unattractive climate, uncongenial social surroundings and even compulsion (slave trade, transportation), all have produced and are still producing currents of

migration. Despite these factors, there is a desire inherent in most men to better themselves in material respects, so they migrate.

Evaluation of Ravenstein's laws

As Lee remarks, in spite of several severe criticism, “ *Ravenstein's papers have stood the test of time and remain the starting point for work in migration theory.*”¹³

Though some of his laws have been challenged, many of his generalisations remain true. Some of his laws have not been applicable in case of some countries. For instance, it was noted that his law that females predominate among short distance migrants appears to be invalid in many parts of Asia and Africa. A number of studies have found out that there is not enough evidence to support his generalisation that migration proceeds step by step. However, the whole theory cannot be proved irrelevant. In the Indian context, females account for nearly two-thirds of short distance migrants.

Stouffer's theory of intervening obstacles (1940)¹⁴

Stouffer discussed with his hypothesis that the volume of migration between two areas is directly proportional to the number of economic opportunities in the destination area and inversely proportional to the number of intervening obstacles.

According to him, the factors which influence the decision to migrate and the process of migration are as follows:

- Factors associated with the area of origin are both plus and minus.

¹³ Cherunilam, Francis, *Migration-Causes, Correlates, Consequences, Trends and Policies*, Himalaya Pub. House, New Delhi, 1987.

¹⁴ Mandal, R.B., (ed.) *Frontiers in Migration Analysis*, Concept Publishing Company, New Delhi, 1981.

- The factors that are associated with the area of destination include both plus and minus.
- Intervening obstacles.
- Personal factors.

His theory was further extended and used later on by Everett Lee to develop his theory of migration.

Lewis-Fei-Ramis model/L.F.R models

Famous economist Prof. Arthur Lewis in 1954 gave a comprehensive and simple two-sector model of the economics of labour transfer between the subsistence rural sector and the modern industrial sector. (Lewis, W. A., “*Economic development with unlimited supplies of labour*,” The Manchester School of Economics and Social Studies, Vol. XXII, 1954, pp. 139-191)¹⁵. This model was formalized and extended in 1961 by Prof. Gustav Ramis and John Fei. The combined structure came to be known as L.F.R model. It considers migration as an equilibrium mechanism, which through transfer of labour from the labour-surplus sector to the labour-deficit sector brings about equality between the two sectors. This model is concerned with the process of transfer of labour from the traditional low productivity sector to modern high productivity sector of the economy, consequent upon the acceleration of economic activities in the modern industrial sector brought about by investment expansion. Thus, the model conceives the undeveloped economy as consisting of two sectors:

- (a) A traditional agricultural subsistence sector characterised by very low productivity ‘surplus labour’, and
- (b) A high productivity modern urban industrial sector.

¹⁵ Cherunilam, Francis, *Migration-Causes, Correlates, Consequences, Trends and Policies*, Himalaya Publishing House, New Delhi, 1987.

Lewis says that in many economies an unlimited supply of labour is available at a subsistence wage. The main sources from which workers come as economic development proceeds are subsistence agriculture, casual labour, petty trade, domestic service, wives and daughters in the household and the increase in population. In most of these sectors if the country is overpopulated relatively to its natural resources, the marginal productivity of labour is negligible. The subsistence wage at which this surplus labour is available for employment may be determined by a conventional view of the minimum requirement for subsistence. According to the model, the modern urban industrial sector is the dynamic sector of the economy. Investment and output expansion and the concomitant expansion of employment opportunity are characteristics of the urban industrial sectors. The expansion of employment sector and existence of higher wages in the modern sector results in the transfer of labour from the rural to the urban sector. Lewis also argues that capital formation and technological progress result not in raising wages but in raising the share of profits in the national income. The process of modern sector growth and employment expansion is assumed to continue until 'the surplus' rural labour is absorbed in the urban industrial sector.

Evaluation

Michael Todaro points out that though L.F.R model of development is both simple and roughly in conformity with the historical experience of economic growth in the West it has three key assumptions which are sharply at variance with the realization of under development in most Third World countries. (Todaro, M. P., *"Economics for a Developing World,"* Longman, 1977).¹⁶

¹⁶ Ibid.

Firstly, it explicitly assumes that the rate of labour transfer and employment creation is proportional to the rate of capital accumulation. The faster the rate of capital accumulation, the higher the rate of new job creation. However, the limitations of modern industry as a means of absorbing the available manpower have become increasingly evident. For example, in India between 1961-76 employment increased only 71% while investment and output increased in the modern factory sector, 139% and 161% respectively. (Planning Commission, "Draft Five Year Plan", 1978-83, Govt. of India, New Delhi, Controller of Publications, p.82, 1978). There has been a similar trend in most developing countries.

Secondly, the assumption that surplus labour exists in rural areas and there is full employment in urban areas is also questionable. In many countries, the rate of chronic unemployment in urban areas is much higher than rural areas.

Todaro does not agree with the notion of continued existence of constant real urban wages until the supply of rural surplus labour is exhausted. He points that one of the most striking features of the urban wage situation in almost all developing countries however, has been the tendency for these wages to rise even in the presence of rising levels of open unemployment.

Todaro's Model of Migration (1976)¹⁷

Michael Todaro was one of the first to suggest that the paradox of migration in pursuit of higher wages and better employment prospects on the one hand and urban deprivation on the other hand could be explained by taking a longer-term view of why people move towards the more developed areas. People move not so much because of the immediate prospect of improving their living standards but because of the greater

¹⁷ Arsdol, Maurice D. Van and Gwan, Emmanuel, *Dynamics of Migration*, ICP Work Agreement Reports, Interdisciplinary Community Programme, Smithsonian Institution.

likelihood of eventually obtaining a good job and acceptable level of income. Thus, people might be willing to endure short-term difficulties in the hope of better prospects for economic gain and improved welfare in the longer term.¹⁸ Thus, migration is stimulated primarily by rational economic considerations of relative benefits and costs, i.e. mostly financial but also psychological. The probability of obtaining a better job is inversely related to the unemployment rate of the destination area.

Place-Utility Model¹⁹

Migration is viewed as a form of individual or group adaptation to perceived changes in environment, recognition of marginality with respect to a stationary position. Comparison of utilities of migrant's place of origin to other alternative places becomes necessary before taking a decision to migrate.



Human-Capital Approach²⁰

It assumes that individuals move if expected economic benefits exceed costs of moving. The costs of migration are the costs of moving, earnings lost while moving and while finding a new job and their psychic costs associated with the disruption of leaving familiar surroundings. The returns of migration are better employment opportunities, increased job earnings in the new location and value of amenities of public services that might be superior to those in the location of origin.

¹⁸ Knox, *Migrant Workers and Economic Transformation: Southern China*, Catholic Institute for International Relations, 1997. Working Conditions in the Special Economic Zones (SEZs) of China are very harsh; pace of work is fierce; less health and social security benefits of workers, reports of industrial accidents in large numbers, bullying and abuses from managers, etc.

¹⁹ Arsdol, Maurice D. Van and Gwan, Emmanuel, *Dynamics of Migration*, ICP Work Agreement Reports, Interdisciplinary Community Programme, Smithsonian Institution.

²⁰ Sjaastad (1965), Vandercamp (1971), "Migration Flows: their determinance and effects of return migration". Journal of Political Economy, pp.10-31, 1979.

Lee's theory of Migration ²¹

It is considered to be one of the most accepted theories on migration. Building on Ravenstein's "laws of migration" and borrowing much from Stouffer, Lee (1966) divides forces exerting influence on migrant perception into "pluses" and "minuses" i.e. push and pull factors of migration. Everett S. Lee's, "*A theory of migration*" is an attempt to construct an all encompassing theory that would explain human behaviour as it relates to moving from one place to another. The concepts of push and pull were central to Lee's analysis. Whether push or pull factors predominate in a given time determines to the considerable extent the characteristics of migrants. Push factors are more likely to be present in less developed society. Pull factors in an advance society are more likely. For instance, people can be pushed off the farm after repeated droughts for the same period while others can be pulled to the city as urbanization and industrialization emerges alongside societal development. Lee's model is a useful point to examine both why people move and why they move in a particular direction. His model is a meso-level perspective, which seeks to explain patterned regularities in the migration process in terms of prevailing social and economic conditions in major source and destination areas.

Lee argued

'Migration takes place in response to the prevailing set of factors both in the migrant's place of origin and in one or a number of potential destinations. These factors were identified by Lee as being positive (+), negative (-) or neutral (0). In simple terms, migration is seen as being most likely to take place where the influence of negative conditions in the place of origin or positive conditions in the potential place of destination is greater than the conditions which attach people to their home areas or dissuade them from moving elsewhere. The relative balance of positive and

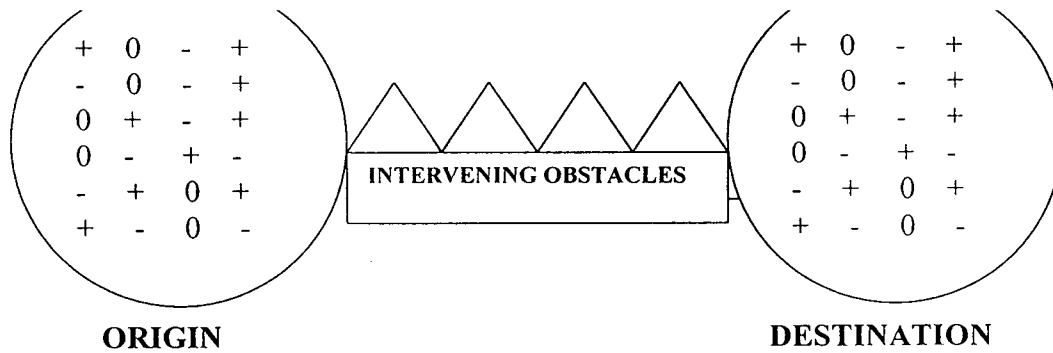
²¹ Parnwell, Mike, *Population Movements and the Third World*, Routledge, London, 1993.

negative conditions may have a powerful influence not only on the incidence of migration but also upon the direction of movements, with “streams of migration”²² developing towards the more attractive destination areas. It may also have an influence on the duration of movements, with return migration being more likely to occur where the home community continues to hold an attraction to the mover. A variant of Lee’s model is the “push-pull” framework, which similarly views migration as a response to repulsive forces in the place of origin and attractive forces in the place of destination. Lee also points out that some factors affect most people in the same way and other factors affect different people in different ways. A person’s knowledge of condition in the home areas in relation to the possible places of destination also matters. The potential migrant may rely on information from secondary sources, for example, media or from returned migrants.

Intervening obstacles

Drawing heavily upon Stouffer’s model, Lee argued that a further factor, which influences the likelihood of people migrating, prevails. These are the potential barriers of migration, for example, cost of travel, spatial and cultural distance between places, family attachments, personal anxiety, lack of information about opportunities and conditions elsewhere, government restrictions on movement, etc. Thus, this approach brings out this point clearly that we need to be mindful of the circumstances which prevail in the areas from which migrants are moving and in the areas upon which their movement is focussed, migrant’s propensity to move and the factors facilitating and hindering the movement.

²² Ibid. Migration Streams: A group of migrants with a common origin and destination is referred to as migration streams or current. A stream may have counter stream i.e. a flow of migrants in the opposite direction.



Source: Everett S. Lee, “*A Theory of Migration*”, *Demography*, p. 50, (1966).²³

Determinants of migration

An analysis of the various theories would enable us to categorise the determinants of migration as push factors and pull factors, which can be summarized as follows:

Factors such as population growth, land shortages, low levels of agricultural productivity and income and a weak non-agricultural and a non-industrial sector have tendencies to exert influence on the incidence of emigration. In many parts of Asia, population growth and shortages of cultivable land are combining to push people into marginal ecological zones (e.g., uplands, lowlands, swamp, short-lived riverine islands, etc.).²⁴ Therefore, demographic or environmental changes have a significant impact upon the rate of out-migration. In these cases, declining soil-fertility or occasional environmental disasters may result, adding further to the impetus for people to leave their home areas in search of additional or alternative sources of livelihood. The green house emissions and global change may have severe consequences on agricultural production and coastal cropland in countries such as Bangladesh and Egypt.²⁵ Added to these factors is the inequality in the pace of economic and technological change from place to place, which affects the levels of

²³ Ibid.

²⁴ Most of the illegal migrants from Bangladesh settle down in the short-lived riverine islands (popularly known as ‘chars’ areas) in the river Brahmaputra mostly in lower Assam, (Local Sources)

²⁵ Dixon, Thomas F. Homer, “*On the Threshold: Environmental Changes as Causes of Acute Conflict*”, *International Security*, vol.16. No.2, p.94, 1991.

out-migration. Penetration of market economy particularly in the Third World remote areas has increased the importance of cash crops as the main medium of economic transactions. Capacity of agriculture to satisfy this is constrained by inefficient farming practices and scarcity of investment capital. These lead to seasonal migration when due to limited development of non-agricultural economy, few employment opportunities are available locally. Labour migration thus provides an invaluable source of cash income for the poor and landless.²⁶

Among the pull factors, it is said that economic motivations underpin the great majority of migratory movements (particularly in the Third World). Developed urban centres within and abroad may be expected to offer a range of employment opportunities in manufacturing, construction, commerce and the service industry, together with a diverse range of social amenities and attractions. An awareness of these opportunities may in itself provide a powerful motivation for migration.

Selectivity

Because of the filtering effect of so-called '*intervening obstacles*', population movements tend to be very selective in terms of age, gender, economic status, ethnicity and other characteristics of the people who are able to move. In most Third World countries for instance, migrants have been predominantly male though there is a growing evidence that this pattern is changing in some areas e.g. in the industrialized countries of South America. Just as migrant streams throughout the world are predominantly male, so they are also predominantly young. Female migration is concentrated across a narrower age range and falls off rapidly after the

²⁶ Parnwell, Mike, *Population Movements and the Third World*; Routledge, London, 1993. In Indonesia, (especially in Jakarta) lack of work is responsible for the migration of more than one million rural labourers to work as seasonal migrants each year after the harvest has been completed and the fields prepared for a new crop.

mid-twenties. Education to high levels leads to greater specialisation in work and often to greater mobility. Even the most basic education tends to impart transferrable skills, extends horizons and increases aspirations. Quite often migrants tend to be more highly educated than the average population of their place of origin. Regulations to establish a system of identity cards are an emerging concept when we talk of migration in this globalising world. This is introduced to allow carriers to establish their identity and to be produced when applications for loans and business licenses are made. Householders in many countries are supposed to check their tenants' cards before letting rooms.²⁷

Effects of migration

Causes and consequences of migration have an intricate relationship in the sense that both have social, political, economic, cultural and demographic dimensions. Though it is simply not possible to state whether, on balance, the overall impact of migration is positive or negative yet, the central issue that needs to be addressed is how effective migration is in terms of reducing the social, economic and special inequalities, which often give rise to migration in the first place.

Migration is one of the important factors in socio-economic transformation of the society. It impacts on the sending as well as receiving areas in a variety of ways. The movement of population backwards and forwards between the sending areas and destination areas has an important impact on the sending areas. As Caldwell writes, *"Circular forms of migration far more than permanent migration have the potential of spreading new ideas, attitudes, knowledge to sending areas and contributing greatly*

²⁷ Hoy, Caroline, *The Fertility and the Migration experiences of Migrant women in Beijing*, University of Leeds, Beijing, p. 32, 1995.

families at home. According to a World Bank study by eighties end, remittances amounted to more than 65 billion dollars a year.

Though receiving countries can benefit economically from migration, the influx of foreigners has become a matter of growing concern. A UN Bureau of Social Affairs, 1966 report held that employment opportunities have been major migration stimuli in Ceylon, India, South Korea, Thailand, Malaysia and Indonesia. Thus, economic effects of migration are determined by comparing key economic factors such as levels of employment and income, occupational structure and composition of industry and government revenue and expenditure before and after migration in both the sending and receiving countries.

Human qualities

The selectivity of migration process in general results in younger, better educated, more dynamic and enterprising people moving away from their home communities - a form of 'brain drain'. On the other hand, migration helps in diffusion of ideas and information, indicates symptoms of socio-economic change and can be regarded as a human adjustment to economy, and environment and social problems. Migration has also caused fragmentation of the extended, nuclear families to, and fluctuation of members within households.

Effect on women

"Females are more migratory than males within the kingdom of their birth, but males more frequently venture beyond."(Ravenstein, 1885: 199)²⁹

²⁹ Bolye, Paul and Halfacree, Keith: *Migration and Gender in the Developed World*, Research in Population and Migration, Routledge, London, 1999.

worship other gods, belong to other cultures and they fear, will take their jobs, occupy their land, threaten their way of life, environment and even their polity. Virtually, every country facing this crisis has an anti-foreigner political party or movement.

Destination area governments tend to be most concerned with the problems of migrant control while some governments of the sending areas try as much as possible to assist them to reach their destinations. The process of socio-cultural adaptation may occur without undue conflict when the receiving society is experiencing economic growth and relative affluence, but they give rise to problems when unemployment is high or if there is competition for other scarce resources. So, such adaptation process and the underlying problem has to be examined in the context of polyethnic and culturally diversified character of both sending and receiving countries. Global economic crisis has however aggravated the problem of adaptation facing migrant population and an increasing hostility towards them by the natives. So it can also be argued that political climate has not been favourable to the absorption of immigrants at a time of high inflation, escalating unemployment and pressure to curb expenditure of the government on social services. Another interesting feature that adds to the effects of immigration is that immigrants have often added voices to the nationalist movements in various industrialised countries (of indigenous minorities). In some cases, this has led to government concessions towards greater self-determination, regional development and devolution or political independence for established minorities and especially multicultural policies for immigrants.³¹

Therefore, to conclude, we can say that the process of migration is a very complex one. Before arriving at any solution to the effects of migration on national

³¹ Hawking (1982), Richmond (1982): "*Multiculturalism in Two Countries: The Canadian and Australian experience*," cited in, *Aspects of the absorption of Immigrants-Ottawa, Manpower and Immigration*, Richmond, Journal of Canadian Studies, vol.17, No.1, pp.64-80, 1994.

security, socio- economic stresses on development, food production and distribution and environmental degradation we have to seriously examine the wider social, economic and political situations, within which such population movements take place.

Approaches on Ethnicity: The Case of Assam

The revival of ethnic cleavages and increasing tensions is one of the major problems for today's community of nations. The process of democratization in the aftermath of the Cold War in some countries has revealed old ethnic, religious and cultural differences and animosities. These have led to ethnic violence and interstate as well as intrastate wars that jeopardize the traditional concepts of nation-states and world security. The most gruesome kinds of ethnic conflicts have flared up in the former multi-ethnic states of the Soviet Union and Yugoslavia. Massive population movements took place following the dissolution of the Soviet Union in 1991. Up to nine million people found themselves on the move in the 1990's following the erection of new national boundaries.¹ Inter-ethnic and separatist armed conflicts in the South Caucasus and Central Asia, conflicts in various autonomous territories of Georgia, civil war in Tajikistan and such conflicts in Chechnya created waves of displaced people and refugees in 1990's.

The violent break-up of Yugoslavia, which began in 1991, led to the largest refugee crisis in Europe since the Second World War. Refugee crisis took place in the southern Balkans in 1999, when some 800,000 Kosovo Albanians fled to Albania and the former Yugoslav Republic of Macedonia.² When Federal Republic of Yugoslavia formally accepted a peace plan under which all its military, police and paramilitary forces withdrew from the province, leading to the deployment of a Nato-led force in Kosovo in June 1999, within three months, some 200,000 Serbs and other minorities left Kosovo in a process which became known as "*reverse ethnic*

¹ Cults, Mark; Loughana.S; Nicholson, Francis (eds.), *The State of the World's Refugees Fifty Years of Humanitarian Action*, UNHCR, OUP, Oxford, 2000.

