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### **Demographic Invasion, Assamese Identity and Geopolitics**

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### **Abstract**

This article critically examines several dimensions of the Bangladeshi migration to Assam, beginning with the historical background and the factors that led to the Assam Movement. It is argued that the seeds of the apparent failure of deporting illegal Bangladeshis were already implanted in Assam Accord. An analysis of the numbers of the Bangladeshi migrants in Assam and the problems of ascertaining such numbers has been carried out. The impact of large-scale migration on Assamese culture and politics is discussed in view of the balkanisation of the ethnic groups in Assam. Attention has been drawn to the dangers of geopolitics in terms of the proposed North East economic zone. Lastly, a relatively conciliatory and accommodating approach to solve the Bangladeshi issue has been suggested in light of the fact that historical events have overtaken some significant provisions of the 28-year old Assam Accord.

Key words: Illegal migration, Assam Accord, Assam Movement, Assamese identity, geopolitics

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#### Introduction

The objective of this article is to analyse the various aspects of the burning issue of illegal immigration from Bangladesh into Assam and to consider the practical viability of the various suggested policies in light of historical reality and international relations. The article begins with the historical background of the Assam Movement (1979-1985). This is followed by a discussion of the Assam Accord signed in 1985 and a critical examination of how practical and realistic the provisions of the Assam Accord are. It then examines the controversy regarding the number migrants estimated of Bangladesh to Assam during the last 40 years and reviews some recent work. This is followed by an analysis of the progress of the implementation of the provisions of Assam Accord, which critically notes the failure of the Government of Assam and that of the Central Government to implement some important agreed clauses of the Accord. Then the article discusses the political consequences and the likely impacts of the perceived large-scale immigration from Bangladesh on the identity of the indigenous people followed by a critical analysis of geopolitical implications of the same. Lastly, it examines policies that have been put forward by various sections of the Assamese society and makes some concluding remarks suggesting a relatively conciliatory stance in view of historical osmosis and human rights.

### **Historical Background**

When the British partitioned the Presidency of Bengal in 1905, the province of East Bengal was merged with Assam, which then was a Chief Commissioner's province. Migration to Assam from the then East Bengal (later East Pakistan 1946 till from 1971 when it became Bangladesh), which was a Muslim majority province, began from 1906, when the All India Muslim League was formed in Dhaka, as an aftermath of the partition of the province of Bengal. Nawab Saleemullah Khan exhorted the Muslims to migrate to Assam. The territorial merger raised alarm amongst the indigenous

population of Assam about losing their Assamese identity. Realising the widespread consternation, the British restored Assam as a separate Lieutenant Governor's province in 1911. However, a strong trend was established for the East Bengal residents to migrate to occupy fertile land in Assam, so much so, that the British Census Superintendent, C. S. Mullen, found it judicious to note the following in his 1931 Census Report on Assam<sup>1</sup>:

"Probably the most important event in the province during the last 25 years, an event moreover, which seems likely to alter permanently the whole future of Assam and to destroy the whole of Assamese culture and civilisation, has been the invasion of a vast horde of land-hungry immigrants, mostly Muslims, from the Districts of East Bengal and, in particular, from Mymensingh".

After the 1937 Provincial election<sup>2</sup>, Gopi Nath Bordoloi led the Coalition Government in Assam from September 1938 and tried to stop the flow of migrants from East Bengal to Assam. However, following the Congress party policy<sup>3</sup>, Bordoloi resigned in 1939 and Sir Muhammed Saahdullah, President of the Muslim League Party of the Brahmaputra Valley, formed a Coalition Government. During the period from 1939 to 1941, the Saahdullah Government allotted one lakh bighas of land in Assam valley for settlement of the East Bengal immigrants<sup>4</sup>. This was done under the "grow more food" slogan. On this, Viceroy Archibald Wavell⁵ made the uncharacteristically trenchant remark that the Muslim ministers wanted to increase immigration of the Muslim population into Assam under the pretence of that slogan, and that the real motive was "to grow more Muslims". The 1946 Provincial Election in Assam was won convincingly by the Congress party with 50 seats. A Congress Government was formed under Gopinath Bordoloi as premier who took a firm stand on eviction of Bangladeshi immigrants. reaction of the Muslim League is to demand the inclusion of Assam in Pakistan; and Abdul

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Hamid Khan took on the role to execute the League plan to transform Assam into a Muslimmajority province<sup>6</sup>. Bordoloi's efforts were hampered, as he had to fight to save Assam from being a part of Pakistan.

After the partition of British India in 1947, a large number of Hindu Bengalis from East Pakistan moved to Assam, West Bengal and Tripura as refugees to escape religious persecution. The Muslim population decreased to a certain extent as Sylhet was included in East Pakistan; but some Muslim people moved to Assam for economic reasons. The unabated flow of people from East Bengal/East Pakistan continued. During 40 years from 1901 to 1941, population of Assam increased by 103%, that is, more than doubled. During the next 30 years from 1941 to 1971, Assam's population increased by 118%, that is, doubled in 30 years, indicating a degree of acceleration of the flow of immigrants<sup>8</sup>. This is not because Assam's fertility rate was exceptionally high, because of immigration. Bangladeshi independence movement and the resulting crackdown by the Pakistani army led to further movement of population from East Pakistan to Assam. During the period of 20 years from 1971 to 1991, population of Assam increased by 52%. However, during the next 20 years from 1991 to 2011, population increased by 40%. A historical deceleration of the flow of immigration to Assam is discernible here. The large-scale emigration from East Pakistan/Bangladesh is also chronicled by the steep decline of Hindu population of 27% in 1947 to 14% in 1971, and then to 10% in 1991. Hindu population in Bangladesh is only 8.5% of the total population in 2011. It should also be noted that immigrants to Assam include both Nepalis and Beharis, although in relatively small numbers.

