

**AUTONOMY
MOVEMENTS
IN
MIZORAM**

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R N PRASAD

The evolution of autonomy movements of the major Tribes - Mizo, Pawi, Lakher, Chakma and Hmar to achieve autonomous status and structures of different variations within the constitutional framework to manage their own affairs and evolve their own policies and programmes for their own preservation and development is an interesting subject of study.

The book, which includes 17 scholarly articles, deals with objectively the concept of autonomy movement, the genesis of autonomy movements in Mizoram, the Mizo National Front-led insurgency, its relations with foreign powers, counter-insurgency measures, the efforts of regional political parties in mediating the crisis and the impact of autonomy movements on socio-cultural and economic-political transformation in Mizoram.

It will also help us to understand the Mizos, the Pawis, the Lakhers, the Chakmas, and the Hmars better and appreciate their problems in the proper perspective.

It also provides policy insights for the future and will be useful both to general readers and policy makers, who are concerned with the problem of resolving the dilemmas and challenges of State-building and nation-building.

Briefly, an attempt to emphasise the developmental-cum-political solution to the problems of the demand for autonomy movements in both the State and the country has been made.

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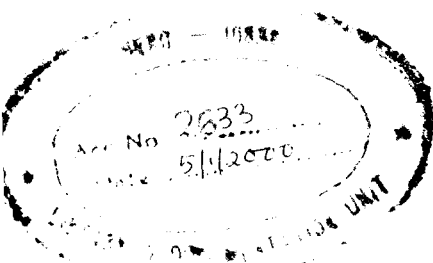
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Autonomy Movements in Mizoram

V. Venkata Rao

1. Philosophical Basis :

The term autonomy as employed by the very early writers is distinctly political signifying civil or national independence.

Some authors of the 17th and 18th centuries used it to denote the freedom of religious conscience. Kant is the only one who introduced it in the language of moral philosophy. By autonomy of the will, Kant means the faculty that the will possesses of being its own law giver, of being itself by its own nature, the source of the moral law, the moral law itself. The will is autonomous only when it acts according to law.

Green, departing from Kant, taught that each will seek self-satisfaction. But each will is truly satisfied only when it accomplishes moral actions. Each will seeks autonomy. True autonomy is not freedom to do anything but the freedom to pursue such things which are worth pursuing.

In the middle ages, the Pope asserted that it has power given by God to control all aspects of the age of the individual from birth to burial. This brought into existence resistance. Certain groups claimed autonomy. Such groups seceded from the Church and formed separate denominations, like the Protestants. Feudalism claimed autonomy. Guilds claimed

autonomy. Thus the doctrine of autonomy was fully established in the Middle ages. The doctrine of autonomy penetrated into social, economic, and political spheres. The very earlier writers were, therefore, concerned with all aspects of individual life.

In Mizoram, so far as I know, the first person to use the term autonomy was Rev. Zairema. Before 1947, the Lushai Hills was classified as an excluded area. In the excluded areas, no meetings could be held. No political speeches could be made. But Macdonald, the Superintendent of the Lushai Hills, removed some of these restrictions. Meetings could be held with prior permission of the chief concerned.

Macdonald realised that the administration to be effective and meaningful, must have adequate knowledge of local customs and conventions. So he brought into being the District Conference in 1946. The District Conference may be considered as a movement for the introduction of autonomy in the Lushai Hills. It was imposed from without and from within. This conference curtailed some of the powers and functions of the Chiefs. Before 1946, the Chiefs were powerful and they could expel anyone from their domain. The District Conference curtailed this power. Again, the Superintendent of the district combined in himself all the powers and functions of the magistrate and the judge. So the District Conference was expected to advise the District Superintendent. The Superintendent was free to accept or reject the advice.

In the past, the district administration was concerned with maintenance of law and order. Therefore, the attitude of the Government towards the tribals was negative, preserving and protecting them. Education and health were left to the Christian Missions. The effect of this policy was to encourage feelings of isolation and independence.