² *Ibid.* p.10.

cleansing".³ Therefore, we may add that since migration leads to demographic changes in both the country of destination and the sending country it is necessary to look at the interface of the two. Demographic changes may it be just in terms of population explosion or depletion, it may entail social tensions with the accompanying ethnic cleavages that may otherwise be dormant. The ethnic factor could cause migration itself. We now go into the theories of ethnic cleavages with reference to Assam that has witnessed demographic transformation owing to migration since the last two centuries.

The term ethnicity was first used by David Riesman in 1953 but makes its appearance in the Oxford English Dictionary only in 1972.⁴ The concept of ethnicity was advanced as a generic term covering tension and conflict arising due to cultural heterogeneity in a state. In many senses, it was put forth as a replacement for class to conceptualize social stratification in society. For instance, both Marx and Weber were convinced that in modern industrial society consciousness based on ties of affection would be supplanted by rational affinities. In the case of Marx, it was "*class*" and in Weber's case "*nation*" which would replace primordial identity.

Recurrent ethnic behaviour patterns in many parts of the world, not less significantly in advanced industrial societies such as the United States has been perplexing the intellectual circle. Social scientists have been provoked to give personal impressions in the context of the changing world order vis-à-vis ethnic conflict. To have a better understanding of the concept and its implications in the existing political order it would not be out of place to consider the views put forward by well known social scientists. For instance, Donald Horowitz (1985) has used a

³ Ibid. p.10.

⁴ Hutnik, Nimmi, *Ethnic minority Identity-A Social Psychological Perspective*, Clarendon Press, Oxford, 1991.

concept of ethnicity to refer to groups defined by ascriptive differences, whether the indicum is colour, appearance, language, religion, some other indicator of common origin or some combination thereof.⁵ He stresses the salience of ethnic conflict in heterogeneous Third World societies.

Ethnicity is close to Weber's conception of a "*subjective belief*" in "*common descent*". It embraces groups differentiated by colour, language and it covers tribes, races, nationalities and castes. In addition, he explains that 'feelings of common ethnicity' and notions of kinship are usually caused by the diverse economic and political conditions of various groups and therefore, both economic and political factors are crucial variables in determining the nature of ethnic relations. Paul Brass (1974:8) distinguishes ethnic group, community and nation on the basis of the level of consciousness. An ethnic group is an objectively distinct group, but its members do not necessarily attach subjective importance or political significance to the fact. A community is an ethnic group whose members have developed an awareness of common identity and have sought to draw boundaries of the group. A community becomes a nationality or nation when it mobilizes for political action and attains political significance. However, not all groups move in such a direction; some disintegrate or merge into a larger society, others retain their separate identity.⁶ Barth asserts that though the ethnic markers (dress, language, house form, life style and even basic value orientations) used by members of ethnic groups to signal belonging may change with time, the process of self-ascription and identification need not necessarily undergo a similar change. Ethnic groups may thus become behaviourally

⁵ "*Nationalism and Ethnic Politics*", vol.7, No.2, *A Frank Cass Journal*; Summer, 2001.

⁶ Brass, Paul, *Language, Religion and Politics in North India*, Cambridge University Press, Cambridge, 1974.

assimilated while yet maintaining a strong sense of ethnic identity.⁷In this light, ethnicity is not so much a product of common living, as a product of self-awareness of one's belonging to a particular group and one's distinctiveness with regard to other groups. Riggs (1994) sees the eruption of 'ethnonationalist movements'⁸ in multi ethnic states as a modern and growing phenomenon.⁹ He identifies three historic 'tsunamis' of nationalism.¹⁰ The first tsunami (the unification and rise of nation-states) culminated in the nineteenth century. It was followed towards the end of the nineteenth century by a second wave, the liberation movements that have continued throughout the twentieth century. The second wave has launched the third (self-determination and ethnonationalism) at the end of the twentieth century. He believes that the third tsunami will probably continue for many decades provoking untold human suffering and an unforeseeable end.

However, authors such as Huntington (1993) go beyond the point of considering purely intrastate violent ethnic conflict as the dominant form of conflict in the twentieth century. He opines that the fundamental source of conflict will occur between civilisations. In his view, "*In this world the most pervasive, important, and dangerous conflict will not be between social classes, rich and poor, or other economically defined groups, but between peoples belonging to different cultural*

⁷ Barth, F, "Ethnic Groups and Boundaries" in Allen, George (ed.), *The Social Organisation of Cultural difference*, London, 1969.

⁸ Gurr, Ted Robert and Harff, Barbara, *Ethnic Conflict in World Politics*, Ethnonationalists are relatively large and regionally concentrated ethnic groups that live within the boundaries of one state or of several adjacent states. Their modern political movements are directed toward achieving greater autonomy or independent statehood. They usually have some kind of organised leadership and occupy substantial territory; University of Maryland, Westview Press, Oxford, 1994.

⁹ Vuckovic, Gojko, *Ethnic Cleavages and Conflict: The Sources Of National Cohesion and Disintegration-The Case of Yugoslavia*, Centre for Multiethnic and Transnational Studies. University of Southern California, Ashgate Publishing Ltd., Los Angeles, 1997.

¹⁰ *Ibid*, Tsunami is the Japanese term for a tidal wave, a metaphor Riggs uses for the process that have generated vast and violent consequences, p.3 1997.

activities. Tribal wars and ethnic conflict will occur within civilizations."¹¹ He further defines civilization as the highest cultural groupings of people differentiated from each other by history, language, culture, tradition and most importantly religion. He identifies eight major civilizations viz. Western, Confucian, Japanese, Islamic, Hindu, Slavic, Orthodox, Latin American and African.

In the light of these views put forward by different writers, ethnicity may be defined as – the tendency of human beings to associate with one another around shared religion, sect, language, cultural tradition, beliefs in common ancestry and a host of other particularistic ties. The feeling of belonging together and of sharing common symbols is usually multidimensional and therefore, ethnic identity can be rather pliable depending on varying contexts and situations. Ethnicity necessarily involves feelings of solidarity and loyalty towards fellow members and very often, it derives from some real or felt sense of deprivation and denial.

At any rate, ethnic identity helps in societal interaction and forms as a basis for collective action. However, particularistic claims and interests of human beings while interacting with each other determine the question of identity. A more sinister angle of ethnic cleavages is ethnic conflict and the violent form it takes. Infact ethnic conflict is a phenomenon present in almost all the multiethnic societies. However, it may be manifested in non-violent form too, but in most circumstances, it may turn to ethnic violence, which may threaten political and social order of respective territorial states. It may also lead to internationalisation of problems at any point of time and thus we can reach to this conclusion that with such a progressive trend towards ethnic mobilisation and claims for implementation of rights of self- determination, the threat

¹¹ Huntington, S.P., *The Clash of Civilizations and the remaking of World order*. Penguin Books, New Delhi, p.2, 1996.

of ethnic violence and war is greater than ever. **Violence and war may involve ethnic cleansing. It in turn may lead to migrations. Even without ethnic cleansing migration may take place.**

Theories of ethnicity

In the literature on ethnicity and nationalism, the first major division is between primordial and situational or instrumental theory. The primordialists considered the ethnic identity as a given. Because of primordial affinities deriving from race, skin, colour, tribe, caste, language, religion and other such factors each ethnic group has a different historical experience and consequently its position in society is likewise determined. The primordialists argued that human beings have always been grouped together based on given primordial characteristics.¹² Other writers pointed out the situational nature of ethnic identity. Identity is multidimensional and consists of several ingredients-skin, colour, religion, language and so on. Which of them is relevant depends on the requirements of the situation.¹³

Theories of Ethnic Conflict

Though general theories of ethnic conflict have not been developed, contextual factors and the diversity of social environments have proved to be important to understand and explain them. Some of the theories that have evolved so far may be considered as follows: -

¹² Geertz, C. "*The Integrative Revolution*," in Geertz (ed.) *Old Societies and new states*. The Free Press, New York, 1963.

¹³ Phadnis, Urmila, *Ethnicity and Nation-Building in South Asia*, Sage Publications, New Delhi, pp.14-15, 1989.

Modernisation theory and ethnic conflict

Modernization is a product of the eighteenth century expansion of scientific and engineering knowledge. It involves industrialisation, urbanisation, increasing levels of literacy, education, wealth and social mobilization and more complex and diversified occupational structures. The attitudes, values, knowledge and culture of people in a modern society differ greatly from those in a traditional society.¹⁴In the literature of 1950's and 60's on modernization and ethnic conflict many scholars have argued as follows:-

“Economic development, urbanization and growing literacy would lead to a greater integration of different ethnic groups throughout the world.”

The modernization theory predicted that greater economic and political interaction among people and modern communication networks would break down ethnic parochial behaviour and replace ethnic loyalties with loyalties to national, supranational and global communities. Writings of Karl Deutsch reveal that ethnic identity will wither away as the processes collectively known as modernization occur.¹⁵ He further argues that large segments of the population of diverse ethnic groups can be assimilated by way of modernization subject to social engineering. However, other scholars argued that the relationship between modernization and ethnic groups has been more ambiguous noting that advances in communication networks have tended to increase the cultural awareness of minority ethnic groups. Political developments in 1970's, 80's and 90's prove that instead of greater integration and more tolerance between ethnic groups, conflicts based on the assertion

¹⁴Huntington, S.P., *The Clash of Civilizations and the Remaking of World Order*, Penguin Books, New Delhi 1996.

¹⁵ Vuckovic, Gujko, *Ethnic Cleavages and Conflict: The sources of National Cohesion and disintegration: The Case of Yugoslavia*, 1997.

of ethnic identities have increased sharply. Increased ethnic awareness and ethnic mobilization may lead to greater national cohesiveness based on more equal distribution of power or devolution of power in order to meet the aspirations of ethnic groups that cannot be absorbed by national institutions.

From the primordialists' point of view modernization is considered as a threat to ethnic solidarity and culture. According to instrumentalists, ethnic identity is used as a means to attain certain goals. The most important effect of modernization is to increase economic difference or awareness of and resentment towards differences between dominant groups and minorities. Ethnic identities if not wholly invented by political leaders and intellectuals for purposes of social manipulation are at least related to specific social and political projects.¹⁶ Paul Brass [1991:23-26] emphasizes the role of elite competition as the basis for ethnic groups developing subjective consciousness and making political demands. The author presents an instrumentalist view of ethnic identity, which is simply not given but constructed from objective differences.¹⁷

Democratic Theory and Ethnic conflict

Scholars have given differing opinions on the question if ethnic pluralism and democracy can be reconciled (or) whether there is a possibility of democracy succeeding in severely fragmented societies. In 1861, J.S.Mill reasoned that democracy is next to impossible in a country made up of different nationalities. Some

¹⁶ Rex, John, "Ethnic Minorities in the Modern Nation-States: -Working papers in the theory of Multi-Culturalism and Political Integration." in Henry, Zig Layton and Toly, Daniele (eds.), *Migration, Minorities and Citizenship*. Centre for Research in Ethnic Relations, Macmillan Press, 1996.

¹⁷ Brass, Paul R., *Ethnicity and Nationalism: Theory and Practice*, Sage publications, New Delhi, 1991.

scholars argue that ethnicity is a deciding factor of gains in deeply divided societies. Two influential instrumentalists, Glazer and Moynihan (1975:10) feel that government employs ethnic categories as a basis for distributing rewards. Rather than dismissing ethnicity as a primitive hangover, inconsistent with a liberal democratic environment, they emphasise its normal place in modern US politics.¹⁸ Scholars like Horowitz talk of politicization of ethnicity. On the other hand, optimism prevails in Riggs who recommends the strategy to promote democratisation in countries burdened by deep cleavages between hostile ethnonationalists. Accommodative elite practices might also be important in this case as suggested by Robert Dahl (1971).¹⁹ Various scholars have commented on managing ethnic conflicts and building a stable democracy in an ethnically divided society by means of (a) deliberative constitutional engineering;(b) intermarriage;(c) interaction of people along different line of cleavage, such as class, etc. However, despite these efforts at modernisation, democratisation, intermarriage, etc. ethnic cleavages have proved to be enduring and rigid in many societies e.g. of Eastern Europe.

Nation-building theory and ethnic conflict

Scholars associated with these theories feel that ethnic identity will be replaced by the common identity of a nation-state as communication networks advanced and link ethnic groups more closely. The fundamental role of the state is to resolve the different contradictions either by using force or by disciplinary power.²⁰

¹⁸ Ahmed, Ishtiaq, *State, nation and ethnicity in contemporary South Asia*, Pinter, London and New York, 1996.

¹⁹ Vuckovic, Gujko, *Ethnic Cleavages and Conflict: The Sources of National Cohesion and Disintegration: The case of Yugoslavia*, 1997.

²⁰ Ibid.

Theory of international order and ethnic conflict

Because of the willingness of the international community to intervene through international bodies such as the United Nations and other means, ethnic conflicts of particular nation-states have become more sensitive to the political and economic restructuring of the international community. Scholars of peace and security agree that the evolving concepts of peace and security as well as institutions and policies for the same are required to bring peace in war torn regions through international bodies.²¹

Internal Colonialism

Another argument to explain growing ethnic conflict in some countries, for example, the regional separatist movements in developed as well as developing countries is internal colonialism. When people of different ethnic groups compete directly for same scarce resources and positions, their ethnic identities become more important to them. Inequalities increase if some groups are more successful than others thus providing the condition for ethnic mobilisation and conflict. This approach emphasises the economic and political subordination of one group to another.²² Political domination serves to assure economic control and superiority. Control in the economic sector, particularly with respect to labour relations, is the principal source of domination.

Split Labour Market Theory

The split labour market theory or to put it more succinctly the economic ethnic mobilisation theory developed by Bonacich hypothesizes that ethnic antagonism first

²¹ Ibid.

²² Hecter, Michael, *Internal Colonialism: The Celtic Fringe in British National Development 1536-1966*, University of Berkely, California Press, 1975.

germinates in labour markets where there are at least two groups of workers whose price of labour differs for the same work.²³

Theory of Segregated Labour Markets

It lays emphasis on an ethnic group's ability to establish and maintain its principal economic relations with members of the same ethnic group. It also argues that '*immigrant enterprises*' might manage to create a workable form of vertical integration by developing ethnically sympathetic sources of supply and consumer outlets, which enables them to create and maintain control over their development.²⁴

Ethnic Conflict Management

Besides trying to theorise upon ethnic conflict situations, scholars have also tried to identify strategies that could prevent ethnic violence or reconcile the differences among ethnic groups. A consociational formula involving power-sharing arrangements with four key features such as grand coalitions; mutual veto; proportionality and segmented autonomy and federalism have been propounded by Lijphart in deeply divided societies to manage ethnic cleavages. (Lijphart: 1977)²⁵ Horowitz believes that in order to foster accommodation, homogenisation by means of assimilation or loss of ethnic group identity can be followed. Thus, we can also conclude by saying that policies and strategies of both the leaders of ethnic groups and those created and followed by governments are to be taken into account while managing ethnic cleavages.

²³ Bonacich, Edna, "*A Theory of Ethnic Antagonism: The Split Labour Market*", *American Sociological Review*, pp.547-59, 37 Oct. 1978.

²⁴ Darnell, Alfred T. and Parikh, Sunita, "*Religion, ethnicity and the role of the state: explaining conflict in Assam*", *Ethnic and Racial Studies*, vol.11; No.3 University of Chicago, July 1988.

²⁵ Vuckovic, Gujko, *Ethnic Cleavages and Conflict: The Sources of National Cohesion and Disintegration: The case of Yugoslavia* 1997.

Ethnic Conflict in Assam

Ethnic diversity is almost universal and has existed throughout history. Most of the time human societies have managed to maintain the ethnic peace, though usually by imposing severe restrictions and disabilities on defeated and subordinate groups. In recent years, a new form of resistance has been growing the world over, among marginalised indigenous peoples against ever increasing encroachment and usurpation of their land and natural resources by settlers, private industry, multinational companies and the state.

Thus, ethnicity is not always related to the assertion of sovereignty over a territory. A quite different project from that of the nationalist one is that of migration. In this case, some members of an ethnic or national group, whether for economic reasons or because of political persecution, leave their own country or territory over which they do not seek to establish political control. They migrate to a number of territories where they have varying economic opportunities. For example,

- They may seek to maximise their economic opportunities;
- They may seek to retain their own culture; if in a modified form, as a resource in any of their struggles;
- They may have some kind of “*myth of return*” to their homeland.

In order to gain insight into the different aspects of ethnic conflict in Assam we can analyse the whole situation in the light of the mentioned conditions. It is often quoted that Assam is situated in one of the greatest routes of migration of mankind. Waves of people belonging to different ethnic groups poured into this region from time immemorial. This forested expanse with extra-ordinary fertile soil, rich natural and mineral resources and a strategic location has facilitated to its unique pluralism.

In its wide bosom the Aryans and non-Aryans, Hindus and non-Hindus have mingled peacefully and contributed their share to the building up of the complex Assamese culture and hence the "*Assamiya Nationality*".

Assamese society is made up of tribal folk traditions and a liberal brand of Hinduism deeply influenced by Srimanta Sankardeva's school of Vaishnavism. The idea of a composite Assamese identity made up of ingredients consisting of Tai-Ahoms from Southeast Asia, Indo-Aryans from the West and aboriginal communities such as the Bodo, Kacharis, Rabhas, Misings, Deuris, Tiwas and others began to emerge as early as the 17th century. It also included a small section of Assamese Muslims. Migration both from the Indian subcontinent and from countries lying to its east for centuries has been a major contributing factor to such a process. In spite of ethnic, linguistic and cultural diversity, there has been a synthesis of culture and fusion of races, as well as assimilation with the emerging Assamese society, which is borne out by their history, language, literature, and works of art.

Among the major immigrant communities of Assam are Muslims of Bengali descent, Hindu Bengalis, Marwaris or Nepalis and the tea labour community. Each of these categories needs to be understood as reflecting significant processes of ethnic change. Of the immigrants, the plantation labour live away from the habitation of the indigenous Assamese in the villages adjoining the tea gardens and is engaged in a profession different from that of the indigenous people. However, to some extent there has been a process of assimilation between the two communities linguistically as well as culturally. They have tremendous influence in the politics of the state and have occupied a substantial share in the ministry with representatives in the State Assembly. Marwaris constituting a minor segment of the population are virtual controllers of Assam's economy. They are exclusive in social life, maintain their own

schools, charitable institutions, newspapers but they speak Assamese too, patronise local institutions and donate liberally to various political parties. Earlier Nepali migrants assimilated themselves with the Assamese mainstream. Intermarriages have also taken place but they still hold their language, culture, and usage though they are in Assam for generations.

During the entire period of Assam's pre and post- independence history, the state's intellectual and political scene was dominated largely by the language issue. Bengali Hindus from Calcutta had occupied an important position in the administrative set up under the British because they were easily able to adapt to British requirements and thus monopolised civil service posts in Assam. The question of allocating scarce government and private sector jobs brought these two communities into conflict with the result that the question of Assamese identity was brought to the fore. It thus culminated into the language movement of 1960's with the worst forms of inter- group conflict. In the closing decades of the 19th century, British rulers brought thousands of labourers from the tribal belt of Orissa and Bihar to work in tea estates in the Brahmaputra valley. Many poor Biharis followed them in the later years as traders and low-paid menial workers. Later on, they settled to eke out a living mostly in the countryside. The latest spree of killing aimed at Hindi- speaking settlers of Bihar manifests the on going ethnic tensions and conflicts in the area. These incidents of mayhem are in fact evidences of a series of ethnic cleansing of "*outsiders*".