Serious attempts were made in the early sixties to evict illegal migrants from East Pakistan. The state police followed a strategy which involves having a meeting with the Muslim village elders from the old settlers and persuading them to disclose information voluntarily. One IPS officer<sup>9</sup> who was SP of Nowgong (now Nagaon)

district managed to evict more than one lakh East Pakistanis (and another lakh from other districts of Assam) in two years. However, the evicted East Pakistanis settled in areas close to the East Pakistan-Assam border, and they began to push out Hindus into Assam (and also to Tripura and West Bengal). Anti-Hindu riots erupted in 1964, and thousands of Hindus fled East Pakistan and became refugees in the North East and West Bengal, and ultimately they were allowed to settle. Prime Minister Nehru wrote to Bimala Prasad Chaliha to ease deportations, but the Chief Minister resisted. Nevertheless, after the 1965 war, Pakistani border guards refused to accept evicted East Pakistanis.

As surreptitious infiltration<sup>10</sup> went on, the Government of India passed the Prevention of Infiltration from Pakistan" (PIP) Act in 1964. Bimala Prasad Chaliha wanted to use the provisions of this Act, but the Chief Minister's political survival depended on 20 Muslim members of the Congress Legislative Party. The rebel Muslim members made it clear to Chaliha that his Ministry would fall if he used PIP to evict Muslims. Thus political expediency forced PIP into backburner.

The Indian Emergency, when President Fakhruddin Ali Ahmed declared a state of emergency on 25<sup>th</sup> June 1975 under Article 352 Indian Constitution, effectively transferred power to Indira Gandhi to rule by decree for 21 months (till 21st March 1977). The Emergency changed the dynamics of politics in Assam and it had debilitating effects on the Congress party of Assam. The issue of illegal immigrants, especially when a lot of them surreptitiously obtained voting rights, once again became a burning issue. An emerging dangerous trend was that the political parties began to demand inclusion<sup>11</sup> of names of the migrants who were not Indian citizens in the electoral lists. The problem came to the fore when a revision<sup>12</sup> of electoral lists for the Mangaldoi Parliamentary constituency revealed more than 60,000 names of recently registered people who could not prove their Indian identity. This revelation triggered strong demands for revision of the electoral rolls on the basis of the 1951 National Register of Citizens (NRC). The All Assam Students Union (AASU) along with Assam Gana Sangram Parishad (AAGSP) launched a movement in 1979 to get rid of illegal migrants or foreigners under the rallying cry "Save Assam to Save India". This now historically is known as the Assam Movement or Assam Agitation, which continued till 1985.

### The Assam Movement and the Assam Accord

The six-year Assam Movement had overwhelming support of the people of Assam. ASSU wanted a resolution of the foreigners' problem within the provisions of the Indian Constitution. The agitation had some brutal consequences in terms of number of deaths both because of Indira Gandhi's crackdown on the agitators and riots against Bengali Muslims. An estimated 855 Assamese people died as sahids, and an estimated 1753 Bengali Muslims were massacred<sup>13</sup> brutally by the Lalungs (Tiwas) who felt dispossessed of their land because of Bangladeshi encroachment<sup>14</sup>. Assam virtually became ungovernable, and the state administration became dysfunctional. Gandhi imposed the 1983 elections, despite AASU's strong opposition to it, without proper scrutiny of the electoral rolls; and the run up to the elections saw a lawless situation with bridges burnt, houses burnt, deaths in riots and death of 130 people in police firings<sup>15</sup>. AASU also stopped the 1981 census. As the Assam Agitation reached a highly volatile and violent stage, delegations<sup>16</sup> from Assam went to Delhi to find solutions. In the end, AASU and AAGSP decided to negotiate with the Government of India, and finally, after 27 rounds of talks, under the leadership of Rajiv Gandhi, the Assam Accord was signed on 15<sup>th</sup> August 1985. People's hope for a solution and expectation for peace were raised.

Assam Accord is fundamentally a "Memorandum of Settlement"; it was not discussed and passed by the Parliament; and this being so, it does not seem to carry much constitutional weight. However, it contained formidable proposals and served Assam well as it brought temporary peace at least in one

front. On the Bangladeshi issue, the main following: subject to conclusion is the "constitutional legal provisions, and international agreements, national and humanitarian commitments considerations", foreigners who came to Assam after 25<sup>th</sup> March 1971 will be detected, deleted from the electoral roll and expelled in accordance with law. All foreigners who entered Assam prior to (and including) 1st January 1966 will be entered in the electoral rolls. Nevertheless, all foreigners who came to Assam after 1<sup>st</sup> January 1966 but before 24<sup>th</sup> March 1971 will be detected and deleted from the electoral rolls, but after a period of 10 years following the detection, the names of all such persons will be included in the electoral rolls. Irregular issuance of Indian Citizenship will be looked into, and certificates will be issued only by the authorities of Central Government. To stop further infiltration, the border will be made more secure with barbed wire fencing, patrols by security forces on land and riverine routes will be intensified, and adequate number of check posts will be set up. A road along the international border will constructed to facilitate patrolling. Furthermore, relevant laws for prevention of encroachment of Government lands and lands in tribal belts and blocks will be strictly enforced, and encroachers will be evicted. On the economic front, the Accord promised to establish an Oil Refinery and one I.I.T, and to help to reopen Ashok Paper Mill and Jute Mills.

The Accord was constrained by the Indira-Mujib Treaty<sup>17</sup> of 1971 whereby India agreed to take responsibility of all migrants who entered India on or before 24<sup>th</sup> March 1971. Thus, the illegal immigrants who entered before that cut-off date obtained citizenship automatically. The detection-deletion-deportation process as envisaged in the Accord does appear to be only an aspiration rather than a firm policy of action in view of the fact that nobody knew how many illegal Bangladeshis were in Assam at that point of time (to be discussed in the next section); and therefore the scale of the administrative and judiciary resources required to implement

that policy were hardly considered. In addition, not a moment's thought was given to whether Bangladesh would accept returnees at a large scale from Assam because no international agreement or treaty on this exists between India and Bangladesh. The detect-delete-deport policy was clearly not implementable without some form of international treaty with Bangladesh, and a reality check should have been done at the level of Central Government before signing the Accord. This throws some doubts about whether the Government of India was serious about achieving a satisfactory resolution to the Bangladeshi issue or whether the Central Government signed the Accord simply to placate the people of Assam.

On the other hand, it was a blatant mistake not to include representatives from the tribal communities, the Adivasis and the Assamese Muslims. Their non-participation in the process of negotiations weakened the Accord's political relevance and legitimacy. These groups of people largely distanced themselves from the Accord over time.

