

Discourses on Rights and India's North-East

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Much of the scholarly works on India's north-east revolve around familiar themes such as tribal societies, traditional institutions, migrants, refugees and the problems associated with insurgency and counter-insurgency. The intellectuals in the north-east usually tend to view such issues from the point of view of the dominant ethnic communities inhabiting the states. In their works the voices of unorganised and vulnerable minority communities – non-tribals, smaller tribes, migrants and refugees – residing in the north-eastern states do not receive adequate attention. For this reason, Rajesh Dev's article ('Human Rights, Relativism and Minorities in North-east India', *EPW*, October 23, 2004) which examined the nature of governance and the administration of human rights from the viewpoint of the minority communities living in the north-eastern states needs to be appreciated. He does make sense when he suggests that the definition of minorities should be relative and contextual, as those designated as minorities at the all-India level may well be the dominant communities in particular states and these communities can be as oppressive and discriminatory in their disposition towards other minority communities residing in the states. In the north-eastern states where ethnicity and identity politics dominate, it is but natural that the persons belonging to the minority communities consider that they live like second grade citizens, at the mercy of the dominant ethnic communities controlling the wheels of power directly or indirectly. While I do agree with Rajesh Dev's view that the ethnic perceptions of rights as advocated and practised in the north-east India are in conflict with the liberal conception of rights as upheld in the west and by the UN, it appears to me that the subsequent arguments that he builds up suffer from two sets of limitations – the one at the level of theory and the other

in his comprehension of what he considers to be communitarian practices in north-east India.

At the level of theory, anyone familiar with the debate between liberals and communitarians in the west understand that their differences are mainly over how rights are to be derived and justified; not over whether all human beings should have equal rights or not. Whereas the liberals emphasise on individual rights and autonomous self, the communitarians expose the negative social consequences of the excessive emphasis given to individual rights. They stress on the embedded character of the self and call for the need to become conscious of social responsibilities while claiming or clamouring for individual rights.

In communitarian terminology the term, community, does not refer to all-encompassing primitive or authoritarian communities, where the individuals are forced to think in terms of only one fixed identity. By communities they imply groups of people who are already drawn into modernity and secularised and democratised to a considerable extent. According to them not only the traditional communities such as racial, ethnic and religious groups, but also secular groups like urban neighbourhoods, village communes, labour associations, etc, can be designated as communities. The communitarians do accept the reality of pluralist states wherein the individuals may identify with and influenced by more than one community. Far from justifying parochialism and philistinism, the communitarian philosophers advocate respect, understanding, cooperation and co-existence of communities. Again, instead of seeing the communities as something static, conservative and authoritarian units, the communitarians view them as dynamic, self-generating living entities that are open to criticism, change and development. If seen from this angle, one can understand that what Rajesh Dev envisaged as

communitarian view in the context of north-east India is nothing more than parochial ethnocentric world view which has little to do with the philosophy of communitarianism as developed in the west. No communitarian philosopher of any repute has ever justified the violation of human rights of minority communities in the name of upholding the interests of particular dominant community/communities in the region. It therefore makes little sense to pit liberal theory of human rights with the practice of certain ethnic communities and project them as a contradiction between liberalism and communitarianism. Of course, Rajesh Dev may try to defend his thesis by arguing that there is difference between the theory and practice of communitarianism. But such logic holds good for a liberal conception of rights as well.

Further, Rajesh Dev makes the mistake of identifying the liberal theory of rights as something modern and universal and of viewing the communitarian vision as something pre-modern and parochial. He forgets that the communitarian philosophy was developed and popularised in the west only in recent decades. None of the contemporary western philosophers of communitarianism romanticised the communities of the pre-modern era. To put it the other way, liberalism and the communitarianism are not philosophies representing two different social systems. In fact both are contemporary ideologies of the capitalist societies. Whatever may be the differences in their approaches to individual, market, civil society and state, in the ultimate analysis, both of them stand for preserving and strengthening the 'human rights' that are compatible with and necessary for the bourgeois society. The exercise to find out among the two – the liberal and the communitarian – who is more progressive, is therefore meaningless.

His lenience towards liberal human rights makes Rajesh Dev emphasise how ethnocentrism, which he identifies with communitarianism, prevents the minority communities from enjoying full citizenship rights in the north-eastern states. It is true that ethnocentric world-view continues to be a dominant ideology influencing the governance, political dynamics and