If we talk of assimilation of Muslims into the Assamese society, it dates back to the thirteenth century onwards. This is adequately reflected by the writings of Azan Fakir, an Assamese Muslim, social scientist who claims that the process of assimilation of the Muslims began in the background of the tolerant and integrative

Vaishnava movement, launched by Sankardeva, the great saint and literary figure of Assam.²⁶ Prominent writers and poets like Ismail Hussain and Khanir Ahmed (both hail from the immigrant Muslim community) have further strengthened the process of assimilation and consolidation of Muslim's quest for survival as a part of the greater Assamese community. No less significant was the contribution of the Assam Sahitya Sabha (Literature Society of Assam), champion of Asamiya culture and language in encouraging the process of assimilation of the immigrant Muslims into the broader fold as Na Asamiyas.

The immigrant Muslims, who have come to Assam at different phases from East Bengal and settled mostly in the 'char'²⁷ areas of Lower Assam and the Muslims of the Barak valley, share a common cultural and linguistic heritage. However, the distinctive feature of the immigrant Muslims of the Brahmaputra valley is that though their mother tongue is Bengali, they would like to be identified as Na Asamiyas or Neo Assamese. In the early period of the 1970's, they declared themselves as Assamese at the time of the census enumeration. Their children study in Assamese medium schools and they try to identify themselves as a part of the greater Assamese society.²⁸ Keeping these facts aside, however, Assam is a good example of a state whose contours have been most often redefined on the ground that it harboured several ethnic groups who had nothing in common with each other and some of whom were already in the process of challenging the integration within the Indian Union.

²⁶Misra, Udayan, "*Immigration and Identity Transformation in Assam*," Azan Fakir was a 17th century Muslim saint, Shah Milan of Baghdad, who composed the 'zikirs' and 'zaris', devotional songs that speak mainly of peace, harmony and the transitory nature of human life and seem deeply influenced by popular folk music forms as well as by the Vaishnava music of Assam. They form an integral part of the cultural mosaic of the Assamese people; *Economic and Political Weekly*, 22 May, 1999.

²⁷ Chars are alluvial islands built up of silt carried by the Brahmaputra river. There are about 10,000 of them in the river, 800km. long course through Assam. They are difficult to access and are populated by immigrants. However, for many years the chars have been facing excessive erosion, which has pushed a large number of Muslims from lower Assam towards mainland Assam for survival.

²⁸ Misra, Udayan, "*Immigration and Identity Transformation in Assam*". EPW. 22 May, 1999.

Assertion of a separate identity by different sections of the society including the Bodos is a strict testimony of this fact.

After the above discussion, we tend to move on to understand events in Assam relating to the fear of the Asamiya speaking indigenous population of being democratically, politically and culturally swamped by outsiders particularly, Muslims from Bangladesh, also keeping in view the various theories that have been mentioned in the earlier section. One way to look at the whole issue is to focus attention on the term “*ethnic Assamese*”, the emergence of which suggests a process of ‘a shift from an elite group being culturally invisible to becoming culturally visible as a result of a loss of hegemony’.²⁹ To some extent, it would not be incorrect to say that the instrumentalist model of ethnic political mobilisation is partly applicable to the case in Assam if we try to examine or analyse the conflictual situations that have taken place in the society as such. The course of events would give us an idea that the ethnic boundaries in Assam are fluid and ethnic categories cannot be viewed merely as primordial givens. In fact, they reveal the changing nature of ethnicity and manipulation of cultural symbols by elites in the formation of ethnic identities.³⁰ The Assam anti-foreigners agitation that surfaced in a big way in the late seventies and early eighties had its roots in linguistic, religious, ethnic and cultural interactions amongst the different groups of people mainly Assamese, Bengali Hindus, Bengali Muslims and tribals. To quote Bhabani Sengupta, “*the emerging Assamese middle-class, losing in competition to Marwaris in trade and commerce, Bengalis in profession and clerical jobs and Muslims in the possession and utilisation of land and water, started an agitation against ‘foreigners’ even in the sixties. A complex set of*

²⁹ Baruah, Sanjib, *India Against itself-Assam and the Politics of Nationality*, OUP, New Delhi, 1999.

³⁰ Brass, Paul, *Language, Religion and Politics in North India*, CUP, London, 1974.

political development brought the Assam problem to a head in 1979."³¹ Studies reflect that the question of identity always articulated against the background of economic grievances. Now, the question as to the fear of losing the identity of the indigenous Assamese revolves around the assumption that different groups compete for political and economic resources that provide the ground for ethnic mobilisation. In this context we can point out that Alfred T. Darnell and Sunita Parikh (University of Chicago) have tried to apply the split labour market theory to Assam.³² Their study reveal that it can be partially applicable since the condition of conflict and competition in Assam is not wholly shaped by economic factors whether it is between Bengalis and Assamese or Bengali Muslims from Bangladesh and Assamese, etc.

The internal colonialism model has also proved to be helpful in understanding the Assam case because it provides a framework for examining the role of the state and the friction between the ethnic Assamese and the Central government. This provides us a clue to one of the basic arguments laid down by various sections of the society particularly the militant outfits functioning in this area. Their opinion hold that the territory of Assam has remained geographically separate and was artificially bridged with mainland India by a narrow strip of land and an outdated railway system. They also contend that the territory is prima facie self-governing as it is both geographically separate and ethnically distinct from the country administering it. Moreover, they maintain that in the name of governance in Assam, the Central government created a situation where law and facts are at conflict. Various laws and constitutional bindings with regard to migration of foreigners have been rendered inapplicable in Assam encouraging the illegal influx of migrants in huge numbers

³¹ Iftekharruzzaman, (ed.) *Ethnicity and Constitutional Reform in South Asia*, Regional Centre for Strategic Studies, Manohar, New Delhi, 1998.

³² Darnell, Alfred T. and Parikh, Sunita, "*Religion, ethnicity and the role of the state: explaining conflict in Assam*", *Ethnic and Racial Studies*, vol.11, number 3, July 1988.

from neighbouring Bangladesh, which they feel is a threat to the distinct ethnic character of Assam.³³ The frequent imposition of President's rule had also reinforced the imperialist image of the centre. The central leadership of mainstream political parties manipulated ethnic symbols.³⁴ This brings us closer to the ethnic-government approach, which emphasises the role of the state and those political organisations, internal and external ethnic groups, which influence ethnic identity formation and political mobilisation.³⁵ In the present inquiry, it would be worthwhile to put forward the view of Joel Migdal (1988:1-41) who regards ethnic diversity as a particularly serious problem in developing societies. It tends to promote conflict since the state cannot respond adequately to the multifarious claims and demands, which crop up from a fractionalised society.³⁶

Conclusion

In an increasingly globalised world, stimulated by modernisation, global politics is being redefined along cultural lines. Political boundaries are being redrawn on ethnic, religious and cultural lines. The 1990's have witnessed the eruption of global identity crisis. There is an exacerbation of societal and ethnic self-consciousness. Stanley Hoffmann argues that the local population fears the relative decline of the demography due to migration. This type of phobia is rooted on genuine cultural clashes and worries about national identity.³⁷

We would also argue that modernisation and democratisation have led to both integration and polarisation of multiethnic societies driven by "*global migration*

³³ Kotwal, Dinesh, "*Dynamics of Unending Violence in Assam*", Institute of Defence Studies and Analysis, New Delhi, 2000.

³⁴ Pakem, B, *Nationality, Ethnicity and Cultural Identity in North-East India*, Omsons Publications, Guwahati, 1990.

³⁵ Brass, Paul, "*Ethnic Groups and the State*". in Brass, Paul, (ed.) *Ethnic Groups and the State*, Totawas, Barnes and Noble Books, New Jersey, pp.1-56, 1985.

³⁶ Migdal, Joel S., *Strong Societies and Weak States*, Princeton University Press, Princeton, 1988.

³⁷ Huntington, S.P, *The Clash of Civilizations and the Remaking of World Order*, 1996.

crisis” a term often used by Myron Weiner. For ethnic violence to occur multiple factors such as political, economic, cultural and religious provide the basis for the creation and maintenance of intensive ethnic conflict. It would perpetuate and continue to disintegrate peoples if the domestic as well as international nature of specific ethnic conflict is not understood and appropriate policies to deal with it are not developed.

In the overview, one can find that in managing such ever-growing ethnic conflicts any single formula or signing of accords without creating means to implement the same is not universal enough to incorporate all forms of ethnic conflict. While the discussion would go on, the ability to shift the emphasis from the question of identity to illuminating the framework of development in all forms would provide a rationale towards the problems.

Bangladeshi Migrants in Assam

Today in the context of globalisation, international migration is widely recognised as a vital element in the development process. Massive influx of population has been perceived as a threat when states are witnessing growing demographic and labour market imbalances; widening disparities in economic growth and development between countries and regions, and wide ranging changes in the political and economic systems of many countries. The International Conference on Population and Development carried out studies on size, type and direction of international population movements and noted that international migrants rose from 75 million in 1965 to 120 million in 1990.¹

Researchers have pointed out various push factors of migration in the countries of origin such as high population growth thereby producing large increase in the labour force that cannot be absorbed productively particularly in developing countries and therefore resulting in higher migration to nearby comparatively developed regions. Environmental changes too may remove the economic foundation of a community altogether and result in compulsory movements akin to those of refugees. Another major cause has been unending poverty, which leads to migratory movements in search of better life sustaining support systems. In the case of Bangladeshi migrants in Assam the various “*push factors*” prevailing in their native places that led to their migration are, firstly, the pressure on land. For example, Mymensingh, the main emigrating district, had one of the fastest growth rates of population as compared to the rest of the districts. Secondly, the permanent settlement of Bangladesh (erstwhile East Bengal) under which they had to face zamindari oppression because they were either tenants or under tenants or virtual bonded

¹ “*International Migration and Development*”, the Concise Report, United Nations, 1997.

labourers. Besides, devastating floods often made them landless and without homesteads. Therefore, they feel that their expenses in migration were not higher than their earnings from the cultivation at their native places.

Migration in Asia has a distinctive feature because it is most often organised, supported if not encouraged by private or government recruitment agencies who play an important role in arranging the travel documents and transportation. It has been estimated that 97 percent of migrant workers from Philippines and Thailand and 60 percent from Bangladesh were placed either by private or government recruitment agency.² These countries have been termed as classic labour exporters.³

The core question of migration of Bangladeshis through illegal routes into Assam has been engaging the attention of the Assamese people at large. For further introspection of this issue as such, one requires to reflect briefly the conditions in Bangladesh. Bangladesh is one of the most densely populated countries in the world. Its annual population growth rate ranges between 2.2-2.5 percent, and a labour force growth rate of over 3 percent. It suffers from unemployment, underemployment and seasonal unemployment in a massive scale. Given its limited natural resources, the country is unable to absorb the increasing labour force. It addresses its unemployment problem by sending its manpower abroad, which is regarded as one of the most desirable and least expensive sources of migrant labour power. Between 1976-1990, the country exported 800,000 workers (approx.). It is highly dependent on income from remittances (in 1990, it received 800 million dollars in remittances).⁴

² *International Migration Policies*, Department of Economic and Social Affairs, Population Division, UN, 1998.

³ *ibid.*

⁴ *Ibid.*

What are of main concern to us at this stage are migrants who have entered from Bangladesh by fraudulent or unofficial channels. International Conference on Population and Development in 1994 agreed to the usage of “*undocumented migration*” noting that they are irregular, illegal and unauthorised migrants; are persons who do not fulfil the requirements established by the country of destination to enter, stay or exercise an economic activity.⁵ It is also difficult to determine the actual numbers.

The phenomenon of huge influx of undocumented migration of Bangladeshis into India particularly Assam has been accounted for by certain exogenous forces classified as follows:

(a) Physical Dangers: environmental destruction in the south-west region of Bangladesh has led to the loss of agriculture; closure of industries and navigation facilities; a drop in fish yields; the death of valuable forest resources; disappearance of land due to river bank erosion and devastating floods.

(b) Economic insufficiency due to lack of adequate means of livelihood;

(c) Religious persecution.

Studies reveal the lack of availability of any other possible survival. Alternatives close to home has forced these ill-fated Bangladeshis to cross the porous border and settle in India.

Migration from Bangladesh to Assam- a historical perspective

It is to be recollected that in 1826 after the “Yandaboo Treaty”, the entire territory of Assam came into the hands of the British, who divided Assam into two administrative units-the Brahmaputra valley and Surma valley. In 1905 Dhaka, Rajshahi, Chattagram and Maldah districts of East Bengal and Goalpara, Kamrup,

⁵ “*International Migration and Development: Report of Secretary General*”, UN, ECOSOC, 1995.

Darrang and Nowgong districts of Assam were tagged with the Brahmaputra valley and put under one administrative unit of East Bengal. In 1912, Assam was bifurcated from East Bengal and for the first time Assam as a separate province with a modern central administrative entity came into being. It was under these circumstances during this period that the process of migration started with the European planters bringing in plantation labour from Bengal, Bihar, Orissa, Madhya Pradesh, Uttar Pradesh and Madras to meet their growing demands. They were recruited on a contract basis and were expected to return to their original homes once the contracts were over but most of them found a safe haven in the nearby areas in the tea gardens. Inflow of population from the neighbouring districts of Sylhet, Dhaka, Mymensingh and Rangpur began after the opening up of avenues of employment in the offices and trade. Sir Henry Cotton, Chief Commissioner of Assam found that over four-fifths of cultivable waste lands remained untouched by plough and expressed the hope of increased labour supply.⁶ This was facilitated with the completion of Assam-Bengal and Eastern Bengal rail projects.

Pressure on the soil, diluvium in their home districts have been identified as the push factors of the migrants from the neighbouring districts of East Bengal to Assam. The pull factors being the availability of cheap, plentiful and fertile lands on easy terms in Assam, these migrants from districts like Mymensingh moved up into the valley and formed during 1911-21 an appreciable element of population in Goalpara, Nowgong, Darrang and Kamrup districts. Mr. S.C Mullan, ICS, Census Superintendent of Assam wrote in 1931, *"probably the most important event in the province during the last 25 years- an event which seems likely to alter permanently the whole future of Assam and to destroy the whole structure of Assamese culture and*

⁶ Barpujari, H.K., *Northeast India: Problems, Policies and Prospects: Since Independence*, Spectrum Publications, New Delhi, p.35, 1998.

civilisation has been the invasion of a vast horde of land hungry Bengali immigrants, mostly Muslims from the districts of Eastern Bengal. Where there is a wasteland thither flock the Mymensinghians. It is sad but by no means improbable that in another 30 years Sibsagar district will be the only part of Assam in which an Assamese will find himself at home". The census report of 1931 has graphically shown the growth of Mymensinghians in the three undivided districts of Goalpara, Kamrup, and Nowgong from 1911-31 as follows: -⁷

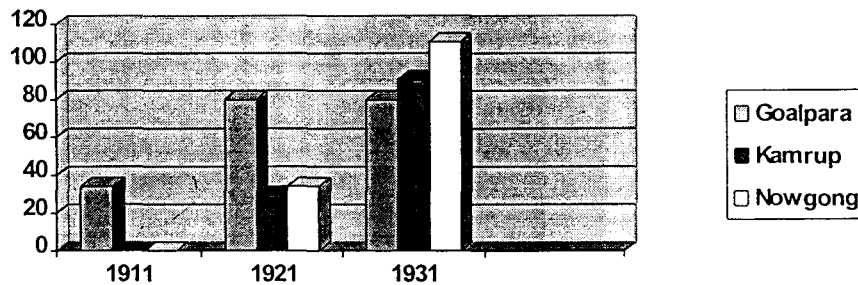


Fig3.1

Concern for protection of indigenous people prompted the various district officers to devise the line system and other restrictions in land settlement. Fearing the breach of peace and to restrict indiscriminate settlement by immigrants, the Line system was initiated as lately as 1920 in Nowgong and Barpeta districts where land had been divided into three classes:

- Where immigrants might settle freely;
- Those in which they could not settle and,
- Where a line was drawn on the map or on the ground on only one side of which they could settle.

Line system was introduced as far back as 1921. The system provided a certain outlet but hardly served to mitigate to any appreciable extent, the hardship involved in

⁷ Sinha, S.K., *Report on illegal migration into Assam*, 1998.

the rigorous maintenance of the lines. Moreover, extraordinarily rapid growth of immigrant population on the one hand and rigid restriction of settlement of land on the other, have combined to create a large landless class. This "*prolific race*" preferred to settle in the riverine tracts of Barpeta sub-division and present Dhubri district. But the vagaries of the Brahmaputra, which changes its course annually, create havoc amongst the immigrant settlers, washing away their land, compelling them to search for "*fresh fields and pastures new*".⁸ However, a certain section of the officers at the district level were in favour of relaxation and gradual abolition of the line system. Such an attempt was made by Sir Sadullah who came to power in November 1939 and wanted to discontinue the Line System to encourage settlement of Muslim migrants to make Assam a permanent base of the Muslim League. His "*Land Development Scheme*" better known as "*Grow More Food Scheme*" was turned down by the Viceroy Lord Wavell as a ploy to "*Grow More Muslims*".⁹ Thus during this period the Sadullah Ministry under the pretext of raising the state's agricultural production, engineered the systematic settlement of people from East Bengal in Assam.

It was in the wake of partition that mass exodus of refugees remained unchecked and undetected. Most of them were rehabilitated; many settled as farmers in rural areas while fairly educated Hindu refugees concentrated in towns as shopkeepers, grocers, hawkers, carpenters, barbers, etc. This action was motivated also by Nehru-Liaquat Pact of 1950, which assured their safe return and rehabilitation. In order to retain their land holdings in the Brahmaputra valley the immigrant Muslims on being ordered by the Muslim League declared themselves as Asamiyas in

⁸ Report on the Line System, 1928.

⁹ Barpujari, H.K., *India's North-East: Problems, Policies and Prospects: Since Independence*, p.39, 1998.

the census of 1951 when they saw the futility of clamouring for Pakistan.¹⁰ Meanwhile the Assam Sahitya Sabha, the champion of Assamese culture and language, itself began to encourage the process of assimilation of these people into the broader fold as “*Na Assamiyas*” or “*New Assamiyas*”.

In the early sixties particularly after the Chinese aggression of 1962, demands to detect and deport the so-called Pakistani infiltrators from Assam were generated after reported incidents of flag hoisting by the Pakistani infiltrators and their sympathisers at quite a few places in central Assam.¹¹ The issue received serious attention and at the instance of late Mr. B.N. Mallik, the then Chief of Intelligence Bureau, the Prevention of Infiltration Programme (PIP scheme) was drafted in 1965. The main feature of the scheme was that state governments were encouraged to build up special units of their own police force, to deal with infiltration. Special tribunals were to be set up to expedite disposal of cases of illegal immigrants. The Union government would reimburse the expenditure incurred by the state government in the raising and maintenance of PIP units.

The scheme was vigorously implemented from 1964-69. During this period, nearly two lakhs of infiltrators were pushed back into East Pakistan. However, PIP operations resulted in large-scale complaints about anti-Muslim bias among the state police and harassment of the local Muslim population when it was abruptly stopped by Mrs. Gandhi. Besides this the entire Brahmaputra valley plunged into violence in the wake of important movements based on the nationality, linguistic, and cultural identity of the Assamese in 1960 and 1972. In 1969, when the CM of Assam intensified the drive for the deportation of foreigners, the Jamiat-e Ulema-e-Hind

¹⁰ Census Report of 1951.