The economic hand-outs of an oil refinery and an I.I.T, however, were concrete actionable proposals.

### **The Number Game**

Reliable estimates of the number of illegal Bangladeshis living in Assam in the 1970s and 80s are not available. There seems to be a mystery about the number of Bangladeshi illegal immigrants foreigners or Bangladesh in Assam. On 10<sup>th</sup> April 1992, Mr Hiteswar Saikia, the then Chief Minister of Assam, announced in the Assembly that there were "between two and three million" illegal Bangladeshis in Assam. The economic and political consequences of the presence of the Bangladeshi infiltrators were discussed in a statement, nine-paragraph was distributed to the media. It is reported 18 that Abdul Aziz, one of the Convenors of 'Muslim Forum', reminded the Chief Minister on 24th May that Saikia's party depended on Muslim votes, and warned that it would take "just five minutes for the Muslims of Assam to throw Hiteswar Saikia out". Two weeks later, on 7<sup>th</sup> June 1992, while addressing a meeting of the All Assam Minority Students Co-ordination Committee at Juria (near Nagaon); Mr Hiteswar Saikia did a volte-face and announced that there was "not a single illegal migrant in Assam". A rational explanation of this bizarre episode has never been given to the people of Assam either by Hiteswar Saikia or by his political party.

On 6<sup>th</sup> May 1997, Indrajit Gupta, the then Home Minister, declared in the Parliament that there were 10 million illegal migrants in India. In 1998, it was published in *India Today* (10 August issue) that West Bengal had 5.4 million and Assam 4 million of those illegal migrants (quoting sources from the Home Ministry).

A number of recent studies focus on different aspects by using robust statistical methods, albeit with a host of assumptions. Nath et al. (2012) use the Leslie Matrix method<sup>19</sup> to estimate the number of undocumented or illegal migrants in Assam for the period from 1971 to 2001, and finds that there were 830,757 illegal migrants for the period 1971-1991 and 534,819 for the period 1991-2001; and thus estimate a total figure of 1,365,574 in 30 years from 1971 to 2001. The decadal trend seems to be increasing. A simple extrapolation of this estimated number at the rate of 2.15% (the natural rate of growth of population in Bangladesh in 2008) for 10 years to 2011 yields approximate estimate of 1.7 million undocumented migrant population for the period of 40 years from 1971 to 2011. Of course, one has to estimate, though not done yet, and add the figure for the undocumented entry for the decade 2001-2011 to 1.7 million.

Using the so-called survival method<sup>20</sup>, Goswami et al. (2003) have estimated the total number of migrants into Assam between 1951 and 1991, and using the information on places of birth available in Census data, they have decomposed<sup>21</sup> the estimated number of migrants into interstate and international groups. The international group of migrants are decomposed further into legal and illegal

migrants, on the assumption that legal international migrants will correctly state their place of birth. Thus, the difference between the total number of international migrants and the total number of legal international migrants is estimate of the number of illegal international migrants. Their research has revealed some interesting figures [Goswami et al. (2003), Table 3]. In 40 years from 1951 to 1991, the total number immigrants to Assam is 2.9 million out of which 0.9 million (31%) are interstate immigrants and 2 million (69%) are international immigrants. Out of 2 million international immigrants, 0.69 million (24%) are legal and 1.3 million (45%) are illegal international migrants.

In an interesting article, Borooah (2013) carries out an analysis of the historical growth of Muslim and non-Muslim population in Assam relative to that of India. Muslim population in Assam increased from 16% in 1911 to 25% in 1951 mainly because of migration from East Bengal. The figures for the proportion of Muslim population in Assam (figures for India in parenthesis) are 24.7% (9.9%) in 1951, 25.3% (10.1%) in 1961, 24.6% (11.2%) in 1971, 28.4% (12.2%) in 1991, 30.9% (13.4%) in 2001 and 32.4% (17.1%) in 2011. While the proportion of Muslim population remained steady at 25% from 1951 to 1971, it however rose to 28%, 31% and (extrapolated estimate) 32% respectively in 1991, 2001 and 2011. This increase in the proportion of population is usually "ascribed" to illegal immigration. This is called the "illegal migration hypothesis". Then Borooah argues that both Muslim and non-Muslim population in Assam grew by 182% during the period 1951 and 1971. However, the natural rate of growth of the Muslim population is higher than that for the non-Muslims; therefore, there was non-Muslim migration to Assam. From this finding, he concludes that the proportion of Muslim population in Assam increased during the period 1971 to 2001 because of the higher natural rate of growth of the Muslim population. This is called the "reproductive" hypothesis.

Borooah (2013) then estimates the Muslim and non-Muslim population in Assam, had these grown at the All-India rates from 1951. The difference is termed "excess supply" (net inflow or net outflow). The results show that the net inflow of people into Assam during 1951 and 1961 was 941 thousand people (15% Muslim and 85% non-Muslim), the net inflow during 1961 and 1971 was 1.23 million (4% Muslim and 89% non-Muslim), the net inflow during 1971 and 1991 was 730 thousand (69% Muslim and 31% non-Muslim), and somewhat surprisingly, the net outflow during 2001 and 2011 was 283 thousand (59% Muslim and 41% non-Muslim). Net migration into Assam virtually petered out between 1971 and 2011. However, by breaking down the data by religion, and making some extreme assumptions<sup>22</sup>, the author finds that the maximum number of illegal Muslim immigrants "comprises 5% of Assam Muslim population of 1,01,04,000 in 2011 and less than 2% of the state's population of 3,11,69,000 in 2011" (p. 48).