In the Lushai Hills, there were no local government institutions. The type of Government that existed was pure autocracy. There was a continuous struggle between man and nature for his survival. His main concern was how to fill up the belly daily. Extreme poverty brought into existence the

Bawi system, a kind of slavery. It was in 1945, that the Government of Assam turned its attention for the betterment of the condition of the people of the Lushai Hills, by the introduction of self-government institutions. P.F. Adams, I.C.S., was asked to prepare a scheme for the introduction of local self-government institutions in the Lushai Hills. Adams suggested the introduction of village councils. The village councils shall concern themselves with municipal functions and the administration of justice and settle all minor disputes.

Adams recognised the fact that there were several tribes distinct from one another in the Lushai Hills. Therefore, he recommended the establishment of a council for each tribe.

Adams also suggested that all hills affecting the welfare of the tribals should be referred to the Tribal Council for its opinion. The legislature should consider the opinion of the Tribal Council at the second reading of the bill.

Adams also suggested that there should be a General Assembly of living men of the district from all tribes to advise the Superintendent of the Lushai Hills.

The Village Council shall also be the village court. Over and above the village court, there should be tribal court for the settlement of major cases. The tribal court shall be subject to the District Court which shall have the power to get aside the decisions of the Tribal Court.

N.E Parry, the Superintendent of the Lushai Hills, also thought of introducing some amount of autonomy in the tribal areas. He suggested the formation of the North-Eastern Frontier Province. Sir Robert Reid supported the proposal. He would include all the hill areas in the new province and claimed certain advantages for it.

J.P. Mills, Advisor to the Governor for tribal areas, suggested in 1945 the inclusion of all the hill areas in Assam; or the exclusion of all the hill areas from Assam; or the exclusion of all the hill areas from Reforms. He favoured the union of all the tribal areas in the region. This union should be under the control of his Majesty's Government, or the Government of India might be given a mandate.

The proposals of Robert Reid and J.P. Mills were rejected by the Government of India, but accepted by the Churchill Government and vetoed by the Government of Attlee.

Sir Reginald Coupland suggested the creation of a sub-province for the hill areas of Assam. He also suggested that all the Hill areas of Assam may be constituted into a condominium.

In 1945, Sir Andrew Clow considered all these proposals and suggested two possibilities, the merger of all the hill areas with Assam subject to the condition that the tribal customs and tribal institutions were protected and respected. If this is not possible, a separate province for all the hill areas should be constituted with some link with the Government of Assam.

The Sapra Committee discussed the problem and said that "it may be necessary to appoint a special officer to look after the interests of such classes, for a certain period, and to make special protection from undue interference with their religious beliefs. "The Minority Commission, the establishment of which we have recommended, may usefully be employed to keep constant watch over the interests of these classes".

The Cabinet Mission suggested that there should be an Advisory Committee, on the rights of citizens, minorities and tribals and excluded areas. Sir Stafford Cripps said that an influential committee should be set up to make proposals for the administration of the tribal areas. Accordingly, the Constituent Assembly set up an advisory committee in terms of the Cabinet Mission statement of January 24, 1947. The committee appointed a sub-committee known as the North-Eastern Frontier (Assam) Tribal and Excluded Areas Committee with Gopinath Bordoloi as its chairman.

Since 1940, the Lushai Hills aspired for something better than in 1935. In 1940, some of the Lushais told Sir Robert Reid that they would be better off if they were attached to the hill areas of Burma. When India became independent, a sense of uncertainty and apprehension about their political future

gripped the minds of the educated leaders of the Lushai Hills. The Mizo Union was thinking in terms of separation from India. Some others desired the union of the Lushai Hills with the Chin Hills of Burma. In these circumstances, the superintendent of the Lushai Hills called for a conference of the leaders of the Lushai Hills and formulated a scheme known the Macdonald Scheme. The scheme was approved by the conference of the chiefs and the commoners. The salient features of the scheme are: first, the Lushai Hills shall have a legislature consisting of representatives of the chiefs and commoners, endowed with powers and functions; second, there shall be a judge and an auditor, a minister and three councilors who shall constitute the executive; and third, there shall be a public service commission for the recruitment of public personnel.