¹¹ Bhattacharya, H.K., *The Silent Invasion*, Spectrum Publications, New Delhi, 2001.

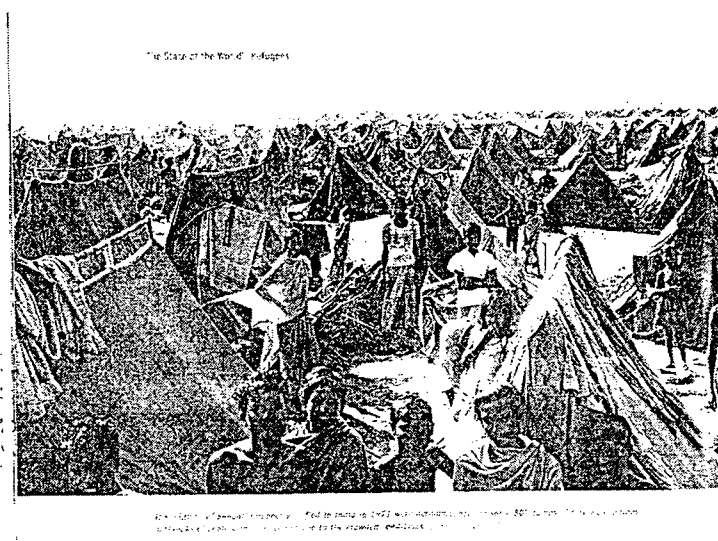
raised the cry of harassment of the minority community in the name of deportation of Pakistani infiltrators. At the behest of a Muslim Union Cabinet Minister, the Union Home Minister addressed a communication to the Chief Minister to “go slow” in the matter. The State Cabinet met at Shillong on June 12, 1969, where communication from Union Home Minister was read and a decision taken to wind up all the foreigners’ tribunals and transfer all cases pending against infiltrators to ordinary courts of law. In July 1960 the following instructions were issued by the Central Government: those (Pakistanis) who have been staying without travel documents for a long time should not normally be disturbed, but such of those that are found as security risks and regarding whose Pakistani nationality there is no doubt, may be served with orders under section 3(23) of the “Foreigners Act, 1946”. Consequently, by 1971, Assam found itself burdened with as many as 413,029 immigrants.

Rupture in Pakistan and exodus of 10 million refugees to India

On 29 March 1971, the UNHCR representative in India F.L.Pijnacker Hordijk, warned the High Commissioner of an impending refugee influx into India. By the end of 1971, figures provided by the Indian government to the United Nations indicated that this total had reached 10 million. From the beginning, the Indian government made it clear that there were no circumstances under which it would allow the refugees to settle in India. It requested the United Nations for international aid. Between May 6th to 19th 1971, UNHCR mission visited numerous refugee camps in West Bengal, Tripura and Assam, the most affected areas. In some districts in these states refugees outnumbered local residents.¹² Breakup of epidemics like cholera in

¹² Cults, Mark; Loughana, S. and Nicholson, Francis, *The State of the World's Refugees: Fifty years of Humanitarian Action*, UNHCR, OUP, Oxford, 2000.

these camps heightened the crisis. By the end of Jan.1972, some 6 million refugees had returned home.



Bangladeshi refugees in India as on 1 December 1971.

State	Number of camps	Refugees in camps	Refugees with host families	Total number of refugees
West Bengal	492	4,849,786	2,386,130	7,235,916
Tripura	276	834,098	547,551	1,381,649
Meghalaya	17	591,520	76,466	667,986
Assam	28	255,642	91,913	347,555
Bihar	8	36,732	-----	36,732
Madhya Pradesh	3	219,298	-----	219,298
Uttar Pradesh	1	10,169	-----	10,169
Total	825	6,797,245	3,102,060	9,899,305

Fig 3.2

Source: "Report of the Secretary-General Concerning the Implementation of General Assembly Resolution 2790(1971) and Security Council Resolution 307(1971)"; UN Doc.A/8662/ADD.3, 11 Aug. 1972.

Assam: Bracing for a Showdown (Late Seventies Onwards)

Demographic surveys and population censuses have been regarded as two main sources of information on migration. As regards the question of illegal migrants in Assam, there arises the problem of accurate estimation. The only source for such estimates is the census but the problem arises when the immigrants give dubious information on birthplace so also when Bengali Muslim immigrants declare Assamese as their mother tongue. The total number of Assamese speakers shows a substantial increase from 36 percent in 1931 to 62 percent in 1951 and 61 percent in 1971 censuses.

The Bangladeshi migrants have moved across difficult geographical obstacles driven by possibilities of better economic opportunity. Unemployment, underemployment at home, and higher income, better living standard and asset accumulation prospects abroad have been major catalysts behind the constant stream of migrants. Therefore, economic forces have acted as one of the important pull factors to migrate to neighbouring India. Another possible reason is environmental disasters as an essential push factor. As B.G.Vergheze points out that, no other country anywhere faces a flood problem of the nature and magnitude that Bangladesh does.¹³ Environmental disruption is closely connected to other variables like decline of agricultural and other life sustaining support systems, which induce migration as environmental refugees. Bangladesh has a tropical monsoon climate and suffers from periodic cyclones, floods, droughts and famine destroying thousands of human lives in the process. Thus, recurrent natural calamities, land degradation and soil erosion, deforestation, sea level rise in Bangladesh, Ganga water scarcity all have led to

¹³ Hazarika, Sanjoy. *Rites of Passage-Border Crossings, Imagined Homelands, India's East and Bangladesh*. Penguin Books, New Delhi, 2000.

environmental degradation and resource scarcity causing migratory movements in the nearby areas.

Besides these, linguistic and cultural contiguity and the initial presence of a large number of migrants with deep rooted ties to Bangladesh would lead us to opine that information about wages and employment opportunities are updated through personal contacts. Thus, the possible reasons for the migration from Bangladesh are employment, education, business, family moved, marriage, natural calamities, etc. The initial response to such migration was that these people accustomed to the risk arising from diluvium and devastating floods were prolific cultivators introducing jute cultivation as a diversified pattern of land use. Extensive areas of char lands had been turned into lush green agricultural land. This feeling soon turned to be adverse and the local people felt that the region is being jeopardised by the influx.

The basic question that had to be addressed to in late seventies and early eighties was the actual number of illegal migrants from Bangladesh that is arriving Assam and posing a threat to the Assamese-speaking indigenous population demographically, politically and culturally. This very issue turned out to fuel the minds of the Assamese giving shape to the sons-of-soil Assam agitation in late seventies and early eighties. The agitation demanded the expulsion of the foreigners. The Assam Accord was signed to solve the problem confronting the state. The parliament passed the IM(DT) Act to determine the foreigners; but it did not remain above controversy. The result was widespread unrest among the various ethnic groups giving rise to insurgency and secessionist movements in the post-Accord era. In the following years till the present day the people of Assam have been witnessing a repudiation of the rule of law, a total rejection of hard, assiduous study and skills

towards earning an honest living and a total isolation of a sizeable section of youth from their society in terms of productive and socially useful activities.

Before laying out a brief sketch of the Assam movement it would be pertinent at this juncture to point out that on the issue of illegal Bangladeshi migration as a threat to the identity of indigenous Assamese, various schools of writing have developed over the years. Some argue that the claim of certain sections of people in Assam particularly politicians, that the state is being overrun by a continuing flood of Bangladeshis is a myth and rather exaggerated. They are of the opinion that migration is not as massive as it is portrayed. Another section of writers invites debates at various circles: media, academia or larger intelligentsia that migration is unabated from the neighbouring districts of Bangladesh and would swamp Assam in a very short period if it were not checked immediately. However, others are trying to find out rational answers to the whole question.

Politics and Migration

Since the mid-sixties, it had become evident that the emergence of a new type of leadership and region-oriented elite in most of the states had acquired new political dimensions. Consequently, the regional, linguistic and even parochial forces have become articulate and acquired importance effecting the functioning of the political system. Thus, new political processes began unfolding in the states. In the case of Assam, it is interesting to examine the Assamese elite's urge for distinct identity as displayed through the Assam movement of late 1970's on the issue of 'foreign nationals' and the response towards the same of the government at the centre.

The term 'Assamese elite' mainly refers to the articulate section of the Assamese caste Hindu group. Most of the important positions both in the governmental establishments and commercial undertakings were occupied by the members of this community. Thus, a section of urban Assamese middle class began to grow out of this segment of the Assamese society.¹ Due to their upper-caste status and superior intellectual capabilities, they became culturally, politically and even economically dominant within the Assamese society. Therefore, they controlled the Assamese press and other platforms and thereby played an important role in the articulation of public opinion in Assam, which was witnessed in the course of the agitation too. The Assamese elite has for long been conscious of their distinct identity, which they felt, was being threatened by the continuous stream of immigration in the face of economic stagnancy. Hence, they sensed the need to check immigration and remove economic backwardness.

¹Guha, Amalendu. *Planters Raj to Swaraj: Freedom Struggle and Electoral Policies in Assam (1826-1947)*. New Delhi, 1977.

Simmering Assamese fears came into the open by 1978 on the question of losing their identity when in the 1978 election the Communist Party of India (CPI-M) captured eleven seats feared to be with the help of foreigners' votes and the Muslim section garnered twenty-eight seats.² On the other hand, a sense of being let down by Delhi began to dominate the Assamese psyche. Though the then ruling Janata government at the centre responded with statements of concern about the foreigners' problem and assured the Assam government that solutions would be sought, but Morarji and Vajpayee (then Prime Minister and External Affairs Minister respectively) became wholly occupied in keeping their own party in office. The Janata government fell at the centre but the foreigners' issue was at the forefront in Assam as the time had arrived for new elections and thus preparation of voter rolls. In September 1979, the state government in Assam too fell; the legislature was suspended and President's Rule was imposed in December 1979. In the meanwhile, Indira Gandhi won the mid-term elections and took office in June 1980. In the wake of this situation, the All Assam Students' Union (AASU) decided to create a broader support base and met with Assam cultural associations to form the All Assam Gana Sangram Parishad (AAGSP), an umbrella organisation with the backing of many Assamese student, social and worker organisations and even some tribal associations. Indira Gandhi after assuming office extended invitation to the AASU leaders to come to New Delhi for talks. When the talks failed, things took a new turn. The movement shortly lost direction in 1983, when large-scale ethnic rioting broke out in Assam and the young Prime Minister Rajiv Gandhi who took office after Mrs. Gandhi's assassination, went on an accord-making spree. Thus, repressive methods gave way to accords as the thrust of a new policy for the troubled areas of Northeast India.

² Darnell, T. Alfred and Parikh, Sunita, " *Religion, Ethnicity, and the Role of the State: Explaining Conflict in Assam*", *Ethnic and Racial Studies*, vol.11, no.3, University of Chicago, July 1988.

The fears that had assuaged the minds of the Assamese of losing their identity became a matter of political controversy towards the end of 1970. The Assam movement began in 1979 and with that the issue of Assam's demographic transformation because of the immigration returned to the state's political agenda to an unusual extent. The attention of the public at large was drawn in 1979 bye-election in the Mongoldoi parliamentary constituency (situated in an area with a heavy concentration of East Bengali immigrants), when the voter's lists were revised and in the process a large number of foreigners were detected. This was brought to the notice of the Election Commission. Election Commissioner, S.L. Shakdar was advised to leave the matter till the elections got over, on the ground that issuance of citizenship is time-consuming. The AASU spearheaded the movement of "anti-foreigners" demanding revision of the electoral rolls before the elections were held. Their motto was the three D'S-detection, deletion and deportation of the 70,000 men (out of these 45,000 were declared foreigners by competent courts).³ The movement initiated with a mass rally in Guwahati led by then AASU President P.K.Mahanta and General Secretary Bhrigu Kumar Phukan demanding immediate settlement of the foreigners' issue.

The minds were filled with a nationalist fervour and a quest to save the Assamese identity. The initial response of the masses was positive perhaps moved by the peaceful manner in which it was carried out. A week long satyagraha, strikes and bandhs was followed by oil blockades at the refineries of Digboi, Guwahati, Bongaigaon and Barauni, which effected crude oil supply. Soon Assam was in

³ Barpujari, H.K., *India's North-East: Problems, Policies and Prospects: Since Independence*, p.57, 1998.

ferment and turmoil.⁴ Non-violent Gandhian methods soon gave way to sporadic incidents of violence in different parts of the state. These events invited debate and discussions in the Parliament. The then Union Minister of State for Home, P.Venkatsubaiyah informed the house that there were about 120 incidents of arson and 127 cases of assaults between August 1979 to January 1980; 32,000 houses in 40 villages had been burnt and 15,000 people rendered homeless.⁵ Despite these incidents, the political parties did not reach to any solution. As a result, the AAMSU emerged in 1980; organised rallies at Barpeta and Howli carrying Bangladeshi flags and shouting slogans like “*Joy Bangla*” that is, “*long live Bangladesh*”.⁶

As a constitutional compulsion election was due, President's rule was imposed due to fall of Anuwara Taimur's and Keshab Gogoi's government. Accordingly, it was declared that elections would be held on 14th, 17th and 20th of February 1980 on the basis of the electoral rolls of 1979. In the meanwhile the AASU and the AAGSP leaders were put under detention under the National Securities Act after the failure of the first round of talks with the Centre and to arrive at a decision on the cut-off date for the revision of the names of foreigners in the electoral rolls. The state was put under the vigilance of the police, CRPF, BSF and other paramilitary forces and Disturbed Area Act 1983 and Assam Armed Forces Special Powers Act, 1958 were enforced when the situation deteriorated under the circumstances of extremist actions undertaken by the militant section of the movement. The Karmachari Parishad refused to perform election duties despite actions taken against their decision and hence election personnels were recruited from outside the state.

⁴ “*The Danger of Secession*”, On 18 January, violence occurred at Duliagan resulting in police firing and most gruesome killing of Dr. Rabin Mitra, Technical Manager of the Oil India Limited. *India Today*, 16-29, 1980.

⁵ *India Today*, pp.25-26; 30, November 1982.

⁶ Barpujari, H.K., *India's Northeast: Problems, Policies and Prospects: Since Independence*, p.48, 1998.

Assam was torn asunder in the wake of the worst genocides that took place in the districts of Kamrup, Darrang and Nowgong. Political leaders took advantage of the sentiments of the ignorant masses by adding communal shade to the agitation. The worst of the incidents took place at Nellie, in the district of Morigaon, where gruesome slaughter of men, women and children took place. Various interpretations had held the state machinery responsible for such misconduct. The elections held under such controversial circumstances led to a landslide victory of the Congress (I) and the government headed by Hiteswar Saikia was set up on 17 February 1983 inviting severe criticism from AASU-AAGSP. The situation was controlled to some extent though the agitation in the form of strikes, blackouts were going on. Mrs. Gandhi visited Assam in February 1984 perhaps to legitimise the newly formed government.⁷

After dialogues with the Centre, the Saikia government got the approval for the erection of barbed wire along the Indo-Bangla border in addition to the constitution of Foreigners' tribunals headed by non-Assamese and non-Bengalis to solve the foreigners' issue. However, when these were put into practice the performance of the tribunals were far from satisfactory. Meanwhile, discomfiture was arriving' between the AASU and AAGSP after allegations of communal character following the Nellie massacre. The resumption of talks after a gap of about eighteen months in 1984, at the instance of Cabinet Secretary Krishnaswami Rao Sahib on the foreigners' issue took place. The Centre wanted 1965 as the cut-off date to detect the illegal migrants and those who entered Assam after 1971 to be identified and disenfranchised for five years. The AASU agreed to it but wanted expulsion and disenfranchisement for twenty years. Though nothing came out as a solution, election

⁷ Gupta, Shekhar, "Assam Simmering", *India Today*, 29 Feb. pp.43-44, 1984.

efforts were carried on which necessitated revising of rolls of 1971 sought by the Chief Election Commissioner R.K.Trivedi. The Congress (I) came out with its manifesto that the party would not demand for 1971 as the cut-off year; that the Saikia Ministry would be dissolved once the accord was reached at; Election Commissioner would ensure that the names of all foreigners would be deleted from the voter's list maintaining 1971 as the base year. When Rajiv Gandhi came to power, he agreed to the demand of the AASU that an amicable solution would be reached at on the controversy of the cut-off year once the accord was enforced.

Assam Accord and the Youthful Take Over

An Accord was signed between Prime Minister Rajiv Gandhi and leaders of the Assam movement on 15th August 1985. According to the accord, illegal migrants who had entered the state between January 1966 and March 1971 would be disenfranchised for ten years and those who came after 1971 would be deported. It was also agreed that the state government formed after the election of 1983 would resign, the state assembly dissolved and fresh elections based on revised rolls would be held in December 1985. An amendment to India's citizenship law was enacted by the parliament in November 1985 providing that non-citizens who were found to have entered Assam between 1961 and 1971 would enjoy all rights of citizens except the right to vote for ten years.⁸ The final revised roll had 9,806,285 voters based on which the 1985 elections were held.⁹ After the accord was signed, two new parties namely, the Assam Gana Parishad (AGP) formed by the student leaders of the Assam movement and the United Minorities Front (UMF) formed by dissident Congressmen appeared on the scene. Both had opposite demands, while the former wanted the accord to be implemented, the latter demanded that it should be scrapped. The

⁸ Baruah, Sanjib, *India Against Itself: Assam and the Politics of Nationality*, OUP, New Delhi, p.139, 1999.

⁹ *Ibid.* p.139.

election results showed a landslide victory of the AGP winning the support of both the ethnic Assamese and other ethnic groups. Besides the areas of high concentration of “plains tribals” (for e.g., Lakhimpur, Darrang, Kokrajhar, Karbi Anglong, etc.), it also won in constituencies inhabited mostly by tea plantation workers. The election results reflect what Sanjib Baruah feels, “*ethnic polarisation*” as well as “*ethnic accomodation*”. The emergence of AGP based primarily on the ethnic Assamese and the UMF on those threatened by the demands of the Assam movement, is an indication of ethnic polarisation. However, the ability of the AGP to gain the support of the minority sections, particularly Muslims of Bengali descent and somewhat limited nature of UMF support indicates that the forces of accomodation were at work. The AGP government was installed amidst myriad hopes, aspirations and a bit of optimism while the leaders had challenges lying ahead of them in the following years of their survival.

Post Accord Scenerio in Assam

The Accord that had been signed by the government of India with the agitationists of the “*Foreigners’ Movement*” as back as 1985 with a view to bring six long years of turbulence in Assam to a peaceful end had in it promises to safeguard the interests of the people of Assam. Needless to say that the memorandum remained as a bunch of papers without proper implementation of the major covenants. Amongst the factors responsible for the near-total non-implementation of the Assam Accord, The Illegal Migrants (Determination by Tribunals) Act, 1983 has been a pivotal obstacle. As against the implementation of various other features of the Assam Accord, identification, detection, deportation of foreigners has been the cause of disagreement of all concerned. Added to this is the problem of the deletion of the names of such persons from any electoral roll of the country.

Under the Assam Accord it was agreed upon and declared by the Government of India that foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, their names be deleted from the electoral rolls and be expelled in accordance with law. It was further decided that immediate and practical steps should be taken to expel such foreigners.