In the above studies, there may be data problems about Hindu and Muslim immigration from Bangladesh or interstate Hindu and Muslim immigration/emigration. In addition, under the prevailing political and social circumstances, it is possible that some census data are polluted by deliberate misinformation given by households. However, if one looks at the growth of population at district level, one does get the impression of something which is peculiar, that is, it is symptomatic of population swamp in specific areas<sup>23</sup>. During the decade 1951-61, Kokrajhar, Lakhimpur, Dhemaji, Karbi Baksa and Udalguri registered respectively 55%, 50% 75%, 79%, 61% and 54% decadal growth of population. During 1961-71, some of these high-growth districts continued to be so, and Kokrajhar, Dhemaji, Karbi Anglong, Chirang and Baska registered respectively 55%, 103%, 68%, 57% and 67% decadal growth. For the period 1971-1991, noting that Census did not take place in 1981 in Assam, only the districts showing 70% or more increase are listed. Dhemaji, Karbi Anglong,

Dima Hasao, Chirang, Kamrup, Nalbari, Baska and Darrang registered respectively 107%, 75%, 98%, 103%, 82%, 76%, 74% and 90% growth. For this period 1971-91, Darrang, Nalbari, Kamrup and Dima Hasao are newly flagged up. For the decade 1991-2001, only Dima Hasao registered 25% decadal growth, and the rest show significantly less growth, the lowest being -0.08% in Chirang. It appears that during the decade 2001-11, data for all districts show more or less natural rate of growth with the exception of Dhubri registering 24% decadal growth.

One simple way of estimating the flow of migrants to Assam is to ascertain whether the natural rate of growth of population is lower than the actual rate of growth. If that is the case, then we have net inflow (immigration), as in Assam. On the other hand, if the natural rate of growth of population is higher than the actual rate of growth of population then we have net outflow (emigration), as in Bangladesh.

The annual average rate of growth population in Assam during 1991 and 2001 was 1.85% while the natural rate of growth of population was 1.63% (and 1.59% in 2000). Therefore, the rate of annual inflow of persons to Assam was 0.22% per annum approximately. Since the population of Assam in 2001 was 26 million, the net immigration in 2001 was 0.22% of 26 million, that is, 57,200 immigrants. If we make the drastic assumption that the same rate continues for 40 years from 1969 to 2009, then we have a figure of 2.29 million. There is, of course, no doubt that the actual rate and the natural rate will vary over four decades, although not wildly. We suspect the actual rate, as the perceived immigration during the 1970's and 1980's was higher. Such an analysis takes into consideration all communities (Bangladeshis, Beharis, Nepalis and others) but does not distinguish between Muslim and non-Muslim immigration. We also find that the natural rate of growth in Assam was 1.57% in 2007. The estimated population was 29 million in 2007, so that the implicit actual annual average rate of growth was 1.84% between

2001 and 2007. Therefore, the annual rate of growth of net inflow into Assam was 0.27%. This gives a net immigration figure of 78,300 in 2007. If we use this figure for the said 40 years, the total number of immigrants will be 3.13 million. Thus, the figure expectedly varies depending on the choice of the year. One would need data for each year from 1969 to 2009 (or from 1971 to 2011) to make an accurate estimate. As the natural rate of growth is fairly stable over the medium term, one can make a guesstimate that the accurate figure for migrants is likely to be between 2 and 3 million between 1971 and 2011. Sinha (1998) estimated that 1.5 million Bangladeshis lived in Assam in 1992. If we extrapolate Sinha's estimated figure at the natural rate of 2.2% up to 2000, and then at 1.85% up to 2011, we get an estimate of 2.18 million.

It is also important to consider what has been happening in Bangladesh where the actual rate of growth of population was 2.0% and the natural rate of growth of population was 2.2% in 1995. Therefore, there was net outflow (emigration) from Bangladesh at an annual rate of 0.2%. The 1995 population of Bangladesh was 124 million. Therefore, we can estimate that 248,000 Bangladeshis emigrated in 1995. Again, on the basis of the drastic assumption that emigration took place at that rate for 40 years from 1971 to 2011, we find that 9.9 million Bangladeshis left their country in four decades. This, of course, does not reveal how many came to Assam. However, a fair fraction of the land hungry poor Bangladeshis did come to Assam as evidenced by illegal occupation of land in Assam. Gogoi (2005) finds that landman ratio is a significant determinant of migration<sup>24</sup> from Bangladesh to Assam, although the differential in per capita income is not.

It will be a useful statistical exercise to use this method and estimate the net inflow migrants into Assam from 1960 to 2011, and then if possible, to estimate Hindu and Muslim immigrants and the other groups of immigrants. Since net inflow of population to Assam includes inflows of Nepalis and Beharis,

it creates an additional complication of the Bangladeshi issue.

## Implementation of the Assam Accord Provisions

Election in Assam took place soon after the completion of the Assam Accord, and the newly formed AGP (Asom Gana Parishad) won the election convincingly, and the student leaders formed a new government. It is now apparent that the AGP Government failed to implement the provisions of the Accord. In 1985, ASSU claimed that 7.7 million foreigners were in Assam. The AGP government could not even evict 7700 in five years. The efforts to detect and deport is pathetic. For example, it was reported on 9<sup>th</sup> December 2009 in Assam Assembly that during the period from 2001 and October 2009, only 10,597 persons were identified as foreign nationals, and only 105 of could be deported<sup>25</sup>; them whereabouts of the rest 10,492 persons was not known to the government. This is what is going on for the last 28 years.

The biggest hurdle in deporting illegal immigrants is the Illegal Migrant (Determination by Tribunals) Act 1983 (IMDT Act) which was passed by the Congress Government. The transparent flaw of the Act was that the onus of furnishing proof against a suspected foreigner rests on the complainant and not on the accused. Furthermore, the complainant has to pay a punitive charge to complain. And worse, a ration card is taken as sufficient proof of domicile status. The IMDT Act was, as Ravi (2012) says, "mischievously legitimized" in the Assam Accord. Sinha (1998) suggested to the President of India that the IMDT Act should be repealed and that the Foreigners' Act of 1946 should be used for detection and deportation of foreigners. In 2005, after 22 years, the Supreme Court of India struck down the IMDT Act and observed that the Act "has created the biggest hurdle and is the main impediment or barrier in the identification and deportation migrants".

It may be noted that 11 Tribunals were established in Assam under the Foreigners (Tribunals) Order 1964 in order to identify foreigners of 1966-71 stream; and these Tribunals declared 24,376 as foreigners<sup>26</sup>. The Tribunals established under the IMDT Act 1983 have not been operating very efficiently.

Although tripartite (ASSU, Assam Government, the Central Government) meetings occasionally take place to monitor the progress of the implementation of the Accord, the border fencing has not been completed. The fencing work started seven years later in 1992. [Note that fencing in Punjab started in 1988] and was completed in 3 years by 1991]. Assam has 262 km border with Bangladesh and 92 km of that is riverine. The proposal of establishing 19 police stations of the river police has not been implemented; also, the 1999 decision of establishing a second line of defence to detect illegal migrants has not been implemented. The border still remains porous, and this must be considered a serious failure after 28 years.