inter-community relations in most north-eastern states. Although the incidents he sights to justify his hypothesis are authentic, I sense some amount of exaggeration and bias in his presentation of the facts. He rightly takes note of the emergence of a contest between the loyalty to a civic polity and citizenship claims and the loyalty to group identities; yet he only reflects on ethnic dynamics, ignoring the gradual changes taking place within the communities after their decades long association/interaction with liberal institutions and practices. The spread of modern education, the penetration of market relations and the development of the institution of private property have brought considerable changes in the outlook of individuals and communities in the north-east. The degree of tolerance may differ from one ethnic community to another, but it would be unjustified to conclude that all the communities he referred to are totally intolerant of and indifferent to the rights of other minority communities living in these states. Even when one observes the prevalence of anti-liberal practices, what is expected of the social scientists is to reason out the causes for the continued domination of ethnocentric ideology in the states that are part and parcel of liberal democratic Indian polity. But Rajesh Dev's excessive preoccupation with the impact of 'communitarian' outlook and practices on the citizenship rights of the minority communities, prevents him from probing deep into the factors that force the communities to cling to 'communitarian' values. He talks about ethnic competition without telling why they had to compete at all. While concluding his paper, he mentions about asymmetrical incorporation of structurally dissimilar groups into a single political economy. But no attempt is made in the paper to comprehend the nature of the political economy and how that political economy reinforces 'communitarian' claims based on ethnicity and identity politics. Naturally, although he correctly identifies the problem, Rajesh Dev fails to suggest a way out and ends his article on a pessimistic note.

However, for a clear understanding of the discourses on rights in the north-eastern states, it is necessary to comprehend the historical specificity of the communities inhabiting the region. One should not forget that the native communities in the north-eastern states, often referred to as tribes or ethnic groups, had little or virtually no contact with the people living in 'mainland'

India till they were forcibly incorporated into the British India. Racially, culturally and economically these communities are quite different from the people living in 'mainland' India. Partly because of the colonial policies and partly because of the failure of the Indian nationalist leaders, most of these communities did not come under the influence of Indian nationalist movement and hence at the time of Indian independence, they did not evince much enthusiasm in becoming a part of the Indian union that claimed to build a liberal democratic polity in India. It was the rulers of sovereign India who through the carrot and stick policy incorporated the region under the Indian union. Again, it was they, who in the name of preserving the cultural and traditional rights of the tribes granted autonomy to these communities to continue with their traditions and institutions. However, during the initial decades the Indian government did very little to initiate economic development of the region and to do away with people's dependence on subsistence economy.

The migration of the people from other parts of India and from across the border into the north-eastern states added pressure on the already scarce resources. In the absence of alternative avenues for livelihood, competition among the communities for control over land, water, forests or government jobs intensified further, setting the stage for inter-community conflicts in the region. The presence of more developed communities in their vicinity made the weaker communities suffer from a genuine fear of losing their ethnic identity and their control over the resources. The traditional elite, the regional political parties and the militant groups exploited the people's fears and further escalated ethnic tensions in the region. Moreover, the penetration of commodity relations and the pumping of enormous funds into the region gradually have given birth to an indigenous elite comprising of bureaucrats, politicians, contractors and businessmen. This upcoming modern elite also found in ethnicity an effective instrument for bargaining with the Indian state and at the same time dealing with their adversaries or competitors who came in the way. Given the weak capitalist nature of the Indian state, the Indian ruling classes also found it difficult to resolve the ethnic contradictions prevailing in the region through democratic means. In the absence of progressive social forces that could have channelised the people's energies and their

discontent in positive directions, ethnocentric ideologies and practices began to take deeper roots among the communities. In such situations it is but natural that the claims that the native people make in the name of ethnicity and identity clash with the rights of the people of the other communities. Without explaining these complex social processes at work, it would be inappropriate to make judgments about the 'communitarian' practices of 'the indigenous communities' in the north-east.

To conclude, I do accept that the emergence and development of liberal theory of human rights is indeed an advancement over traditional conceptions of rights. However, liberalism should not be seen as an end towards which the entire humanity has to move. For, liberalism is only an ideology of the bourgeois class. As long as the bourgeoisie historically remains a progressive class in the given society, liberal conception of citizenship and rights do contribute to empowerment of certain sections of people. But once capitalism loses its progressive character and its further development leads to intensification of irresolvable crises and conflicts, liberal rights start becoming more and more of a showpiece to masquerade the rule of capital. In such conditions those communities who realise through their experience that the liberal rights cannot empower them anymore, do look for alternative means to promote their interests. The quest for alternatives may sometimes lead certain communities to parochial or authoritarian ethnocentric world-views. By pitting one community people against other community people, ethnocentrism generates more tensions and results in violations of human rights. Far from serving the cause of the people of the respective communities, ethnic ideology and practices end up benefiting the community elites. In such situations, the solution lies not in valorising liberal rights, but moving beyond them in search of a more humane and viable alternative social systems and ideologies which could reconcile and protect the rights and interests of all communities of citizens – the indigenous, the migrants, the refugees, the tribal people, the non-tribals, the developed and the developing nationalities and ethnic groups. As long as the people and the communities have not reached that stage of human progress, the discourses and conflicts over the question of rights continue. [7]