Salient features of the IMDT Act under debate

Introduction of a new definition of “Illegal Migrant”

The IMDT Act has sought to classify “foreigners” and “illegal migrants” viz. Section 3(b) of the Act states that “foreigner has the same meaning as in the Foreigners Act, while Section 3(c) of the Act defines “illegal migrant” as a person in respect of whom each of the following conditions is satisfied:¹⁰

1. he has entered into India on or after March 25, 1971;
2. he is a foreigner;
3. he has entered into India without being in possession of a valid passport or other travel document or any other lawful authority on that behalf.

Interpreters have pointed out that by the provision a special procedure has been prescribed for the detection of an illegal migrant in as much as not every foreigner is an illegal migrant in terms of Section 3(c) of the Act.

Overriding effect of the IMDT Act over the existing Central Acts

Section 4 of the Act has purportedly given an overriding effect of the IMDT Act over other relevant existing Central Acts such as- (1) the Passport (Entry into India) Act, 1920, (2) Foreigners Act, 1946, (3) The Immigrants (Expulsion from

¹⁰ IM (DT) Act, 1985.

Assam) Act, 1950, the Passport Act, 1967 or any rule or order made under the said Acts and in force.

This provision is beyond the legislative competence of the legislature also; the applicability of the other existing acts including the Foreigners' Act has been rendered virtually non-existent in the state.

Restrictions on complainant

Section 8(2) specifies that no application shall be entertained by the Tribunal unless the person in relation to whom application is made is found or resides within the jurisdiction of the same Police Station wherein the applicant has his place of residence.

Such application has to be accompanied by affidavits sworn by not less than two persons residing within the jurisdiction of the same Police Station. Sub-section (3) also requires that any application filed against any foreign national have to be accompanied by such fee not less than Rs.10/ and not more than Rs.100/ as may be prescribed. Moreover, it mentions that no person can make more than ten such applications.

Curtailment of the Powers of District Superintendents of Police

Under the provisions of the Foreigners' Act the S.P., in every district is the nodal authority for administration and implementation of the provisions of the Act in the matter of detection of foreigners. As per this Act, in case of pre-March 25, 1971 migrants the S.P., could issue Quit India notices without any prior notice to the foreigners tribunals and the onus of proof lies on the foreigner. However, under the IMDT Act, the superintendent has been barred from serving such notices before he is determined to be an illegal migrant by the tribunal.

The task of determination of foreigners and their deportation has remained a far cry ever since the enactment of the said Act. After long years of demand to either repeal or scrap the said Act from organizations like the AASU, the Act is at present under the consideration of the Supreme Court. The opponents to the Act term it as “ *a black law*” and suggest that it has to be examined by all political parties on the following three counts:

1. Whether there was any parallel instance of a democratic country with two-immigration laws-one for the entire country and another very lenient one for a very sensitive border state.
2. Whether any other country has an immigration law that is kind to the illegal migrant to the point of making detection and deportation impossible.
3. Whether there is any immigration law that put the onus of proving the nationality of the illegal migrant on anyone other than the illegal migrant himself.

Assam Governor S.K.Sinha in his report to the President of India in Dec. 1998 has highlighted the problem of the influx of Bangladeshi migrants from across the border. The report says, “*In 1970, the population of East Pakistan was 7.5 crores but in 1974 it had come down to 7.14 crores. On the basis of 3.1% annual growth rate of the period, the population in 1974 should have been 7.7 crores. The shortfall of 6 million people can be only explained by large scale migration*”¹¹ The influx has adversely affected Assam and its population has risen from 24.68% in 1951 to 28.42% in 1991. As per the 1991 census, four districts (Dhubri, Goalpara, Barpeta, and Hailakandi) have become Muslim majority areas. Two more districts (Nowgong and Karimganj) have become so by 1998 and one district Morigaon has been fast approaching the same position. Mr. Sinha had also commented about the attitude of

¹¹ Sinha, S.K., *Report on Illegal Migration into Assam*, 1998.

politicians in his report by saying that political parties have been underplaying the grave importance of this problem and have been viewing it as something affecting only the Assamese people. Thus, issue of concern for national security has been made into a partisan affair and a matter of vote bank.

Earlier when a senior army officer made an interesting disclosure on 31st July 1999 that “*some madrassas (religious institutions) operating in Assam were helping growing of separatist forces with the help of ISI*”, that had raised a hue and cry amongst some Muslim leaders. The then Chief-Minister, P.K.Mahanta also agreed with the former and was reported to have stated that one or two such schools and mosques may have been harbouring militants.¹² Some sections of the people viewed it as false propoganda against the madrassas to create fear in the minds of the minorities. The problem lies not in such religious teaching institutions but the communal colour added to them, the radicalism and separatism associated with most of them. The influx of illegal migrants from Bangladesh and the growth of such institutions have raised many eyebrows. Belatedly, the US state department has accepted the involvement of ISI in fomenting extremist violence in India’s Northeast. The high-ranking state department official has been quoted in Washington Times as saying “*we believe the ISI is helping the militants in Assam*”.¹³ The involvement of Pakistan in Northeastern India goes back to the early sixties. The late Prime Minister of Pakistan Z.A. Bhutto wrote about the geo-political aims of Pakistan in 1968 in his book, “*The Myth of Independence*” where he elaborated that it would be wrong to think that Kashmir is the only dispute that divides India and Pakistan, though it is undoubtedly the most significant... one at least is nearly as important as the Kashmir dispute that

¹² Mahanta, P.K., “*ISI Activities in Assam*”, Statement Laid on the Table of the House of Assam Legislative Assembly, 6, April 2000.

¹³ The Hindustan Times, “*ISI meddling in India’s North-East, says US official*”, 11 March, 2000.

of Assam and some districts of India adjacent to East Pakistan. To these East Pakistan has very good claims, which should not have been allowed to remain quiescent.¹⁴

The Assam police claimed to have arrested four hardcore ISI functionaries in Guwahati on August 7th 1999.¹⁵ It was disclosed by them that ISI had plans to train ten thousand people in Assam for jihad to liberate Assam and establish an Islamic country comprising the territory of the state and certain other parts of Northeastern India.

Assam alone accounts for a net sanction of Rs.15, 637 crores out of the gross sanctioned amount of Rs.21, 163 crores. An observation made by Mr. Rajmohan Gandhi in December 1999 and questioning by the Union Home Ministry on utilization of sanctioned amounts, points to maladministration and gross abuse of funds earmarked for development. The Prime Minister during a visit to the Northeastern states on January 21st 2000 emphasized that increased funding alone could not solve the socio-economic problems of the region until and unless the enormous amounts of funds find their way to the projects for which they are intended. In addition, the determination on the part of the political parties to focus on socio-economic development by activating the grass root level administration like the district-councils and Panchayats to ensure that funds reach people.

The Mahanta Ministry when in power filed an affidavit in order to repeal the Act. However, the present circumstances reveal that the present Ministry at Dispur is trying to gain grounds to file a fresh affidavit to counter the one filed by the earlier one. Congress (I) in its election manifesto of 2001 had also made it very apparent that they are opposed to repeal the Act. C.M. Gogoi has taken the stand that if it has to be

¹⁴ Shukla, B.P., *What Ails India's North-East* Suruchi Sahitya, New Delhi, p.22, 1980.

¹⁵ The Deccan Herald, "Lid Blown off ISI 'jihad' plot in Assam", 16 August 1999.

scrapped it has to be examined by both Houses of Parliament since it was enacted by Parliament in 1983.¹⁶

The Governor's volte-face

The other side of the story is that the Governor while addressing the first session of the newly constituted eleventh Assam Assembly said that the state government is committed to detect and deport the illegal migrants from the state but is opposed to the idea of repealing the IMDT Act. This is in contrary to what he had recommended in the report to the Home Ministry in 1998 after long deliberations with historians, demographers, other well-informed citizens, and a detailed study of old records and statistics.

Views of the Apex Court on IMDT Act

The three Judge divisions Bench of the Supreme Court comprising Chief Justice A.S.Anand, Justice Doraiswami Raju and Justice P.Venkatarama Reddy has observed that illegal migrants have been a matter of concern to the whole country in terms of change of demography and a threat to the country's economy and security.¹⁷ The Apex Court has not permitted the present state government to withdraw the earlier affidavit while allowing the same to file a fresh affidavit on the matter. The IMDT tribunals that had been set up to detect and deport the illegal migrants have become almost defunct with one-lakh cases still pending before them. The reasons that can be gauged for this very state of affairs may be inadequate manpower, fund crunch, shortage of vehicles to make spot verification and myriad infrastructural problems. As regards the fencing of the porous border, the Union government has sanctioned an amount of Rs.1335 crores in October, 2001. The task of construction of

¹⁶ Sentinal, 12 June, 2001

¹⁷ Sentinal, 17 Oct. 2001

proper border roads in the region has been assigned to the state and central PWD and BRO.¹⁸

Politicisation of the issue of migration

Theories suggest that presumed break in traditional ties renders the migrant available for political organisation by radical or extremist leaders.¹⁹ Studies have shown that longer the amount of time, which a migrant spends in his new community, more likely, it could be reasoned, is his political involvement. Distance and culture too determine political behaviour. Since 1985, the seat of power at Dispur had been alternately shared either by the AGP and its allies and Congress (I) and its allies for full five year term or have lost the confidence of the masses before the end of their usual term, with a short interregnum of President's rule. Whatever the nature of the outcome of the successive elections since then the IM (DT) Act has been one issue that has been politicized. This controversial piece of legislation has definitely made it difficult to detect and deport a foreigner as it has its own shortcomings and moreover it is time consuming to carry on the proceedings under the said Act. There is a very famous Assamese saying as it goes, "*Dhaan poke mane tunir maran*", which means that by the time the paddy is ripe, the little bird waiting for a grain will die of starvation. This can be applied to understand the nature of the problem when most migrants, by now, have acquired some form of *locus standi*, like voter's identity card or a ration card and quite surprisingly citizenship certificates with the help of some politicians in order to guarantee their stay in the state.

The above theory would support that the politicians have tried to make the best out of the issue by bringing it to the fore every now and then particularly, when

¹⁸ Sentinal, 19 Oct.2001

¹⁹ Weiner, Myron and Katzenstein, Mary: "*Migration and Electoral Participation in India*" in Weiner, Myron and Field, John Osgood (eds.) *Studies in Electoral Politics in the Indian states-The Impact of Modernisation*, Manohar Book Service,1977.

the elections are in the offing. Before the elections of 1992, the Election Commission had asked the Home Department of the state government to furnish the names of the constituencies with substantial number of foreigners, to enable them to take up preventive measures during the enumeration. The state government failed to identify such areas and constituencies. AGP then accused Saikia government of protecting the illegal migrants. Saikia government was in a dilemma, as it would likely disenfranchise a substantial portion of their voters. However, the AGP government itself did precious little when their turn came. Election results of 1996 reveal that it had got considerable support of the minorities. Besides this the fact lies that in the 126 Assembly constituencies in Assam, minorities are the deciding factor in as many as 40 of them and perhaps the AGP and the Congress had alternately succeeded in wooing the minority votes to come to power leaving the foreigners issue at the backseat. The table below would give us an idea of the participation of the Muslim legislators in the Assam Legislative Assembly since 1951 onwards:

Muslim Legislators in the Assam Legislative Assembly, 1952-1991

Year	Total Muslim Legislators	Total Seats	% Of Muslim Legislators
1952-56	12	108	11%
1957-62	14	108	13%
1962-67	14	108	13%
1967-72	20	126	16%
1972-78	21	126	20%
1978-83	26	126	21%
1983-85	29	126	23%
1985-91	22	126	17%
1991-the present	24	126	19%

Fig 4.1

Source: Computed from "Presiding Officers' and Members of Assam Legislative Assembly(A Chronicle)", 1937-1992 Govt. of Assam.²⁰

²⁰ Dasgupta, Anindita, "Political Myth-Making in Post Colonial Assam", *Journal Himal* (South Asian), Kathmandu, August 2000.

If we take a look at the 2001 election scenerio it became rather clear that the common plank that brought the AGP and the BJP together was the foreigners' issue in general and the IM (DT) Act in particular. In the Nowgong constituency, which holds a substantial portion of settled Bangladeshis since 1920's or before, the fate of the politicians was decided by around 1.25 lakh electorate with a break up of about 50 percent belonging to the caste Assamese community (which forms the support base for both the AGP and BJP) in Assam, 28 percent religious minorities (Muslims), 15 percent linguistic minorities, while tribals and others constituted the remaining percent of the electorate.²¹ The BJP had remarkable gains in elections held over the last decade in Assam. In 1991, it secured 6.42 percent of votes in the Assembly elections; in 1996, it managed to secure 10.5 percent of the mandate.²² However, in the elections of 2001, its pre poll alliance with the AGP proved to be disastrous mainly because of the anti-incumbency factor. The victory of the Congress in the state, which garnered a clear majority, seemed to be expected. Were the priorities of the Assam electorate changing drastically? This is a question that needs to be properly addressed.

Interesting to note, now is the voting pattern of 2001 elections that successfully passed off despite incidents of sporadic violence in various parts during the poll process. The following are some of its distinct features:²³

- Urban middle and upper classes largely were indifferent to voting.
- Women voters outnumbered men.
- In the urban areas, generally lower middle classes turned out to vote.

²¹ Zaman, S.Naqib-uz, "*Dissidence Factor*", News Times, Hyderabad, 9 May 2001.

²² The Pioneer, New Delhi, 11 April 2001.

²³ Deccan Herald, 11 May 2001.

- Poor people were seen to take active part in the polling process. This was evidenced by large number of thumb impressions on the voting registers.
- Rural Muslims generally belonging to middle peasantry shared more than 75 percent voting. A strict testimony of this fact was that the capital was found largely bereft of petty traders, rickshaw pullers and people of similar trades (i.e. lower and lower middle class Muslims) most of whom are registered voters in districts like Dhubri, close to the Bangladesh border and who had gone home to exercise their franchise.
- Intellectuals and government employees' showed low participation in the democratic process.

We can thus move on to summarize the stand of various political parties on this issue as follows:

The Congress (I) is vehemently opposed to such a move of repealing the IM (DT) Act apparently as it would evoke apprehensions in the minds of the minorities of being harassed and also since it is courting their interests.

The BJP that appeals to the constituency of mostly upper caste Hindus of Assam has made inroads into Assam and is in favour of repealing the above said Act. The AGP that received the mandate largely on the issue of reaching at a timely solution to the problem of the "*bohiragotos*" finds itself in a difficult position. The leaders would not comment on the issue since it is sub-judice. It has the fear of losing the minority support if they openly go for an appeal to repeal the Act. It has thus made it very clear that opposing the Act does not mean opposing the minorities.

The Trinamol Asom Gana Parishad, a breakaway wing of the AGP is not in favour of any such moves that would make the minorities vulnerable.

The UMF, the NCP as also the Left are opposed to any such moves.

The AASU leadership is vociferously in its effort to gain support from all angles by organizing rallies etc. to demand not only repeal of the Act but also its scrap.

An analysis of such a study gives a clear message on the part of the Assamese voters. The cause for which Assam was once prepared to take up the cudgels; for which the Congress was declared illegal because it was seen protecting the Bangladeshi infiltrators as its votebank and was ostracized; the cause for which many a young agitationists lost their precious lives; for which many developmental activities came to a halt and which to some extent led to the birth of the United Liberation Front of Assam (ULFA) seem to have receded to the background.

Coming back to the question of implementation of the Assam Accord, the following achievements of Assam Accord may be cited:²⁴

- The Citizenship Act, 1955, Citizenship Rules, 1956 and Foreigners (tribunals) Order, 1964, were amended.
- Eleven Tribunals under the Foreigners (Tribunals) Order, 1964 have been created in Assam for the detection of foreigners of 1966-71 stream. 24,376 persons declared as foreigners by the tribunals.
- Special Registration officers have been appointed. Sanction was also accorded for the creation of 1280 additional posts under the Prevention of Infiltration of Foreigners Scheme.
- Sixteen Tribunals under the Illegal Migrants (Determination by Tribunals) Act, 1983 have been created in Assam.

²⁴Report of the Ministry of Home Affairs, Government of India, "Tripartite talks to review the implementation of the Assam Accord held in New Delhi on 31.05.2000".

- A Sub-Committee involving representatives of Ministry of Law and Justice, Ministry of Finance, Govt. of Assam, All Assam Students Union (AASU) has been constituted to examine the proposal submitted by AASU and Govt. of Assam under clause 6 and 7 of the Assam Accord.
- Inauguration of Srimanta Sankardeva Kalakshetra, Guwahati; was inaugurated by Hon'ble President of India in November 1998. (A sum of Rs.18.05 crores has been released).
- Jyoti Chitraban (Film) Studio at Guwahati at a cost of Rs.8.79 crores has been modernised and inaugurated by the Chief Minister, Assam in April 1999.
- Numaligarh Refinery, set up at a cost of Rs.2,500 crores, and inaugurated by the Prime Minister in July, 1999.
- Two Central Universities, one at Tejpur and the other at Silchar, have been set up.
- An IIT (Indian Institute of Technology) has been set up at Guwahati.
- Rail-cum-road bridge at Jogighopa has been commissioned and inaugurated by Prime Minister in April 1998. This has opened road traffic from Jogighopa to Guwahati via South Bank of Brahmaputra.
- Kathalguri Power Project 60 (MW) has been commissioned.
- LPG Bottling Plant at Bongaigaon has been set up at an estimated cost of Rs.30.68 crores.
- Three industrial growth centres at a cost of Rs. 20 crores each have been sanctioned at Chariduar, Matia and Sonapur.
- The power to issue citizenship certificates now vests only with the Central Government.
- 94% of sanctioned border fencing of 152.31 Kms. has been completed on Assam-Bangladesh border.

- Ex-gratia payment was made to the next of kin of persons killed in the course of the agitation.
- Disciplinary cases against employees in connection with the agitation were reviewed.
- In the matter of recruitment, orders were issued by the Central Government for relaxation in upper age limit up to a maximum of six years in the case of candidates who had ordinarily resided in the state of Assam during the period 1.1.1980. to 15.8.1985.
- NSA detenués detained in connection with agitation were released.

Besides, the above assessment made in the tripartite talks to review the implementation of the Assam Accord, Hem Prakash Narayan, Minister of the Assam Accord Implementation informed the public that the IMDT Tribunals are fully functional.²⁵ The above claim notwithstanding, another message that is sent is rather shocking. Apart from the development projects that the accord proposed, including an Indian Institute of Technology (IIT) and a refinery, the most crucial clauses dealt with the problem of how foreigners were to be identified and then deported was left unaddressed to.

The matter of Bangladeshi migrants has thus been one of the defining themes of Assam politics and is taken largely as a given by the academics and journalists in other parts of India and elsewhere. The air once again charged up with tension when census operations were on. Some interesting inferences can be drawn from the decadal growth rate of population in Assam in the last century. Between 1901 and 1911, the decadal growth of population was 16.99 percent. This increased to 20.48 percent in 1911-1921. In 1921-31 the figure was 19.91 percent and in 1931-41 it was 19.93 percent. The growth rate exploded during the 1940's, mainly because of the

²⁵ Sentinal, 5 Oct. 2001.

British policy mentioned in an earlier section. Between 1941-51, the population growth rate shot up to 34.95 percent, and then to 34.98 percent in the following decade, which mainly saw the arrival of Bengali Hindu refugees driven out of then East Pakistan, following partition of India. 1961-71 showed an increase of 34.95 percent. There was no census in Assam in 1981 due to the Assam Movement but the census of India came out with a projected decadal increase of 36.04 percent between 1971-81. Assam's population increased from 22.4 million in 1991 to 26.6 million in 2001. The latest census figures have created a controversy because the decadal population growth of Assam, at 18.85 percent between 1991-2001 is well below the national average of 21.34 percent. It has perplexed observers including demographers, political scientists, the media and others. In all the previous decadal census reports, the growth of the state's population was always higher than the all-India average. Immigration has been accounted for such an increase. Thus, the recent census data leaves a basic question open for debate whether the figures indicate that immigration has lessened in the decade 1991-2001. Observers have given different opinions one of which is that there has been incomplete enumeration in the immigrant dominant char areas.