Some other proposals have been completed. Numaligarh Oil Refinery, one Indian institute of Technology, two Central Universities (Tezpur and Silchar), LPG Bottling Plant in Bongaigaon, and three Industrial Growth Centres (Chariduar, Matia and Sonapur) have been established. Exgratia payments have been made to the next of kin of those who died in the agitation. But the main objective of detection, deletion and deportation has failed, and in our opinion, for reasons which are imbedded in the Accord, specifically that the Accord did not spell out a institutional structure commensurate resources to handle a complex problem notwithstanding the IMDT Act 1983. In addition, there is no international treaty and there have been no discussions with the Bangladeshi Government on an international procedure that will allow India to send back the illegal Bangladeshi migrants from Assam.

The President of India in his Independence Day message to the nation in 2012 said: "concrete attempts have been made to heal the wounds of Assam; including the Assam Accord......We

should revisit them, and adapt them to present conditions in the spirit of justice and national interest". Many critics point out this is an implicit acknowledgement of the failure of Assam Accord.

### Politics, Culture and Identity

immigration Large-scale always and everywhere creates political, cultural and social problems. Assam is no exception. The indigenous people have to absorb and cope with people with different religion language. First, consider the districts that have high (above 50%) Muslim population<sup>27</sup> in 2001 (percentages in parenthesis): Dhubri (74%), Goalpara (53%), Barpeta (59%), Marigaon (48%), Nagaon (51%), Karimganj (52%) and Hailakandi (58%). Dhubri borders along northeast of Bangladesh; Goalpara, Barpeta are in the west of Assam (closer to Bangladesh); Marigaon and Nagaon are in central Assam; Karimganj and Hailakandi are in the south of Assam, but north-west of Karimganj borders Bangladesh. Now consider the annual average annual rate growth of Muslims during 1971-1991 and 1991-2001 in the following highgrowth districts (first and second figure respectively for 1971-91 1991and 2001):Goalpara (4.0%, 2.9%), Kamrup (3.8%, 2.8%), Darrang (5.7%, 3.3%), Lakhimpur (4.9%, 2.8%), Nagaon (3.9%, 3.1%), Sivasagar (3.6%, 2.6%), Karbi Anglong (5.6% 7.4%), and North Cachar Hills (20.5%, 4.0%) and Cachar (2.3%, 2.7%). These figures reveal that, with the exception of Nagaon, the rate of growth of Muslim population during the 1990's is higher in districts where the proportion of Muslim population is relatively lower. This indicates that immigrants move to newer territory (with lower proportion of Muslim population) in Assam. Second, not only the districts bordering Bangladesh, namely, Dhubri and Karimganj, have higher ratios of Muslim population, but also from Dhubri, Muslim population has spilled over to the other western districts, namely, Goalpara and Barpeta, and from Karimganj to Hailakandi. The population density (people per km<sup>2</sup>) has increased in these districts. For example, the 2011 figures of population density show the following: Dhubri (1171 per km²), Goalpara (553), Karimganj (673) and Hailakandi (497) while the state and national averages respectively are 397 and 382 per km². The population density in Bangladesh is 1100 per km². It is indicative of land as a magnet.

District concentration of Muslim population has strong political impact in a democracy. The alleged use of Bangla votes to prop up the Congress to form state government will have some truth in it, if it is found that politicians encouraged foreigners to get registered in the voting rolls. Names of foreigners in the voting lists were found at least in one case, which triggered the Assam Movement. Secondly, with the advent of a strong Muslim political party, namely, the All India United Democratic Front (AIUDF), with the pledged mandate that they will look after the welfare of the Muslims (both Bangladeshi and indigenous Assamese Muslims), the politics of Assam has radically changed as the Muslim party have safe seats in Assam Assembly, and the leader of opposition now comes from AIUDF. It is now openly discussed that AIUDF may form the Assam government in 2016. Reportedly, the Assam Congress Party may take AIUDF as a coalition partner or the other way round.

Land attracts migrants to Assam, but vast areas of land are protected land for the tribal people. Many people are not aware of Chapter X of the Assam Land Revenue and Regulation Act, 1886 (amended in 1947) which is an important piece of legislation that protects the land rights of the tribal people. On the basis of this Act, 45 Tribal Belts and Blocks have been created till 1984, and these areas must be constitutionally protected by the State Government from illegal occupation. The problem can be highlighted with an example of Bodoland, comprising four districts, namely, Kokrajhar, Chirang, Baksa and Udalguri. The Bodoland Territorial Council administers a Tribal Autonomous area; and Schedule VI of the Indian Constitution guarantees protection of the Bodo culture and their tribal land. The root cause of the recent violent disturbances in Bodoland lies in illegal occupation of Bodo land by Bangladeshi migrants. An area of 16,455 bighas of land in the Binji Tribal block in Kokrajhar District has been encroached by about 3000 illegal nontribal families. This is not a fiction of imagination; one can visit this area for confirmation of facts. Thus, the Government of Assam has failed its constitutional obligations.

There is a further complication here. When riots took place recently in Bodoland against the Muslim Bangladeshis, the indigenous Muslims also became victims of violence. But the land rights of the indigenous Muslims must also be protected. All over rural Assam, the land rights of the indigenous population is the crucial issue created by legal or illegal migrants' illegal occupation of land. The root cause of the Nellie violence was also triggered by land rights of the Lalungs. The indigenous communities in Assam do fear that their identity is threatened, specifically when alleged Jihadi forces<sup>28</sup> protect the illegal Muslim migrants.

An ethnically heterogeneous Assam is progressively getting ethnically divided in terms of tribe-specific autonomous councils, and many demand their own states to be carved out of Assam. This ethnic balkanisation is fundamentally a consequence of policy of appeasement to emphatic assertion of tribal ethnicity, when the emphatic assertion takes the form of violence perpetrated by organised terrorist groups. Therefore, when one says that the Assamese identity is threatened by the migrants, it is not clear who are included as being Assamese. For example, the Bodos claim that the Bodos are not Assamese; so do the Karbis. During the British Raj, and specifically during the independence struggle, a form of social osmosis developed as all ethnic groups were fighting for a single cause; but soon after independence, the social political cohesiveness steadily disintegrated over two or three decades. This is largely because the "mainstream" middle class Assamese, who dominated the politics of Assam in the postindependence days, failed to accommodate the aspirations of the tribal people. Even after the Assam Movement, the AGP government, formed by the young leaders of the movement,

did not accommodate, for example, the aspirations of the co-leaders from the Bodo community.