The Macdonald scheme was a clumsy affair. The Lushai Hills shall have power to make laws on all subjects except defence. The scheme died a natural death.

Then Macdonald brought into existence the District Conference which we had already noted. At first the Mizo Union agreed to the formation and composition of the District Conference. Later, they refused to have anything to do with the Conference.

In 1948, the Bordoloi Committee visited the Lushai Hills. By the time the Bordoloi Committee visited the Lushai Hills, the Mizo Union had spilt into factions, the right wing and the left. Both the wings appeared before the committee and gave evidence. In addition to the Mizo Union, the District Conference also appeared before the Committee.

In their evidence before the committee, the District Conference did not refer to the Macdonald scheme. On the other hand, it demanded that in case the Lushai Hills was attached to Assam, it should be represented in the Assam Legislative Assembly by three members from the Mizo Hills. All appointments should be made on the basis of merit. There should be no reservation for any community in public services. All matters relating to land tenure, agriculture, and

social customs must be administered by the District Conference. The District Conference decided that the Lushai Hills should be in the Indian Union.

Macdonald, in his evidence before the committee, suggested that there should be a District Conference elected by the district for the management of its affairs. It should elect its own officers for the administration of the District. It should have nothing to do with foreign affairs, currency, coinage, and communications. The District Council should have life and death powers.

Macdonald also suggested that the Mizos should be given sufficient finance to manage the district affairs, subject to certain conditions. They should be permitted to govern themselves in accordance with the constitutional provisions approved by the Government of India. The District Council should be held responsible for the maintenance of law and order within the Lushai Hills. They should not maintain a standing army. If the Mizos act unconstitutionally, they should be punished.

Rev. Zairema was the first person to use the term autonomy. He demanded autonomy for the Lushai Hills. When he was asked to explain the term autonomy, he said that all the areas inhabited by the Mizos contiguous to one another should be constituted into an administrative unit and thereby establish unity among the Mizos. He also said that the Mizos should be given full self-determination within the province of Assam. There should be a supreme council to make laws for Mizoram. There should be division of powers and functions between the province of Assam and Mizoram. Any legislation, State or Central, may be extended to Mizoram with the permission of the competent authority. The Government of India should provide financial assistance to the Mizos until they were in position to maintain themselves without outside help. Finally, the form of Government should be the "purest form of democracy". So the Reverend did not contemplate secession from the Indian Union. He would be in India and as a part of Assam.

It was Vanthuama who spoke of the right of secession, for the Mizos. In his evidence before the Bordoloi Committee, Vanthuama said :

As for the future position my personal view is that so long as we are economically backward, we should proceed under the guidance of the Centre but we should have the right to secede from the Indian Union within ten years or so.

Q. What will happen after ten years ?

A. We may cut away or join the Indian Union. Thus, Vanthuama would get out of the Indian Union the moment the Lushai Hills becomes financially selfsufficient.

Pachhunga did not make such a claim. He would remain within the Indian Union but under the control of the Government of India and not under the control of the Government of Assam.

The Women's Union demanded adult franchise and reservation of seats in the District Conference for women. Pachhunga did not accept this demand.

The Government servant's league that appeared before the Bordoloi committee, said that the Centre should have the most essential powers, like defence, communications and foreign relations. All other matters must be vested in the Government of Mizoram.

H.K. Bawichhuaka said that widest possible self-determination should be given to the Lushais. All the areas inhabited by the Mizos contiguous to the Lushai Hills should be constituted into an administrative unit; that Lushai Hills should be a part of Assam. There should be clear division of powers and functions between the Government of Assam and the Mizo National Council.

R. Thanhkira also made a similar demand.

The Bordoloi Committee framed its own proposals after hearing all persons concerned with the administration of hill areas. These proposals were placed before the drafting

committee. There was a joint committee meeting and after detailed discussions in the joint committee, the proposals were placed before the Constituent Assembly.