To analyse the census data in a rational manner, we cannot attribute the unnatural increase of population simply to illegal migration from Bangladesh. Demographers believe that poverty, illiteracy and social backwardness are directly linked to significant population rise and hence it is natural for the population of East Bengal settlers to have increased at a rate faster than some adjacent communities. In addition, for many years, the chars along the Brahmaputra have been facing excessive erosion, which has pushed a large number of Muslims from lower Assam towards the mainland Assam for survival. The impoverishment in the chars is a matter of concern. These chars are supposed to be the main source of the daily necessities (vegetables,

poultry, fish, etc.) of the towns of southern Assam. They come to the nearby towns by boats and also serve as daily wage labourers. These areas are governed by a network of powerful zamindars called *diwanis*, which is a combination of power brokers, landlords and businessmen, and they are armed by local guards called '*lathials*'. They migrate to the mainland under undue physical and psychological pressure. The state government has also set up a “Char Development Committee” that looks after the allocation of funds for the development of these areas. However, the accountability as regards the implementation part is questionable as evidenced by the absence of amenities like proper health care and sanitary conditions as well as schooling of the char children. Demographers have also pointed out this fact that poverty, illiteracy and social backwardness among the people in the char areas are directly linked to an increase in their population. The following table would give us an idea of the literacy rate in the char areas of Assam where most of the immigrants have settled down:

Literacy Rates in char areas of Assam, 1992-93

Name of Districts where chars are located	Percentage of literacy for char inhabitants	Percentage %
Barpeta	12.9	8
Darrang	10.12	8
Kamrup	16.85	8
Nalbari	7.9	9
Bongaigaon	12.58	8
Goalpara	8.38	9
Dhubri	19.06	8
Morigaon	8.02	9
Nowgong	9.44	9
Dhemaji	14.44	8
Lakhimpur	14.01	8
Sonitpur	12.63	8
Tinsukia	14.20	8
Jorhat	31.90	6

Fig 4.2

Source: Char Development Authority of Assam, Guwahati.

The government has taken some steps to meet this situation by allocating funds for the development of the char areas. The table below would provide us with an accurate data on allocations made by the state government for the development of these areas: -

Statement Showing Yearly Allocation, Amount Released and Expenditure

Incurred:

Year	Budget allocation	Amount Released	Expenditure Estimate	Expenditure Works	Total
1985-86	50.00	50.00	16.84	33.16	50.00
1986-87	60.00	60.00	14.22	45.78	60.00
1987-88	78.00	78.00	19.36	58.57	77.93
1988-89	83.00	39.00	11.19	27.81	39.00
1989-90	83.00	83.00	20.96	62.04	83.00
1990-91	96.00	96.00	27.00	69.60	96.01
1991-92	110.00	109.77	34.86	74.91	109.77
1992-93	110.00	66.66	28.25	38.41	66.66
1993-94	110.00	110.00	36.35	73.65	110.00
1994-95	110.00	105.10	42.27	62.83	105.10
1995-96	110.00	107.78	50.40	57.38	107.78
1996-97	110.00	98.72	47.14	51.58	98.72
1997-98	110.00	89.52	47.44	42.08	89.52
1998-99	121.00	87.30	59.32	27.98	87.30
1999-2000	115.00	102.72	75.06	27.66	102.72
2000-2001	118.00	94.30	75.09	19.21	94.30
2001-2002	96.00	-----In Progress (Allocation not yet finalised) ...			

Fig 4.3

Source: Director, Char Areas Development Assam, Dispur, Guwahati.

One of the most important fallouts of the issues discussed above is that the migration problem has acquired a monumental proportion. It has been looked as a force for social, cultural, economic and political changes in Assam. The presence of

these migrants has shaken the foundations of Assamese social structure. It has influenced the educational, social and economic aspirations of countless Assamese, determined their central political concerns and become a decisive factor in the periodic restructuring of the state's boundaries.²⁶ This leads us to the discussion of a constant demand of certain sections of the Assamese people for provision of special constitutional safeguards for the Assamese people especially during the last two decades. It has gradually turned into a demand for the same for the so-called indigeneous people of Assam mainly spearheaded by the AASU. In view of the multi ethnic composition of the Assamese society, this question requires an indepth study.

Historical background of this event dates back to 1903 when the Assamese elite formed the “**Assam Association**” as a result of its growing consciousness of being alienated by the British policy which enabled educated non-Assamese, particularly the Bengalis to compete with them. It served as a mouthpiece of the westernised Assamese elite in articulating their needs, grievances, hopes, aspirations and placing their economic demands before the government of the day.²⁷ The intellectual articulation of this sentiment was reflected in the various writings of Assamese authors, journalists, poets and literateurs who conceived of nationalism in the context of Assam or Assamese sub-nationalism. Formation of the “**Assam Chatra Sanmilan**”(Assam Students' Conference) in 1916 and “**Assam Sahitya Sabha**” in 1917 intensified the growth of such a sentiment. In the meanwhile, the national movement contributed to the development of a sense of Indianness among the Assamese elite. With the practical disappearance of the “**Assam Association**”, with most of its members joining the Congress by 1920's, the “**Assam Sanrakshini Sabha**” (Sabha for conservation of Assam) was formed in 1926 under the leadership

²⁶ Weiner, Myron, *Sons of the Soil*, p.81, 1988.

²⁷ Phukon, Girin, *Assam Attitude to Federalism*, Sterling Publishers, New Delhi, 1984.

of Ambikagiri Roychoudhury. This organisation had been demanding the vindication of the rights of the “children of the soil”. The “Deka Asom”, a weekly acted as its mouthpiece, which mainly demanded the “protection of indigenous Assamese people against the aggression of outsiders”.²⁸ It put up a strong case of “Assam for Assamese”. Another important objective of the Sabha was the liquidation of vested interests of all kinds that ran counter to the interest of the Assamese people. However, the “**Sanrakshini Sabha**” was later transformed into the “**Asom Jatiya Mahasabha**” with the same object and ideology. What it sought to do was to bring within its orbit the indigenous population of the hills and the plains of Assam and others, who identified their interest with those of the Assamese people. This organisation, however, acted as one of the most powerful pressure groups in Assam when the Indian Constitution was framed. It upheld the interest of the Assamese elite and constituted a strong regional force. During constitution making Omeo Kumar Das who was an eminent Congress leader of Assam argued for special protection of the language and culture of the Assamese people. Keeping this historical setting in mind we can say that much had been washed away by the mighty Brahmaputra from 1950 to 1985, but on August 15, 1985, the Government of India agreed, “*constitutional, legislative and administrative safeguards, as may be appropriate shall be provided to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people*”.²⁹

The core question now is for whom the special “*constitutional, legislative and administrative safeguards have been demanded and required*”. The AASU during the course of deliberations made in a series of tri-partite talks held during the postaccord period has already made it clear that the term Assamese people means “*the*

²⁸ *Ibid.* p.4

²⁹ Assam Accord, 15 Aug., 1985

indigenous Assamese people to be identified on the basis of the NRC of 1951 and the voter list of 1952".³⁰ They demand that the National Register of Citizens (NRC) of 1951 should be made up-to-date by taking into consideration the additions to the number of each family since the time of compilation of the register. Also that the comparison of the NRC with the successive electoral rolls since 1952 will also be helpful in making it up-to-date.

However, the first step to examine the question would be to find out an adequate definition of the term "Assamese" in the multi-ethnic and multi-religious context of Assam. In pursuance of the policy of divide and rule for exploitative and economic interests, the quest for Assamese identity was propagated. Assamese culture and identity has been evolved by long years of association and assimilation of different people but unfortunately a stint of separatism hovering in the minds of some sections have evolved in the way of demands for protection of separate identities and cultures and demands even for separate homelands in Assam spurred partly by party politics as well. Therefore, the first pre-requisite for any such special arrangement of providing constitutional guarantees would be to evolve an all-accepted definition of the term Assamese.

Impact of the influx of illegal migrants into Assam

Studies on the impact of international migration on countries of destination show that when a country experiences labour shortages, the availability of foreign workers allows the productive use of capital that would otherwise remain idle, thereby enhancing economic growth. The other side of the story is that if unemployment is high, the effects of labour migration may have adverse impact on the economy.

³⁰ Choudhury, Hafiz Rashid Ahmed, "Constitutional Safeguards to the Assamese people search for security of the people of Assam: the Minority view points", seminar organised by North-East Foundation, Guwahati, 9 Dec. 2000.

Therefore, in some contexts, the effects of such migration on output growth are meagre because the jobs occupied by such groups tend to have low productivity. According to “*new economics of migration*”, migration minimize the risks of households by having some family members working across the borders and sending their earnings back home.³¹ The impact of illegal Bangladeshi migrants in Assam has to be viewed from a broader perspective. To some extent, this has led to largescale encroachment of land, leading to ecological cost of conniving with such migration. Many towns and certain busy areas along the National Highways are witnessing rapid growth of slum areas where large-scale prostitution is assuming serious proportions. Adverse impact of such migration has come out in the form of anti-immigrant Muslim riots as repercussions of communal flare-ups in some distant parts and in the process, genuine citizens of the minority community bear the brunt. Easy availability of the services of this section of the migrants makes it inevitable that they take over most of the menial jobs at comparatively cheaper rates. Persons of Bangladeshi origin are often employed in service activities, mostly as rickshawpullers, porters, shop workers, fishmongers, hotel and restaurant staff, housemaids, beggars and rag pickers. These jobs are readily available through the social network of migrants and the workers often commute to distant places for work. There is generally no formal job contract for their employment nor any documentary evidence and they are drafted whenever there is a need but fired whenever there is not. Another phenomenon observed is that most of the development projects under construction both in the public and the private sectors are manned by Bangladeshi labour also known for their hard working capabilities.

³¹ Beiji, Roger Zegers de, (ed.) *Documenting Discrimination Against Migrant Workers in the Labour Market-A comparative study of four European countries*, ILO, Geneva, 2000.

The report put forward by the Governor to the Home Ministry in 1998 and the one worked out by the Group of Ministers (GOM), headed by the Union Home Minister noted that more than 15 million people illegal immigrants have entered India over the last five decades from Bangladesh, an intrusion that has completely changed the demography of large parts of Assam, Meghalaya, West Bengal, Tripura and Bihar. It also observed that smuggling of different consumer goods as well as intermediate goods, trafficking in women, children, drugs, etc. flourish through these porous border areas. Drug couriers are allowed passage on condition of collecting and reporting trans border intelligence.³² Trained saboteurs and terrorists are prevailed upon to carry drugs for sustenance and operational expenses from the sale proceeds. The report also said that despite being aware of the adverse implications of unchecked and undocumented immigration to national security the nation is yet to fully wake up to the dangers and take actions. The Governor went to the extent of calling this migration “*a national threat*”.³³

Policy Initiatives to tackle the problem of illegal migration

Policies to combat undocumented migration vary and change over time in relation to the size and perceived characteristics of the migrant population. Most of the apparatus in force in the various states for such an action comprises a broad range of measures: e.g., visa requirements, border controls, surveillance within states, action to combat the employment of foreigners without a work permit, detention and expulsion, with each measure being given a higher or lower priority, according to the circumstances. In the case of Bangladeshi migrants in India, either most of the undocumented migrants enter without inspection by eluding border inspection or

³² Banerjee, Paula; Hussain, Monirul; Hazarika, Sanjoy and Samaddar, Ranabir, “*Indo-Bangladesh Cross-Border Migration and Trade*”, EPW, Sept.4,1999.

³³ Sinha, S.K., *Report on Illegal Migrants in Assam*, 1998.

using fraudulent documents and the major policy emphasis on this side of the border is border controls.

The migrants in discussion, which concerns India's interest, are the impoverished lot who does not remit dollars home. These migrants also suffer the fate of not being acknowledged by the state that is supposed to be their own. With this framework in mind we can point out certain policy initiatives worked out by various scholars as follows:

- A system of identity cards as enumerated in the latest census should be made available to the inhabitants of Assam particularly those living in the border areas.
- A less cumbersome and a more practicable system of arranging for both visa and passport to stop unofficial border crossing has to be worked out.
- Work permits issued by a Central Work Permit Authority would allow them to legally enter India and maintain a check on the negative side.
- The NRC needs to be updated and regularly maintained flawlessly; it should be computerized and villages too need to have such mechanisms.
- Registration of births and deaths has to be properly maintained.
- It must be made compulsory to register all rivercrafts operating in the Brahmaputra, Barak and other tributaries.
- Floating police stations between Majuli and Mahamayur char; Barak and Kushiara to be manned by River Police Organisation to be set up.³⁴
- Licences for operating rickshawpullers, pushcarts, and motor transport are being issued without verifying the citizenship of the applicant. Verification should be made compulsory and for this municipal authorities need to be more vigilant.

³⁴ Bhattacharya, H.K., *The Silent Invasion*, Spectrum Publishers, New Delhi, 2001.

- Border has to be demarcated clearly; an area of at least 100m widths needs to be cleared of all human habitations and vegetation above 3ft. height all along the border to be cleared.
- A serious dialogue with Bangladesh is the need of the hour.

Conclusion

As row after row of thatched huts appeared along the riverbanks many eyebrows were raised when a fear gripped in the minds of the Assamese people that they would soon lose their surplus lands. Hence, was adopted the line system as a corrective measure. Perhaps since then, the issue of illegal Bangladeshi migrants has remained a burning topic for discussion at various foras. The sons-of soil agitation that heated up the entire state in late 70's and early 80's, on the same issue turned out to take a violent turn and lost the initial response of the majority masses. A review of the implementation of the accord that seemed to contain long-term solution to the whole issue raises many pertinent questions to be dealt with in a very rational manner.

Whether, it has been politicized to its utmost extent is evident from the accounts put forward in the various sections of this chapter. To conclude our discussion, we can say that, the government at the Centre needs to pursue long term policies' both at the national level and through international cooperation to address the causes at the roots and identify the nature of implications on the receiving end.

Conclusion

“We want to go abroad, anywhere, safe where we can work, where our families can live normally; no wall is high enough to prevent us from crossing; for drought, poverty and hunger is like death and now we can see a distant field which can give us life and shelter.”¹

Whatever may be the reasons that have driven the Bangladeshi migrants to look for a safe haven in the border districts of the northeastern part of India the issue has received overwhelming attention not only because of the humanitarian dimension but also because of the unprecedented demographic, economic, political and security fallout following such undocumented migration. However, though Assam has not been economically so well off it has been providing the migrants with land and employment as labourers in farms, construction and domestic works.

The case of Assam can be well understood from a broader perspective by analysing four case studies regarding the Kurds in Iraq, the Misikitos in Nicaragua, Chinese in Malaysia and the Turks in Germany. This would bring us closer to comprehend the relationship between immigration, ethnic conflict and democracy. It also calls our attention as to how government policies and responses of international actors affect ethnopolitical conflict. First, we give a brief sketch of the status of the Kurds whose ancestors have lived for at least two thousand years in Kurdistan, a region divided among contiguous areas of Turkey, Iran, Iraq and Syria. They share a common identity based on a myth of common origin, common homeland, culture, faith in Islam and bitter experiences with outsiders. Until the twentieth century, they were mostly mountain dwellers practising seasonal migration to the low-lying areas.

¹Refugees-A Special issue on Afghanistan, UNHCR, 2001.

Since the 1950s, many Kurds have migrated far from their homeland in search of employment. The Kurds in Iraq soon started demanding autonomy in the Kurdish regions. The Kurdish Democratic Party (KDP) founded in 1946 and its breakaway group the Patriotic Union of Kurdistan (PUK) has been demanding the establishment of a unitary government with broad powers over all predominantly Kurdish areas. Though the Iraqi government gave them some concessions when they rose in rebellion, the KDP activists were cracked down. Negotiations between the two did not work and by late 70s, the Kurdish leaders established an autonomous region in northeastern Iraq. During the 1980s, the Iraqi government devastated the rural Kurdish economy by destroying thousands of villages leading to forcible deportation of the local residents. Fights broke out between the Kurdish and the Iraqi government and between the political wings of the Kurds. Many of them died in this episode of *politicide* (a term used by Gurr and Harff). In the wake of the Gulf crisis in 1991 and the Allies' intervention establishing a protected zone in northern Iraq, the Kurds proclaimed an autonomous "federated zone", an elected parliament and an administrative system, which is openly opposed by the Iraqi government. The region experiences a shattered economy, enjoying limited support from the international community and thus a problematic future.

Now a brief look at the history and society of the Misikitos is pertinent at this point. A large number of Misikito Indians live in the humid tropical lowlands of eastern Nicaragua and Honduras. Till 1630s, the political organization of the Misikitos did not extend beyond the village level. For nearly two centuries, they remained autonomous. Changes took place at the end of 1840s when German-American missionaries from the U.S.A. arrived amongst the Misikitos to inculcate in them the Protestant ethic. Problems started when in 1894 the Nicaraguan government initiated state-building and modernization processes. In the late nineteenth century

even US firms were heavily engaged in lumbering, running banana plantations and mining which provided employment opportunities to the Misikitos. During 1936-79, the Misikitos benefitted out of the commercial opportunities and policies of the ruling Somozas. However, soon rebellion started once Sandinistas took over power and initiated state-directed economic growth, which went against the political program of the Misikitos. The latter formed organisations, made strong claims that indigenous people had a fundamental right to communal land and resources, and promote the language and culture. Their resentment turned out to be violent and they used guerrilla tactics to fight for their cause. Many of their leaders went into exile. In 1987, substantial political, economic and cultural rights were guaranteed and thus they gained regional autonomy. However, differences with the ruling government persist on the question of control over natural resources and offshore waters.

The Chinese in Malaysia form a bulk of the population. They arrived mostly from South China after 1860 and initially provided most of the labour for building roads, plantations and tin mines and later on dominated the commercial sector. They are predominantly Buddhists including some Taoists and Confusianists. Malaysia has a multiparty parliamentary form of government in which minorities including the Chinese are represented. The Chinese Malays are still regarded as immigrants and disloyal to the political system. There has been an underlying competition and conflict between the economically prosperous Chinese and the politically dominant Malays in the form of ethnic rivalries and periodic communal riots. Preferential treatment is guaranteed to the Malays in government jobs, the military and universities. The Chinese seem to be preoccupied with material concerns, barred from making ethnic claims and have been accepting the political restrictions placed on them by the dominant Malays.

Now turning our attention to the Turkish immigrants in Germany we can say that they entered the country as labourers most of them recruited by the Turkish Employment Service and some nominated by German employers when there was demand for labour to meet the rapid economic growth in Germany in 1950s and 60s. Though the stay of these “guestworkers” were temporary they managed long term residence permits. Soon this raised the eyebrows of right wing political parties and curbs were laid down on their citizenship rights. On the other hand, some grassroots level leaders emerged among the Turks who demanded better working conditions. Many of them were attacked by the natives and in 1992-93, there grew increased political activism amongst the Turkish Germans, keeping citizenship as their key symbolic issue.