In a state where multitude of ethnic groups lived for centuries while maintaining its own cultural ethnic identity, one has to refer to the Assamese culture as the combined collection of all the cultures, with minimum cultural mix. "Who is an Assamese?" is a very difficult question to answer. Does language or religion bind us together? Assamese language is predominant, but many ethnic groups will not describe Assamese as their own mother tongue as they have developed their own language and literature. In Britain, if you live in Britain and you have British citizenship, you are British; but you could be British Assamese or British Ugandan. Thus, we can argue that one who lives in Assam and who is an Indian citizen is an Assamese; one could be Assamese Punjabi or Assamese Gujarati. But language plays an important role in the definition of who an Assamese is. A person who does not speak Assamese will not be referred to as an Assamese in the context of India with a multitude of provincial languages. Religion is an over-arching pan-India factor that does not bind the Assamese as a cultural group, perhaps with the exception of the rejuvenated Sankari culture involving not only the "mainstream" Assamese but also many from the ethnic minorities. Muslim culture is different from the Hindu culture, and even among the Hindus, the Vaishnavs are different from the Brahmins. The core Assamese culture historically is based on the contributions of Mahapurush Srimanta Sankardev.

Can the Brahmaputra and Rongali Bihu, romantically associated with Assam, override the dividing forces of ethnicity and religiosity and inspire to form or define Assamese identity (jati) or sub-nationalism in concordance with Indian nationalism? During the Assam Movement, the Assamese nationalism manifested itself in large processions and other non-violent protests, because there was a cause that bound people from all ethnic groups together. But, as Baruah (1999) points out, Assamese nationalism must correlate to Indian nationalism, and one cannot exist without the other. However, after the Assam Movement, Assamese sub-nationalism broke into various ethno-nationalisms, and putting it back together is a major challenge.

The process of ethnic balkanisation endogenously generated; and Bangladeshi migration is not a contributing factor, although one observes that the whole process of ethnic disintegration started mainly after the Assam Movement with the proliferation of scores of ethnic terrorist groups. This has led to a social and political situation of separate development in the shape of the many Autonomous Councils. The large-scale migration from Bangladesh has led to stronger integration of the Muslim communities (including both the indigenous and recently migrated Muslims) under dedicated leadership.

### **Geopolitics and Infiltration**

The greatest danger to Assam is the quiet aspiration of Bangladesh to make Assam a part of North East economic zone with Bangladesh. During the Indian Prime Minister's visit to Bangladesh in September 2011, he received a plan of the proposed economic zone where there will be free movement of labour without any passport control.

Such proposals are offshoots of the theory of lebensraum<sup>29</sup> propounded intellectuals<sup>30</sup> , namely, Sadeq Khan and Siddique Ali Chowdhury. In an article<sup>31</sup>, Sadeq Khan observes that there will be a shortage of living space in Bangladesh in the beginning of 21st century and says: "A natural over flow of population pressure is very much on the cards.....The natural trend of population over flow from Bangladesh is towards the sparsely populated lands in the South-East of the Arakan side and of the North East towards the area of the Seven Sisters of the Indian subcontinent". Barkataky (2013) reports that Siddique Chowdhury's ideas are dangerously aggressive, as Chowdhury suggests that the Bangladeshi exodus to the North East must be maintained at any cost<sup>32</sup> by encouraging illegal migration with a strategy of fomenting violence to occupy land.

In this connection, it is interesting to note ULFA's attitude to the Bangladeshi migrants to Assam. ULFA has been silent on the Bangladeshi issue, although ULFA itself is a product of the Assam Movement with the sole aim of sending illegal Bangladeshis out. Mahanta (2013, p.68) has quoted ULFA's *Prasar Patra* of July 1992 that spells out what ULFA thinks on the Bangladeshi issue. It is the following:

"When we refer to the Assamese, instead of meaning the Assamese-speaking people we actually mean the different inter-mixture of tribal nationalities — those who are committed towards working for the good of Assam. The mixture of nationalities that is the Assamese is, in reality, the result of immigration. We consider the immigrants from East Bengal to be a major part of the national life of the people of Assam. Our freedom struggle can never be successful without these people..."

Furthermore, Mahanta (2013, p.70) quotes surrendered ULFA cadre, Traloikya Saikia (alias, Ranjit Ingti) whom the author interviewed:

"ULFA's relationship with the immigrants (the cadre used the word charbashi) became more cordial after 1994 – it's always safe to take shelter in the Char areas and the miyas (inhabitants of Char areas are known as Miya) don't question us"

It appears that ULFA welcomes the migrants from Bangladesh to Assam, and accepts the migrants' help to free Assam from India. No doubt, the migrants have helped ULFA. This attitude of ULFA did certainly encouraged infiltration, particularly when the ULFA leaders were taking shelter in Bangladesh.

If the intellectuals of Bangladesh openly espouse such theories and blatantly encourage outflow of population from Bangladesh to the North East, then it is very likely that the *Jihadists* feel encouraged to work out a grand plan of greater Bangladesh. The districts of

Assam with high proportions of Muslim population, which are situated along the Bangladeshi border, will be vulnerable for *Jihadi* activities possibly leading to a political scenario similar to that in Kashmir. The Government of India seems to be oblivious to such possibilities.

### **Concluding Remarks**

The sacrifice of the Assamese people during the Assam Movement now appears to have been in vain. The Assam Accord, a document not passed by the Parliament, is now outdated as events have overtaken it. The seeds of its failure were already in the document, namely, the IMDT Act 1983, the lack of robust administrative machinery with commensurate resources, and the lack of an appropriate treaty with Bangladesh. It may be noted that, during the Prime Minister's visit to Bangladesh in 2011, a total of 64 agreements were signed between the two countries, but there was no discussion about the Bangladeshi migrants to the North East. We have no expectation that detection and deportation will take place, detection and deletion may still take place.