There was animated discussion on the Sixth Schedule of the Constituent Assembly. Several members opposed the formation of the Sixth Schedule. One of the members of the Constituent Assembly said,

The responsibility of parliamentary life can be shouldered by those who are competent, wise, just and literate. To vest wide political powers into the hands of the tribals is the surest method of inviting chaos, anarchy and disorder throughout the length and breadth of the country. I am not in favour of self-determination. The principle of self-determination has worked havoc in Europe. It has been responsible for two world wars in my life time. It led to the vivisection of India, arson, loot, murder and the worst crimes upon women.

Another member from Assam said,

We want to assimilate the tribal people. If you want to educate the tribal people in the art of self-government, why not introduce municipal Act? If you want to keep them separate they will combine with Burma. They will never combine with the rest of the country.

It appears to me that the critics of the draft Sixth Scheduled participated in the discussion without reading the draft. Dr. Ambedkar, gave an effective reply to the criticism leveled against the Sixth Scheduled. It was a masterly one and silenced the critics. It is a lengthy one. I shall briefly summarise Dr. Ambedkar's reply.

Dr Ambedkar pointed out the difference between the tribals of North-East India and tribals in other parts of the country. The tribals in North-East India were not Hinduised and were not assimilated with the civilization and culture of the majority community in the midst of whom they lived. They were not touched by Hinduism or by Islam. They had their own roots in their civilisations. They did not adopt the customs and manners of any community. Their laws of

inheritance, marriage and divorce were quite different from those of the Hindus or Muslims. This factor induced the Constituent Assembly to devise a scheme which would suit their genius.

Further, the position of the tribals of Assam was somewhat similar to that of the Red Indians in the United States. The Americans felt that it would be dangerous to bring them under the jurisdiction of the laws framed by the Americans for the whites, because the Red Indians had their own laws and their own customs which were different from those of the whites and their own system of Government. So the American Government shifted all the Red Indians from their original habitat and concentrated them in the reserves or boundaries. These reserves or boundaries is a republic by itself, a republic, within a republic. The Red Indians are no doubt American citizens and they participate in all elections. But they are practically independent of the Central Government.

Though the District Council and the Regional Councils created under the Sixth Schedule are similar to the reserves created for the Red Indians in the United States, Ambedkar pointed out the difference between the two. The District and the Regional Councils created under the Sixth Schedule are not independent political units like the reserves. There are certain provisions in the Sixth Schedule which bind them to the State Government. First, the executive authority of the State Government extends over the autonomous districts and Regional Councils. This is an improvement over the provisions contained in the Government of India Act, 1935. Under the Government of India Act, 1935, the tribal areas were classified into two, excluded and partially excluded. The Excluded Areas were not under the executive authority of the Provincial Govt. They were administered by the Governor as the Agent of the Governor-General in-Council. This division has been abolished. All the Autonomous districts will be under the control of the State Governments concerned.

The authority of the Union Parliament and of the State Legislature extends over the Autonomous Districts. Barring certain subjects, Parliament and the Legislative Assembly have powers to make laws for Autonomous Districts.

The laws made by Parliament and the Legislative Assembly are automatically applicable to the Autonomous Districts with the sanction of the Governor of the State.

The autonomous districts are placed under the jurisdiction of the Gauhati High Court and the Supreme Court.

The Autonomous Districts will be represented in Parliament, State Legislative Assembly and in the Council of Ministers, both State and Union. As members of these bodies, they have a share in decision making. Membership of these bodies provides excellent opportunities for the class of personality, interchange of opinion and testing of views and thereby bring about national integration.

Adult franchise brings about political socialisation and the national political parties hasten the process of national integration.

Provision is made for the appointment of a Commission to enquire and report on the administration of the Autonomous District Councils.

Above all, the State Government has the sledge hammer power in its hands, such as the supersession, suspension and the dissolution of the Autonomous District Council found guilty of maladministration and acting unconstitutionally.

All these binding features will not permit a Khasi to take Shillong to Bangladesh. The Constituent Assembly accepted the Sixth Schedule and the Mizo Hills District was made Autonomous District. Thus, the autonomous movement started in 1945 bore fruit in 1950.