The purpose of discussing these case studies is to bring out clearly the question of ethnopolitical conflicts, which revolve around issues such as demand for independence from the state, demand for greater autonomy within the state, recognition and protection of minority interests within a plural society. Policies of regional autonomy, assimilation, pluralism and power sharing have already been used, for instance, in the case of Bangladeshi migrants in Assam who have been residing for decades. Their situation vis-à-vis the indigenous population whose main concern is the issuance of citizenship certificates to these immigrants and the maintenance of their separate ethnic identity, a case quite similar to that of Turkish Germans. The ethnic Assamese fear that the disadvantaged section of these immigrants is disillusioned and mobilized by the better-off section having political ambitions to achieve an equal footing with the indigenous population in terms of power sharing.

The massacres that took place in Assam during the February 1983 elections were the culmination of five years of political, social and economic upheaval. This

particular wave of violence was ignited by elections that had been called and then held in order to comply with constitutional requirements. However, the preceding five years were highly significant in bringing about some of the most vicious communal and ethnic violence India had ever experienced since partition. The conflict though, can only be fully understood through an understanding of how a series of historical, political and social circumstances converged in Assam to stimulate ethnic and communal rivalries to a point of extreme violence.

One of the most important issues precipitating the tensions and conflict that enveloped Assam resulted from major shifts in the demographic composition of the region. Another factor that contributed to destabilizing the area was a breakdown in traditional political coalitions. This resulted in Indira Gandhi's Congress (I) party's attempts to reestablish political hegemony in Assam. It engaged in practices that were geared toward its retention of power rather than towards finding, amicable solutions to the problem of illegal immigrants that have formed its new basis of power. No less important was that the tribal people feared the appropriation of their lands by the immigrants. In combination to the political and economic forces, culture and religion provided the basis for the creation and maintenance of an intense ethnic conflict, which continued for over five years in Assam. It is important to point out here that the bargaining process that was carried out between the government and the agitators regarding the cultural component seems to affirm the "instrumentalist" view that ethnicity is manipulated for political and economic gains.² The state apparatus ordered elections despite the obvious potential for disorder merely thinking of the benefit at the political level.

² Darnell, Alfred T. and Parikh, Sunita, "*Religion, ethnicity and the role of the state*". Ethnic and Racial Studies, Vol.11, July 1988.

Growing salience of such type of migration is related not only to the rise in flows but also diversity of stocks. Sectors of public opinion on the other hand have reflected resentment towards them, who are believed to be compromising the native population's economic and social welfare programmes and towards the government whose inability to control such movement of population is interpreted as a sign of weakness. This situation in Assam has also led to the immigrants becoming pawns in the political struggles between various political groups mainly because of the fact that most of them are gripped in the shackles of poverty. Some economists have argued that a large supply of these inexpensive Bangladeshi immigrants to India, (with particular emphasis on Assam), serve as cheap labour and is responsible for depreciation in wages and working conditions, particularly in urban areas.³ The rationale to understand this is that they are more docile and vulnerable and therefore preferred by employers who find them more cost-effective. A level of job exists that is often not undertaken by the native workers and open to this section of the labour. Thus, the tentative hypothesis that was drawn at the very outset of this work that a dual labour market exists where migrants pursue low paying jobs whereas the local inhabitants opt mostly for higher paid ones with better skill seems to be applicable.

Some also contend that they overburden the social services without contributing to the system i.e., given that most do not pay taxes.⁴ However, if we try to look into this opinion keeping in mind the pitiable living conditions of the people in the chars it would lead us to rethink that they on the other hand often contribute to the welfare of the better half of the population residing in the urban areas in the form of, daily necessities without little or no return (i.e., pensions) just to make both ends meet. In this regard, it is necessary to mention one Assamese author who has given a

³ *International Migration Policies*, Department of Economic and Social Affairs, Population Division, UN, 1998.

⁴ *Ibid*, pp.213-229.

novel solution to this problem although it has several intractable economic and social implications:

“India can consider issuing residential and work permit along with travelling and re-entry permits for the same period to all the foreigners irrespective of their country of origin after detecting and registering them. These people must be divested of voting rights in the elections to state assembly and parliament but may even be allowed to civic rights in the local level. They may be provided reasonable civic amenities, their rights may be protected by proper legislation and part of their income may be allowed to be repatriated to their families back home. Such a humane, practical and profitable policy will ensure that poor of our neighbouring countries are not uprooted from their hearths and homes and keep their roots intact. In most cases the families will stay back. This will also greatly diminish social tensions in Assam and the North East.”⁵ This is indeed a humanitarian approach to the problem, based on the protection of basic human rights of the immigrants as such. Because of the increasing magnitude of the immigrants, similarity in their appearance and language in some of the border districts, political apathy and administrative bottlenecks, all make detection and deportation sound like a very difficult task. Also, the provision of detection and deportation has to be understood in the context of safeguarding of the rights of the Indian citizens whether Hindus or Muslims without any discrimination or harassment. A solution to the problem of foreigners seems to be bleak if the issue is looked at from a narrower perspective with the political parties taking differing positions, which would suit their respective interests.

⁵Borah, Dhruba Jyoti, “*Social Alienation and tension in the North East*”, paper presented to the symposium on “The Shillong Times” Golden Jubilee Celebration, IIC, New Delhi, 1995.

In his recent work, *“Rites of Passage”*, eminent journalist Sanjoy Hazarika has worked out *“a mix of several policy formulae”* to subside the situation, which can also be implemented to transform the region.⁶ They can be summarized as follows:

- Migration cannot be stopped completely but can only be reduced, given the various pull and push factors.
- Migration is to be seen as a survival strategy not merely as a conspiracy to spread jihad because such external forces would operate in any situation irrespective of the fact that they take shelter and aid from the immigrants or non-patriotic natives of the country; out of a sense of deprivation or frustration. Yet, the security dimension cannot be overlooked.
- Char people already have a feeling of denial of their fundamental requirements and alienation from Dispur, so making the already existing under funded Char Development Authority, worth functioning, should look after their needs.
- A proper distinction has to be made between the refugees and migrants.
- Even if laws in this regard are legislated their implementation part has to be the initiative of the grassroots level workers, then the administration above it and so on. Violation should be met with proper penalties.
- It should be provided through parliamentary sanctions and the same sort of provision through state legislature that those issuing fake citizenship certificates, whether ordinary citizens, politicians or any other government officials have to be met with a heavy hand. The process must be conducted by a retired judge of the State High Court, and a single appeal to a two-member Appellate Court (of retired judges).
- IM (DT) Act must be repealed or the process must soon begin.

⁶ Hazarika, Sanjoy, *Rites of Passage*, pp.257-261, Penguin Publishers, New Delhi, 2001.

- Multipurpose identity cards must be made compulsory in the entire North East; revision of electoral rolls should immediately come into effect.
- Work permits to those Bangladeshis willing to work in India should be provided, having special numbers to avoid duplication.
- No worker shall be allowed to exercise the right of franchise on the Indian soil. Names of those voters of doubtful origin should be deleted from the electoral rolls.
- A National Migration Law needs to be enforced.
- Border trade in terms of food processing and marketing industries between Bangladesh and northeastern states should be encouraged.
- International Organisation for Migration and other UN groups should consider compensating the receiving countries.
- The infrastructural facilities should be improved to provide fresh avenues of employment.
- Last but not the least, proper and technologically improved surveillance facilities of the border areas should be provided.

Therefore, a significant debate among academics and policy makers on the causes and effects of illegal migration exists and goes on. A personal opinion in this context is that even if the much talked about IM (DT) Act is scrapped would the threat to Assam's demography from the influx will recede in the next few years? Where the problem is still looking forward to an amicable solution another dimension has been added to it. More than 5,000 suspected Bangladeshi migrants have settled in the "no man's land" along the Indo-Bhutan border during the last decade.⁷ Most of them work in the nearby Bhutanese town, Samdrup Jangkhar, as daily labourers, vegetable/egg vendors, minor shopkeepers, carpenters, etc. In the 1991 census, the total households

⁷"Sentinal", 25 Oct. 2001.

of people of suspected nationalities in the area were hardly 150. But in 2001 census the number has gone up to about 1,600. However, according to the international laws no people can reside in the “no-mans” land in any international border. But this has really become a matter of concern to be taken up seriously by the respective governments. Bilateral agreements for the return of migrants have proved to be a positive step. Policies should also focus on international cooperation so that governments can pursue long-term policies, which aim to stem the tide of undocumented migration even before entry.

To come to an end of the discussion on Bangladeshi illegal migrants in Assam, scholars have conducted and presented analyses on the causes and consequences of mass migration of poverty stricken Bangladeshis into neighbouring India and the security, socio-economic, political and demographic dimensions acquiring significance in the context of Assam. Meanwhile, discussion can go on since very few areas of migration research have been carried out with regard to the migration of women, especially in developing countries. Researchers have tended to dismiss female migration as being mostly “*associational*” that is as occurring mainly as a result of male initiative.⁸ However, evidence suggests that female migration is not only greater in volume but also autonomous and economically motivated. Better theoretical approaches should explicitly take gender into account and regard it as a basic dimension of migration research. There is a pressing need to elucidate the complex interrelations between the changing patterns, levels and types of female migration in developing countries on the one hand and the wider processes of economic development and social change, on the other. The unravelling of such interrelations is essential to provide guidance to policy makers and planners in

⁸ *Internal Migration of Women in Developing Countries*, Proceedings of the UN Expert Meeting on the Feminisation of Internal Migration, Mexico, 22-25 Oct., 1991.

developing countries; because the measures directed to improving the lives of migrant women, are also likely to contribute significantly to improving the well being of the society as a whole. Thus, the focus of attention is required in academia and between the NGO's because of the ongoing trafficking of Bangladeshi women and children whether migrant or non-migrant, an issue, which requires a special attention in various quarters.

Appendix - A
Assam Accord, 1985

1. Government have all along been most anxious to find a satisfactory solution to the problem of foreigners in Assam. The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) have also expressed their keenness to find such a solution.

2. The AASU through their Memorandum dated 2nd February 1980 presented to the late Prime Minister Smt. Indira Gandhi, conveyed their profound sense of apprehensions regarding the continuing influx of foreign nationals into Assam and the fear about adverse effects upon the political, social, culture and economic life of the State.

3. Being fully alive to the genuine apprehensions of the people of Assam, the then Prime Minister initiated the dialogue with the AASU/AAGSP. Subsequently, talks were held at the Prime Minister's and Home Minister's level during the period 1980-83. Several rounds of informal talks were held during 1984. Formal discussions were resumed in March, 1985.

4. Keeping all aspects of the problem including constitutional and legal provisions, international agreements, national commitments and humanitarian considerations, it has been decided to proceed as follows:

Foreigners Issue

5.1 For purposes of detection and deletion of foreigners, 1.1.1966 shall be the base data and year.

5.2 All persons who come to Assam prior to 1.1.1966, including those amongst them whose names appeared on the electoral rolls used in 1967 elections shall be regularised.

5.3 Foreigners who came to Assam after 1.1.1966 (inclusive) and upto 24th March, 1971 shall be detected in accordance with the provisions of the Foreigners Act, 1946 and the Foreigners (Tribunals) Order 1964.

5.4 Names of foreigners so detected will be deleted from the electoral rolls in force. Such persons will be required to register themselves before the Registration Officers of the respective districts in accordance with the provisions of the Registration of Foreigners Act, 1939 and the Registration of Foreigners Rules, 1939.

5.5 For this purpose, Government of India will undertake suitable strengthening of the government machinery.

5.6 On the expiry of a period of ten years following the date of detection, the names of all such persons which have been deleted from the electoral rolls shall be restored.

5.7 All persons who were expelled earlier, but have since reentered illegally into Assam shall be expelled.

5.8 Foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, deleted and practical steps shall be taken to expel such foreigners.

5.9 The Government will give due consideration to certain difficulties expressed by the AASU/AAGSP regarding the implementation of the Illegal Migrants (Determination by Tribunals) Act, 1983.

Safeguards and economic development

6. Constitutional, legislative and administrative safeguards, as may be appropriate shall be provided to protect, preserve and promote the culture, social, linguistic identity and heritage of the Assamese people.

7. The Government take this opportunity to renew their commitment for the speedy all round economic development of Assam, so as to improve the standard of living of the people. Special emphasis will be placed on education and science and technology through establishment of national institutions.

Other Issues

8.1 The Government will arrange for the issue of citizenship certificates in future only by the authorities of the Central Government.

8.2 Specific complaints that may be made by the AASU/AAGSP about irregular issuance of Indian Citizenship Certificates (ICC) will be looked into.

9. The international border shall be made secure against future infiltration by erection of physical barriers like walls, barbed wire fencing and other obstacles at appropriate places.

Patrolling by security forces on land and riverine routes all along the international border shall be adequately intensified. In order to further strengthen the security arrangements, to prevent effectively future infiltration, an adequate number of check posts shall be set up.

9.2 Besides the arrangements mentioned above and keeping in view security considerations, a road all along the international border shall be constructed as to facilitate patrolling by security forces. Land between border and the road would be kept free of human habitation, wherever possible. Riverine patrolling along the international border would be intensified. All effective measures would be adopted to prevent infiltrators crossing or attempting to cross the international border.

10. It will be ensured that relevant laws for prevention of encroachment of government lands in tribal belts and blocks are strictly enforced and unauthorized encroachers evicted as laid down under such laws.

11.It will be ensured that the relevant law restricting acquisition of immovable property by foreigners in Assam is strictly enforced.

12.It will be ensured that Birth and Death Registers are duly maintained.

Restoration of Normalcy

13.The All Assam Students Union (AASU) and the all Assam Gana Sangram Parishad (AAGSP) call off the agitation, assure full co-operation and dedicate themselves towards the development of the country.

14.The Central and the State Government have agreed to: a.review with sympathy and withdraw cases of disciplinary action taken against employees in the context of the agitation and to ensure that there is no victimization; b.frame a scheme for ex-gratia payment to next of kin of those who were killed in the course of the agitation; c.give sympathetic consideration to proposal for relaxation of upper age limit for employment in public services in Assam, having regard to exceptional situation that prevailed in holding of academic and competitive examinations, etc., in the context of agitation in Assam; d.undertake review of detention cases, if any, as well as cases against persons charged with criminal offences in connection with the agitation, except those charged with commission of heinous offences; e.consider withdrawal of the prohibitory orders/ notifications in force, if any.

10.The Ministry of Home Affairs will be the nodal Ministry for the implementation of the above.

Signed/-

(P.K. Mahanta)
President
All Assam Students Union

Signed/-

(R.D. Pradhan)
Home Secretary
Govt. of India

Signed/-

(B.K. Phukan)
General Secretary
All Assam Students Union

Signed/-

(Smt. P.P. Trivedi)
Chief Secretary
Govt. of India

Signed/-

(Rajiv Gandhi)
Prime Minister of India

Signed/-

(Biraj Sharma)
Convenor
All Assam Gana Sangram Parishad

Date : 15th August, 1985

Resolutions of the Convention of the Minority coordination
Committee
[Excerpts]

on Memorandum of Settlement of Foreigner Problem in Assam:

This convention of the Minority Communities of Assam views with grave concern that the Government of India has entered into an Accord with the leaders of the Assam agitation and Government of Assam without asking the representative bodies of the Minorities into confidence.

The Convention considers the accord detrimental to the interests and safety of the Minorities living in Assam. It has created a fear psychosis in the minds of the minorities.

Though the Constitution and legal provisions, international agreement, National commitments and humanitarian considerations have accepted the guiding principles for the settlement and these principles have been shown in the terms of the settlement.

Fixation of 1.1.1966 as the base date and year for the detection and deletion of the names of foreigners, violate the terms of the Indira-Mujib Agreement, 1977? and national commitments in respect of displaced persons from erstwhile East Pakistan. Besides, it violates the protective provisions of the immigrant [Expulsion from Assam] Act, 1950, in respect of displaced persons. The convention asserts that the displaced persons are protected by the national commitments and laws of the land and, therefore, are not liable to detection and deletion.

The Memorandum of Settlement provides that those who entered in Assam after 1.1.1966 (inclusive) and upto March 24, 1971 shall be detected, then their names shall be deleted from the Electoral Rolls and lastly they shall have to register themselves as Foreigners according to the provisions of foreigners Registration Act and Rules 1939. Right of franchise shall be restored to those persons so detected and registered after ten years from the of detection.

These provisions of the Accord are decisively anti-minority and contrary to the provision of the Indira-Mujib National commitments, citizenship Act and Immigrant (Expulsion from Assam) Act, 1950, and above all the constitution of India. The constitution does not provide for double standards in respect of citizenship and therefore any steps for implementation of the Accord will be *ultra vires* of the constitution. Moreover, this will put the entire minority subjects to persecution;

The provision as laid down in clause 5 (7) of the Accord for expulsion of those who were earlier wrongfully expelled and were compelled to re-enter prior to 24.3.71 and those minorities who had to leave India and compelled to flee to the then East Pakistan, but came back to Indian in accordance with the protection provided under the Assam Evacuees Act, also violates and Indira-Mujib Agreement and provision of the Assam Evacuees Act;

Besides, keeping the entrants between 1.1.1966 to 24.3.1971 as stateless for ten years, and clause 5.2 of the Memorandum of Settlement, violates the Declaration of

human Rights and National Commitments. The manner in which 5.2 of the Agreement is constructed, when implemented, the detection and deletion would not remain to the period of 1.1. 66 to 24. 3. 71 as stated. To find out who came before 1.1. 66 as required in the clause, the inquired can extend even to a period of the partition of the country and as such the entire minority communities of Assam will become liable to scrutiny, consequent harassment and ultimately loss of citizenship of millions;

In respect of the post-1971 entrants, the Accord has made a departure from the accepted principles of the convention of Law of Nation observed by the civilized states by making provision for expulsion instead of deportation which is a bilateral act enjoined by the Indira-Mujib agreement 1972. The Convention condemns all attempts, now being made to push the so-called foreigners forcibly across the border by unilateral acts;

This convention of the Minority Communities of Assam views with dismay and horror that the memorandum of Settlement signed among the representatives of the Government of India, Government of Assam and leaders of Assam agitation and bears a discriminatory approach against the minorities of Assam and hence it is not acceptable to the minorities of the States;

In view of the above, the convention urges upon the progressive and democratic forces and the minorities of the State united, in this hour of crisis to face with courage and determination, the persecution that may follow the implementation of the accord

The convention also demands of the Government of India to take note of the wounded feelings of the minorities of the State and to scrap the Accord in the greater of the states and the Nation

On Preparation of Electoral Roll

This Convention of the Minority Communities of Assam express its grave concern at illegal and arbitrary procedures adopted by the election commission of India in preparation of the voters, list in Assam as a result of which a few lakhs of Indian citizens belonging to religious, linguistic and ethnic minorities are likely to be deprived of their right of franchise.

The election commissioner has done irreparable damage to the Citizenship right to the minorities by issuing illegal circulars, one after another, which have created great confusion for the minorities and partisan officers taking advantage of contradictory types of circulars, depriving lakhs and lakhs of minorities people from their constitutional rights of franchise. The minorities are going through unthinkable harassment in sustaining their claim and in facing innumerable objection petitions filed by interested parties and individuals on flimsy and misleading grounds. The four documents, viz., Entry of Names in 1971 or pre- 1971 Rolls, copy of N. R. C. 1991, Citizenship Certificates and birth certificates are the only documents, which are being insisted upon are arbitrary, whereas reconstructed copies of the 1971 electoral rolls made available are incomplete, and do not contain more than 3 lakhs voters of 1971 rolls on which the 1972 elections were held. Citizenship certificates have not been issued in most cases to the naturalized Indian citizens and birth registers have not been maintained. Insistence upon the above documents is nothing but a conspiracy to

deny right of franchise to the minorities. Other reliable public and private documents like academic certificates, radio licences, land records, ration cards and other facts as admissible under the Indian evidence Act should be accepted as proof in support of right of franchise for inclusion in the Electoral Rolls. The Election commissioner in its guideline issued for preparation of the electoral roll and other circulars issued on racial and partisan lines are in clear violation of provision of the Peoples Representation act and Rules thereunder and Regulation of electors Rules of 1960.