Even if we had a treaty with Bangladesh, detection and deportation of millions of following elaborate people, by legal procedures, are simply not feasible. This explains what has happened during the last 28 years. Furthermore, Bangladeshis who have lived here, say, from 1971, have children who are now adults. They are born and brought up in Assam, and these children are Indian citizens. Eviction of such families, although they entered Assam after 1971, will fall foul of human rights. More than quarter of a century has passed, and as time passes, it becomes relatively more difficult to follow the policy enshrined in the Accord. The policy should be switched to prevention of further infiltration, keeping in mind the first soundings for a greater Bangladesh. Also, empirical evidence reveals that the flow from Bangladesh has somewhat slowed down. As economic development takes place in Bangladesh and land to population ratio in Assam increases, the inward flow of migration from Bangladesh will naturally end.

We have a simple but radical solution based on two policies: first, declare amnesty to all Bangladeshi immigrants who have lived in Assam for the last 30 years or more and/or who own land with *patta*. This probably is the de facto situation although not de jure. This group will gain Indian citizenship. It is true that this policy will bring the critical date to 1983, but 30 years is a long time in history. Second, issue work permit to those who have lived in Assam for less than 30 years and/or who do not own land. This group will not have voting rights, as they will be treated as foreigners.

The problem then is how to accommodate and assimilate the vast number of Bangladeshis who are already in Assam. Here, we are considering all migrants to Assam: Hindu or Muslim migrants from Bangladesh, Nepalis, Beharis and other migrants. Some of the findings in the recent empirical work are puzzling, but we are not convinced, in the presence of other empirical evidence, that only the "reproductive hypothesis" explains growth of Muslim population and that the "illegal immigration" hypothesis has very little to do with it. The empirical evidence in the section Politics, Culture and Identity shows that the actual rate of growth of Muslim population is higher than the natural rate of growth of the Muslim population in many districts. However, we should be concerned with all migrants, legal or illegal, and not just Muslim migrants. **Politicians** have started quoting "reproductive hypothesis" in an attempt to brush aside the problem of Bangladeshi immigration.

Illegal occupation of land is the most important issue, particularly, the occupation of land in the tribal belts and blocks. There is fairly significant evidence that the Bangladeshis migrate to Assam to find land; and therefore clashes in the rural areas are inevitable and this is the reason why there are clusters of Bangladeshis. The policy should be to disperse the Bangladeshis to all parts of the North East, and some government land has to be allotted to them for settlement. Also, there should be attempts to wean them out of the land intensive activities

to other labour intensive activities. Moreover, the Bangladeshi migrants do make serious attempts to integrate with the society in which they live because many have given up their mother tongue and have begun speaking Assamese; and they are prepared to marry local women.

Second, we should seek help from the indigenous Muslim communities to work with the Bangladeshi Muslims for peace and harmony. If the migrants feel threatened, as they are now, the *Jihadi* forces will find a natural ally for support, as they seem to have now.

Updating the National Register of Citizens (NRC), 1951 has not been completed. The Centre has only recently accepted the modalities for update; and revision will be done on the basis of the original NRC of 1951 and the electoral rolls up to 1971. The completion of this task will clear up a lot of problem associated with election in Assam. The illegal migrants will be flushed out; but our earlier policy suggestions will still apply.

The politics of Assam has radically changed, and the new Muslim political party will have immense clout as they have constituencies where their candidates are guaranteed to win. The only way out of this political quagmire is to do the unthinkable, that is, for the AGP to bury all hatchets and merge with the Congress party — a step that history will call patriotic in the distant future.

"So the effort was to develop a process of voluntary disclosures. Police officers would take down the details of those who surrendered. These individuals were herded into the Jubilee Field at Nowgong before they were placed on trains headed to the East Pakistan border. At the time, the Pakistan border guards made no effort to resist this push-back policy. Gill feels that the 'surrender' scheme was 'the best scheme, it actually worked and there were virtually no complaints against the police on grounds of harassment'. Those who filed cases against the police challenging the legality of the decisions lost their appeals, strengthening the validity of the moves. As Nowgong's superintendent of police, he [Gill] supervised the organisation of a system that pushed out more than 100,000 East Pakistanis in two years. Another 100,000 were sent out from other parts of Assam, he adds." (p. 59).

<sup>&</sup>lt;sup>1</sup> See Mullen (1931). Also, reported in Singh (1990, p. 59).

<sup>&</sup>lt;sup>2</sup> As the British granted partial Home Rule, provincial elections took place in 11 provinces of British India in 1937. In Assam, the Congress Party won 33 seats, the highest number for any political party. But the Governor of Assam called on Maulavi Saiyid Sir Muhamed Saahdullah, the leader of the Muslim League Party of the Brahmaputra Valley, to form a government; and he did so with the help of the European and other tribal and non-tribal members on 1<sup>st</sup> April 1937. The Saahdullah government was forced to resign twice; and ultimately Gopinath Bordoloi formed the first Congress Coalition government in September 1938 (with the help of Subhas Chandra Bose).

<sup>&</sup>lt;sup>3</sup> Since Viceroy Linglithgow declared war with Germany on 3 September 1939 without any meaningful consultation with the political leaders of India, the Congress Party resigned from all Provincial Governments.

<sup>&</sup>lt;sup>4</sup> See Bhuyan A.C. and S. De (1999, p. 262)

<sup>&</sup>lt;sup>5</sup> See Moon (1978). Also, reported in Hazarika (2000) and Singh (1990, p.70).

<sup>&</sup>lt;sup>6</sup> Jinnah demanded Assam to be included in Pakistan, the Central Congress Leadership almost agreed to it. With the intervention of Mahatma Gandhi, Bordoloi fought hard to save Assam from inclusion in Pakistan. For this, Assam should be eternally grateful to Bordoloi. It is also an uncomfortable thought that the Central Congress leadership under Nehru and Patel considered Assam expendable in their eagerness to expedite independence of India.

<sup>&</sup>lt;sup>7</sup> Population (in million) in Assam in 1901, 1941, 1971, 1991 and 2011 respectively is 3.29, 6.694, 14.625, 22.295 and 31.169.

<sup>&</sup>lt;sup>8</sup> A collection of useful articles are in Kumar (2006).

