



Title of proposed optional course: **Law and Governance in India's North East**
Proposed Optional Course: Winter Semester
Proposed by: Thongkhohal Haokip

About the Course:

India's Northeast is not only a remote periphery in the imagination of the Indian nation-state, distinct laws were framed to govern this region since the colonial period. This course will look into the historical context of how colonial and post-colonial laws emerged for the northeastern region to bring about certain form of governance. It will critically examine how 'exceptional' laws were framed specifically for the 'non-state peoples' who settle in 'illegible spaces' and the politics of governance thereof. This will be looked through the lens of certain contemporary social theories and approaches of James C. Scott, Agamben, Foucault, Mamdani, etc.

Course Outline

- I. Introducing India's Northeast
 - i) Emergence of the 'Northeast Frontier'
 - ii) From Frontier to Region
 - iii) Debate on conceptualization of the region: diversity, pan-northeast identity and solidarity

- II. Major themes in understanding the Northeast
 - i) Willem van Schendel; James C. Scott (Illegible space, non-state people)
 - ii) Giorgio Agamben (State of exception)
 - iii) Michel Foucault (Governmentality)
 - iv) Mahmood Mamdani
 - v) Legal pluralism (Sally E. Merry; Bouventura Sousa Santos, etc.)

- II. Colonial Law and Governance
 - i) Bengal Frontier Regulation Act, 1873
 - a) Inner Line Permit
 - ii) Scheduled District Act, 1874
 - a) Backward Tracts
 - iii) The Chin Hills Regulation Act, 1896
 - iv) The Assam Frontier Tracts Regulation, 1880
 - v) The Constitution Act of 1935
 - a) Excluded and Partially Excluded Areas Order 1936

- III. Post-independence Law and Governance
 - i) Sixth Schedule

- ii) Article 371 (a), (b), and (c)
- iii) Armed Forces Special Powers Act, 1958

IV. Contemporary Challenges to Law and Governance

- i) Political Integration
- ii) Alienation
- iii) Immigration
- iv) Insurgency

Reading List

Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life* (1995)

Agamben, Giorgio. *State of Exception*. Homo Sacer II, University of Chicago Press (2003)

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Chakraborty, Gorky & Asok Kumar Ray (2015), *Understanding Northeast India through a 'Spatial' Lens* IDSK Occasional Paper 48,

Chaturvedi, Sanjoy and Sanjoy Barbor (2005): *Autonomies in the North and the North East: More Freedom or the Politics of Frontier Management?*, Kolkata: Mahanirban Calcutta Research Group.

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Gait, Edward. *A History of Assam*. Guwahati: Spectrum publications.

Ghurye, G. S. (1980). *The Scheduled Tribes of India*. Transaction Publishers.

Haokip, T. (2012). Is There a Pan-North-East Identity and Solidarity?. *Economic and Political Weekly*, 47, 84-85.

Haokip, T. (2012). Political Integration of Northeast India: A Historical Analysis. *Strategic Analysis*, 36(2), 304-314.

Hoening, Patrick & Navsharan Singh (2014). *Landscapes of Fear - Understanding Impunity in India*. New Delhi: Zubaan Books.

Mackenzie, Alexander. *The North-East Frontier of India*. Mittal Publications, 1995 (Originally published as *History of the Relations of the Government with the Hill Tribes of the North-East Frontier of Bengal*)

Mamdani, Mahmood (1996). *Citizen and Subject: Contemporary Africa and the Legacy of late Colonialism*. Princeton University Press.

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McDuie-Ra, D. (2012). The 'North-East' Map of India. *Economic and Political Weekly*, 47(30), 69-77.

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Misra, Udayon. (2013). *The Periphery Strikes Back*. Indian Institute of Advanced Study.

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Merry, Sally Engle 'Legal Pluralism' *Law & Society Review* Vol. 22, No. 5 (1988), pp. 869-896.

Prakash, Ved *Encyclopaedia of North-East India, Volume 1*

Rao, V. Venkata *A century of Government and Politics in North-East India*, New Delhi, S. Chand and Co.

Scott, James C. (2014). *The art of not being governed: An anarchist history of upland Southeast Asia*. Yale University Press.

Syiemlieh, David R. (ed.), *On the Edge of Empire: Four British Plans for North East India*, New Delhi: Sage Publications, 2014.

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Van Schendel, W. (2002). Geographies of knowing, geographies of ignorance: jumping scale in Southeast Asia. *Environment and Planning*, 20(6), 647-668.

Ramakrishnan, Nitya(2013). *In Custody: Law, Impunity and Prisoner Abuse in South Asia*. New Delhi: Sage Publications.