The convention therefore strongly protests against the procedures followed and urges upon both the Houses of Parliament to hold an enquiry through the petition committees to enquire into the conduct of the election commission. Unless the Electoral Roll is prepared in accordance with the relevant Act and Rules, the convention apprehends that not less than 1.2 million Indian citizens would be deprived of their right of franchise. From the manner in which the Electoral Roll is prepared in Assam currently, it has become evident that the election Commission has usurped the power the Tribunal as envisaged in the immigrant Expulsion (Determination by tribunal) act, 1983, in essence it has assumed the roll of determination of Foreigners in course of preparation of the Electoral Roll. This too is contrary to its own declared policy that the election machinery is not proper forum to go into the question of citizenship in respect of persons already enrolled or enlisted in any electoral roll. Contrary to the Supreme Court judgement in 1984 in Indrajit Barua's case, the Election Commission has arbitrarily chosen the 1971 Electoral Roll as the reference Roll in the preparation of the Electoral Roll of 1985. The Supreme Court upheld the 1977 electoral roll on the basis of which the 1979 Electoral Roll was prepared declared free from all infirmities and as such the election of 1983 was upheld as valid.

The convention further resolves that legal and extra-legal remedies be sought to protect the rights of Indian citizens from arbitrary deletion of names from the Electoral Roll.

Further resolved that the national political parties, representing in parliament be requested to send a Parliamentary Delegation to Assam to study the situation arisen due to issuance of illegal, arbitrary and racial circulars issued by the Election Commission of India for preparation of voters' list in Assam.

On Eviction

In pursuance of clause 10 of the Assam accord, the Government, has started serving Eviction Notices on peasants primarily belonging to Minority communities, occupying for a long time as *patta* and *touji* holders, government, land and lands of Tribal belts and blocks. Taking advantage of the clause and in connivance with the revenue and forest officials, the agitationists and anti-social elements have taken upon themselves, the responsibility of forcibly evicting helpless poor peasantry from land in their possession of looting their properties.

Already a large number of such families belonging to displaced persons, immigrant Muslim and Nepali communities in the districts of Kokrajhar, Darrang, Sonipat and Lakhimpur are evicted and some of them were attempted to be pushed out of Assam to Bangladesh. Unless this inhuman process of eviction and harassment is stopped forthwith, the future 2.5 million people belonging to above categories is going to be

threatened and the whole socio-economic fabric will be destroyed with disastrous consequences.

Further direct pursuance of clause 11 of the Assam Accord in respect of transfer of land by and from persons who are not citizens of Indian is being interpreted and applied in a manner giving rise to apprehension in the minds of minorities about sale and purchase and also other transactions relating to lands owned and in possession of the minorities.

Problem of Nepalese

This convention notes with grave concern that the Assam accord infringes the rights of Nepalese living in Assam conferred in pursuance of the Indo-Nepal Treaty of 1950. In the case of the Nepalese the Government introduced Restricted Area Permits for entering Assam with effect from 30.7. 1976 and in the case of the Nepalese who entered Assam prior to this date and settled in Assam, the question of cut-off year and defranchisement of Nepalese from 1.1. 1966 to 24. 3. 71 does not arise

The Government and Election machinery have started arbitrary action touching the Nepalese depriving them from registering their names as electors settled permanently in India and Assam in particular. Eviction has also started in various rural areas and terrorising of bonafide citizens.

The Convention urges upon the Government, to provide all necessary safeguards, and protection to the Nepalees in Assam and also give justice in view of the Indo-Nepal treaty 1950 and other relevant orders and laws.

Copy forwarded by
Imran Shah, *convenor*

(Ahmed Ali Bauskandi)
President

BIBLIOGRAPHY

Government Publications, Documents and Reports:

Assam Governor, Lt. Gen. (Retd.) S.K. Sinha's Report *On Illegal Migration into Assam*, To The President of India, 1998.

Census Report of 1951, The Govt. of India, 1951.

Census Report of 2001, The Govt. of India, 2001.

IM (DT) Act, 1983, Govt. of India.

International Migration and Development: Report of Secretary General, UN, ECOSOC, 1995.

International Migration and Development, The Concise Report, UN, 1997.

International Migration Policies, Department of Economic and Social Affairs, Population Division, UN, 1998.

Mass Uproar in Assam, Nilum Barua and others, AASU, Guwahati, 1980.

Memorandum of settlement, The Assam Accord, 14-15 Aug. 1985.

Report on the Line System, 1928.

Report of the Ministry of Home Affairs, Government of India, *Tripartite talks to review the implementation of the Assam Accord held in New Delhi on 31st May 2000*. Mahanta, P.K., *ISI Activities in Assam*, Statement Laid on the Table of the House of Assam Legislative Assembly, 6th April 2000.

Books:

- Ahmed, Ishtiaq, *State, nation and ethnicity in contemporary South Asia*, (Pinter, London and New York, 1996).
- Barpujari, H.K., *Northeast India: Problems, Policies and Prospects: Since Independence*, (Spectrum Publications, New Delhi, 1998).
- Barth, F., *Ethnic Groups and Boundaries* in Allen, George and Unwin, (eds.), *The Social Organisation of Cultural difference*, (London, 1969).
- Baruah, Apurba Kumar, *Social Tensions in Assam: Middle Class Politics*, (Purbanchal, Guwahati, 1991).
- Baruah, Sanjib, *India: Against Itself-Assam and the Politics of Nationality* (Oxford University Press, New Delhi, 1999).
- Beiji, Roger Zegers de, (ed.) *Documenting Discrimination against Migrant Workers in the Labour Market-A comparative study of four European countries*, (ILO, Geneva, 2000).
- Bhattacharya, H.K., *The Silent Invasion*, (Spectrum Publications, New Delhi, 2001).
- Brass, Paul, *Language, Religion and Politics in North India* (Cambridge University Press, Cambridge, 1974).
- Brass, Paul, *Ethnic Groups and the State*, in Brass, Paul, (ed.) *Ethnic Groups and the State*, (Totawas, Barnes and Noble Books, New Jersey, 1985).
- Brass, Paul, *Ethnicity and Nationalism: Theory and Practice*, (Sage publications, New Delhi, 1991).
- Cults, Mark; Loughana.S; Nicholson, Francis (eds.), *The State of the World's Refugees Fifty Years of Humanitarian Action*, (UNHCR, Oxford University Press, Oxford, 2000).

- Dasgupta, Jyotirindra, *Ethnicity, Democracy and Development in India: Assam in a General Perspective*. In Atul Kohli (ed.): *India's Democracy- An Analysis of Changing Society-State Relations*, (Orient Longman, New Delhi).
- Datta, P.S. (ed.), *Ethnic Movements in Poly-Cultural Assam*, (Har Anand Publications, New Delhi, 1990).
- Dhar, Pannalal, *Ethnic Unrest in India and Her Neighbours*, (D&D Publications, New Delhi, 1998).
- Dutta, N.L.& Phukan.G., *Politics of Identity and Nation Building in Northeast India*, (South Asian Pub. Pvt. Ltd., New Delhi, 1997).
- Geertz, C., *The Integrative Revolution*, in Geertz (ed.) *Old Societies and new states*, (The Free Press, New York, 1963).
- Goswami, A. and Gogoi, J., *Migration and Demographic Transformation in Assam, 1901-1971*, in Abbi, B.L.,(ed.) *Northeast Region: Problems and Prospects of Development*, (Centre for Research in Rural and Industrial Development, Chandigarh, 1984)
- Guha, Amalendu, *Medieval and Early Colonial Assam: Society, Polity, Economy*, (K.P.Bagchi and Co., Calcutta, 1991).
- Guha, Amalendu, *Planters Raj to Swaraj: Freedom Struggle and Electoral Policies in Assam (1826-1947)*, (Indian Council of Historical Research, New Delhi, 1977).
- Gurr, Ted Robert and Harff, Barbara, *Ethnic Conflict in World Politics*, (University of Maryland, Westview Press, Oxford, 1994).

- Hazarika, Sanjoy, *Rites of Passage-Border Crossings, Imagined Homelands, India's East and Bangladesh*, (Penguin Books, New Delhi, 2000).
- Hazarika, Sanjoy, *Strangers of the Mist-Tales of War and Peace from India's Northeast*, (Viking, New Delhi, 1994).
- Hecter, Michael, *Internal Colonialism: The Celtic Fringe in British National Development 1536-1966*, (University of Berkely, California Press, 1975).
- Huntington, S.P., *The Clash of Civilizations and the remaking of World order*, (Penguin Books, New Delhi, 1996).
- Hussain, Monirul, *The Assam Movement-Class, Ideology and Identity*, (Manak Pub., New Delhi, 1993).
- Hutnik, Nimmi, *Ethnic minority Identity-A Social Psychological Perspective*, (Clarendon Press, Oxford, 1991).
- Iftekharruzzaman, (ed.) *Ethnicity and Constitutional Reform in South Asia*, (Regional Centre for Strategic Studies, Manohar, New Delhi, 1998).
- Kar, M., *Muslims in Assam Politics – 1946-91*, (Vikas Publishing House, New Delhi, 1997).
- Lahiri, K.D. & Dev, J.B., *Assam Muslims-Politics and Cohesion*, (Mittal Pub., New Delhi, 1985).
- Mandal, R.B., (ed.) *Frontiers in Migration Analysis*, (Concept Publishing Company, New Delhi, 1981).
- Migdal, Joel S., *Strong Societies and Weak States*, (Princeton University Press, Princeton, 1988).

- Misra, Udayan, *Northeast India: Quest for Identity*, (Omsons Pub., Guwahati, 1998).
- Misra, Udayan, *The Periphery Strikes Back- Challenges to the Nation State in Assam and Nagaland*, (I.I.A.S., Shimla, 2000).
- Murthy, T.S., *Assam-The Difficult Years-A Study of Political Development in 1979-83*, (Himalayan Books, New Delhi, 1987).
- Pakem, B. (ed.), *Nationality, Ethnicity and Cultural Identity in Northeast India*, (Omsons Publications, Guwahati, 1990).
- Phadnis, Urmila, *Ethnicity and Nation-Building in South Asia*, (Sage Publications, New Delhi, 1989).
- Phukon, Girin, *Assam Attitude to Federalism*, (Sterling Publishers, New Delhi, 1984).
- Rao, M.S.A., (ed.) *Studies in Migration-Internal and International Migration in India*, (Manohar Publications, 1986).
- Rex, John, *Ethnic Minorities in the Modern Nation-States: -Working papers in the theory of Multi-Culturalism and Political Integration*, in Henry, Zig Layton and Toly, Daniele (eds.), *Migration, Minorities and Citizenship*, (Centre for Research in Ethnic Relations, Macmillan Press, 1996).
- Sarmah, Alaka, *Immigration and Assam Politics*, (Ajanta Publications, Guwahati, 1999).
- Shukla, B.P., *What Ails India's North-East*, (Suruchi Sahitya, Guwahati, 1980).
- Singh, Bhawani, *Politics of Alienation in Assam*, (Ajanta Publications, New Delhi, 1984).

Singh, B.P., *The Problems of Change: A Study of Northeast India*, (OUP, New Delhi, 1987).

Singh, Manju, *Assam-Politics of Migration and Quest for Identity*, (Anita Pub., Jaipur, 1990).

Verghese, B.G., *India's Northeast Resurgent-Ethnicity, Insurgency, Governance and Development*, (Konark Publishers Pvt. Ltd., New Delhi, 1996).

Vuckovic, Gojko, *Ethnic Cleavages and Conflict: The Sources of National Cohesion and Disintegration-The Case of Yugoslavia*, (Centre for Multiethnic and Transnational Studies, University of Southern California, Ashgate Publishing Ltd., Los Angeles, 1997).

Weiner, Myron, *Sons of the Soil-Migration and Ethnic Conflict in India*, (Princeton University Press, Princeton, 1979).

Weiner, Myron and Katzenstein, Mary, *Migration and Electoral Participation in India* in Weiner, Myron and Field, John Osgood (eds.) *Studies in Electoral Politics in the Indian states-The Impact of Modernisation*, (Manohar Book Service, New Delhi, 1977).

Yinger, Milton, *Ethnicity: Source of Strength? Source of Conflict?* (State University of New York Press, New York, 1994).

Journals and Magazines :

Banerjee, Paula; Hussain, Monirul; Hazarika, Sanjoy and Samaddar, Ranabir, *Indo-Bangladesh Cross-Border Migration and Trade*, EPW, 4th Sept., 1999.

Baruah, Sanjib, *Ethnic Conflict as State Society Struggle: The Poetics and Politics of Assamese Micro Nationalism*, Asian Studies, 1994.

- Bonacich, Edna, *A Theory of Ethnic Antagonism: The Split Labour Market*, American Sociological Review, 3rd Oct. 1978.
- Darnell, Alfred T. and Parikh, Sunita, *Religion, ethnicity and the role of the state: Explaining conflict in Assam*, Ethnic and Racial Studies, vol.11; No.3 University of Chicago, July 1988.
- Dasgupta, Anindita, *Political Myth-Making in Post Colonial Assam*, Himal, South Asian, Kathmandu, August 2000.
- Gupta, Shekhar, *Assam Simmering*, India Today, 29th Feb.1984.
- Hazarika, N., *Politics in Assam*, The Indian Journal of Political Science, vol.55.no.3, July-Sept, 1994.
- Hazarika Sanjay, *Bangladesh and Assam: Land pressures, Migration and Ethnic Conflict*, Occasional paper, No.3, March 1993.
- Mishra Tilottama, *Assam: A Colonial Hinterland*, EPW, 9th Aug. 1980.
- Misra, Udayon, *Immigration and Identity Transformation in Assam*, EPW, 22nd May, 1999.
- “*Nationalism and Ethnic Politics*”, vol.7, No.2, A Frank Cass Journal, Summer, 2001.
- Srikanth, H., *Communalising Assam: AGP’s Loss is BJP’s Gain*, EPW-4th Dec.1999.
- The Danger of Secession*, India Today, pp.16-29, 1980.

Swain, Ashok, *Displacing the Conflict: Environmental Destruction in Bangladesh and Ethnic Conflict in India*, Journal of Peace Research, vol.33, No.2, 1996.

Newspapers:

Assam Tribune, Hazarika, Sanjoy, *Problem of Migration and its Solution*, 15th Feb. 1999

News Times, Zaman, S.Naqib-uz, *Dissidence Factor*, Hyderabad, 9th May 2001

Sentinal, 12th June 2001.

Sentinal, 5th Oct. 2001.

Sentinal, 17th Oct. 2001.

Sentinal, 19th Oct.2001.

The Deccan Herald, *Lid Blown off ISI 'jihad' plot in Assam*, 16th August 1999.

The Deccan Herald, 11th May 2001.

The Hindustan Times, *ISI meddling in India's Northeast, says US official*, 11th March 2000.

The Pioneer, New Delhi, 11th April 2001.

Seminar Papers:

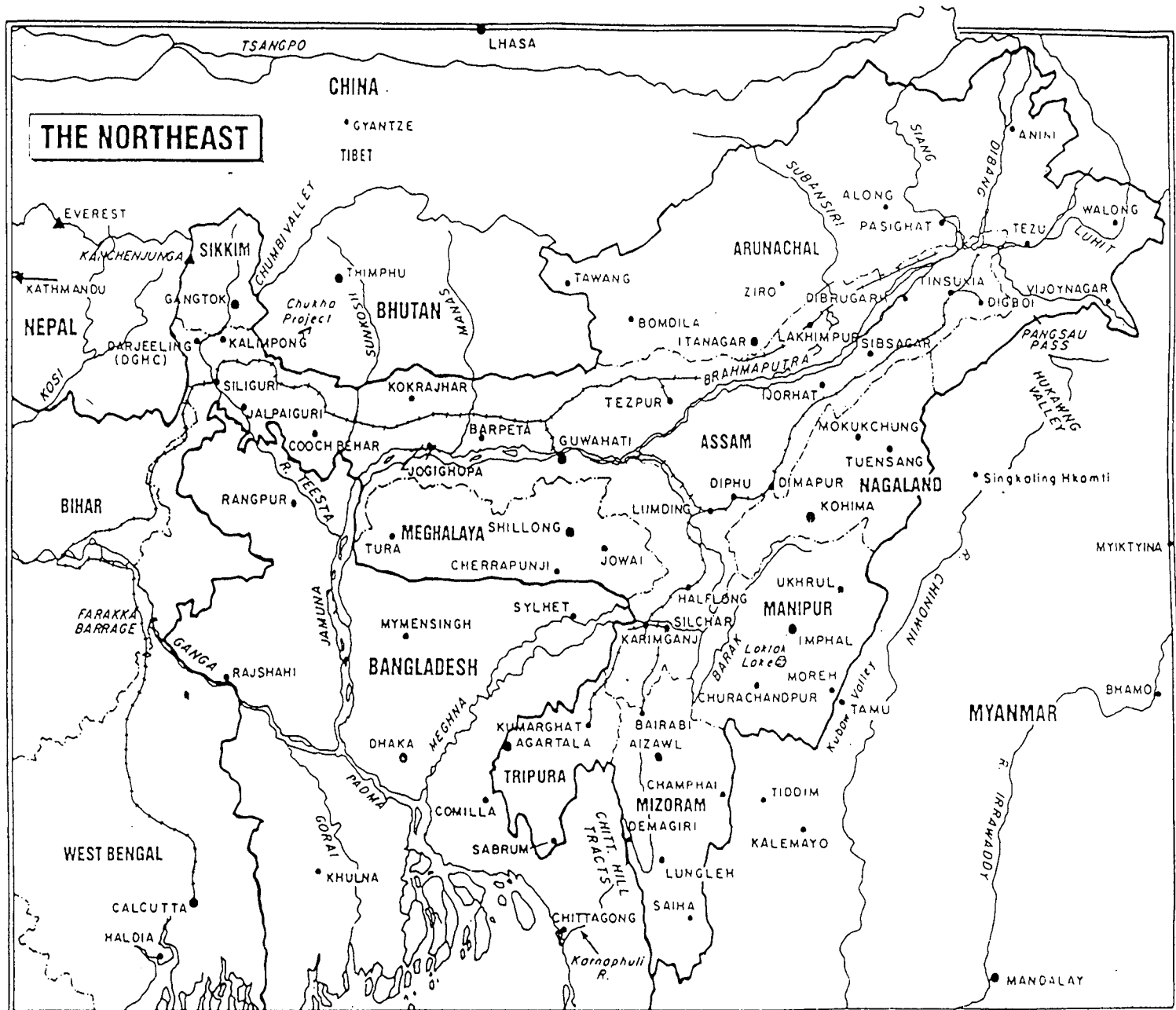
Choudhury, Hafiz Rashid Ahmed, *Constitutional Safeguards to the Assamese people, search for security of the people of Assam: the Minority view points*, Seminar organised by North-East Foundation, Guwahati, 9th Dec. 2000.

Kotwal, Dinesh, *Dynamics of Unending Violence in Assam*, Institute of Defence Studies and Analysis, New Delhi, 2000

Websites:

<http://www.satp.org/india/document/assam> Report on Illegal Migration into Assam.

**<http://www.satp.org/india/document/assamaccrod%201985.htm#Assam>
Accord**



Sketch Map Not to Scale