<sup>&</sup>lt;sup>9</sup> The young officer was K.P.S. Gill who was interviewed by Hazarika (2000) and the following quoted paragraph explains the strategy:

<sup>&</sup>lt;sup>10</sup> Referring to K.P.S Gill, Hazarika (2000) writes: "The former police official blames corrupt land revenue officers who would take money from settlers to place them on records and thus give them the sanction for getting on voters lists. That was equivalent of 'virtual citizenship' without signing any papers for it!" (p. 61).

<sup>&</sup>lt;sup>11</sup> See Sinha (1998, Chapter 3, Clause 5), Hazarika (2000, p. 57).

<sup>&</sup>lt;sup>12</sup> The election was necessitated by the death of Hiralal Patwari who held that seat.

<sup>&</sup>lt;sup>13</sup> Hazarika (2000, p. 49-53) who visited Nellie describes this tragedy.

- <sup>14</sup> Sinha (1998, Chapter II, paragraph 17) writes about an IPS officer, Mr. E.N. Rammohan, DG BSF, who mentioned that in 1971, Assamese villagers form Garukhut and Sanua cultivated some 5000 bighas of land in the island Chawalkhowa and then stated the following: "In 1982 when I was posted as DIGP, Tezpur, there was a population of more than 10,000 immigrant Muslims on the island.......In 1983, when an election was forced on the people of Assam ...... the people of the villages living on the banks of Brahmaputra opposite Chawalkhowa attacked the encroachers on this island, when they found that they have been given voting rights by the Government. It is of interest that Assamese Muslims of Sanua village attacked the Bengali Muslim encroachers on this island. I am a direct witness to this."
- <sup>15</sup> See Mishra (2000, p.133)
- <sup>16</sup> There were two delegations: one of legislators led by Golap Barbora (Janata Party Leader) and the other of writers led by Birendra Kumar Bhattacharyya.
- <sup>17</sup> This is the Indo-Bangladeshi Treaty of Friendship, Cooperation and Peace signed between Indira Gandhi and Seikh Mujibur Rahman in 1971.
- <sup>18</sup> This is stated in Sarmah (2012) and also reported in Frontline, July 7, 1992.
- <sup>19</sup> This method was developed by Patrick H. Leslie. See Leslie, P.H. (1945). This method uses three steps to estimate undocumented migration. Nath et al. (2012) describes these steps as the following: "Step 1: The Census base population of age and sex has been projected by using life table survival rates and age specific fertility rates...... Step 2: ......The projected population is compared with the respective years of census population and the difference is attributed to total net migration during the period. Step 3: The volume of net migrants calculated from census place of last residence is subtracted from the volume of total net migrants estimated in Step 2, and the difference is attributed to undocumented migration of respective periods."(p. 169).
- <sup>20</sup> Goswami et al. (2003) carry out a good discussion of this method. In survival method, different survival ratios are applied to different age groups instead of the births and deaths figures for the whole population.
- <sup>21</sup> It is assumed that the migrants born in India will correctly state their place of birth as they have the right to live in any part of India.
- <sup>22</sup> See Borooah (2013, Section 2, p.48).
- <sup>23</sup> We consider here decadal population growth of 50% or more.
- <sup>24</sup> Gogoi (2005) also finds that the geographical distance between place of origin and place of destination is also a significantly negative determinant of migration so that

- Assam receives a large number of migrants from Bangladesh.
- <sup>25</sup> Referring to his minimum and maximum estimates of illegal Muslim immigrants (which respectively are 125 and 502 thousand), Borooah (2013) states: "To put the matter in perspective, in the 27 years between 15 August 1985 and 30 April 2012, 54,500 have been declared as "foreigners" from Bangladesh by the various tribunals in Assam that adjudicate on these matters" (p.48). Borooah seems to think that his findings strike a chord with reality as only a few illegal Bangladeshis are detected and deported. However, this pathetic reality may also be explained by a lack of appropriate administrative structures with poor resources, corruption and shrewd legal manipulations.
- <sup>26</sup> This seems to clash with Borooah's (2013) assumption that all Muslim Bangladeshis coming to Assam between 1966 and 1971 can be treated as legal.
- <sup>27</sup> Unfortunately, to the best of our knowledge, the 2011 Census figures are not yet published.
- <sup>28</sup> There are about 22 Muslim terrorist groups in Assam.
- <sup>29</sup> "Lebensraum" is a German word, and it means 'habitat' or 'living space'. It was an idea of Adolf Hitler; and it became a major component of the Nazi ideology.
- <sup>30</sup> Sadeq Khan is a lawyer and diplomat; and Siddique Ali Chowdhury is a retired Professor of Economics.
- <sup>31</sup> It was published in the weekly newspaper *Holiday* on 18th October 1991.
- <sup>32</sup> Barkataky (2013) has expounded Siddique's theory in the following words: "His theory was (a) cross the border by any means, (b) avoid security personnel, (c) mingle with people with Bangladeshi origin, (d) fan out in different directions after crossing the border (sleeper cells will help and show the different routes), ...... This was the first stage". The second stage is more vicious. "In this stage a meticulous plan was drawn up (about) how to occupy and grab lands by creating artificial trouble on a simple pretext as had been witnessed in the recent violence". The sleeper cells get the violence going so that the Bangladeshis could get to the relief camps as victims. Once they are there, the State Government takes care of them, as there is a strong Bangladeshi lobby in the corridors of power to get things done.

### **About the Author**

Dr. Jitendralal Borkakoti who originally comes from Golaghat, Assam, lives in Hertfordshire, England. A graduate from Delhi University where he obtained his BA (Hons) Degree from Hindu College and an MA from Delhi School of Economics, Dr. Borkakoti went on to earn his MSc (Econ) Degree and a PhD in Economics at the London School of Economics & Political Science. A specialist in International Trade, he taught International Economics, Development Economics and Mathematical Economics at Middlesex University Business School, London, and retired as Principal Economist. He has published in reputed international journals, and also a 600-page book on international trade (International Trade: Causes and Consequences, Macmillan Press Ltd, London, 1998). Although he is now retired, he continues to produce research output. His current research focus is on (a) globalisation and poverty reduction and (b) terrorism economic development in Assam.

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