

Psychology and Philosophy of Tribes' Community towards Revising Inner Line Prevailing from Colonial Era and Factors Affecting Their Life Entity

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Received: 18-May-2023

Revised: 12-June-2023

Accepted: 01-July-2023

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Abstract:

The Anglo-Burmese Wars of the 19th century highlighted British ignorance of a key region between Burma and China, which is where Inner Line had its start. The various policies of the British government led to the division of plains and the hills leading to the gradual development of mapping out boundaries. Beyond Assam and Manipur, other hills states eventually came under the sway of the British Empire. The Inner Line and the Outer Line, among other measures, were taken by the British government for the frontier areas of the northeast, and Nagaland was one of them. With the creation of the inner line permit in 1873 by the colonial government it initially intended to protect and safeguard the identity and existence of the indigenous Naga people. But gradually it was seen the inner line permit had its own consequences upon the people of Nagaland. In order to study the inner line permit, this paper also conducts a pre- and post-colonial examination of the inner line permit.

Keyword: Nagas, Inner Line, British, North-east India.

The Making of the Inner Line: Colonial Times

Looking back into the pages of history, the creation of the Inner Line Permit had a long history of administration, mapping and division of the individuals on the basis of hills and plains. When the Britishers came in contact with the frontier of North-East India, they encountered two phenomenon of the hills and the plains.¹ The grouping of the people on the basis of hills and plains were British way of intervention in the areas. With the British invasion of the North East region, the art of creating maps and defining borders was born.² In the pre-colonial times there was no such notion of fixed border or any sort of boundary demarcation. Raids were however common among the inhabitants of the hills and plains. Since the beginning of written history, several tribes, including the Nagas, Mizos, Arunachalis, Khasis, Garos, and others, have carried out attacks into the plains of the Ahom state. The Ahom monarchs at that time adopted many policies in order to deal with the neighbouring tribes. The Ahom monarchs had a conciliation relation of friendship and hostility with the

¹ Mackenzie Alexander, *History of the Relations of the Government with the Hill Tribes of North-Frontier of Bengal*, Cambridge University Press, 2012 (Reprint), pp. 7-8.

² *Ibid.*, p. Intro.

neighbouring frontier tribes. They furthermore adopted the policy of non-intervention in the administrative forms of the tribes.³ The Ahoms and the neighbouring tribes had a mutual relationship with on the other hand helped them to smoothly function their individual affairs of the regions, but things were viewed upon differently with power being transferred from the Ahoms to the British not only the raids by the tribals were viewed differently by the new government, the nature of the raids itself changed.

With the annexation of the Brahmaputra valley in 1826 by the British, they came into direct confrontation with the tribal who lived in the adjacent hills. The repeated raids, plunder, loot, headhunting practices and murders were seen by the British as features of savagery and barbarism and were decided to be dealt with accordingly. The Khasi and Garos territories were annexed to the British empire as early as 1830's. But the Mizo and Garos remained outside the British empire till the 1880's.⁴ The type and frequency of tribal raids by the Naga, Mizo, and Arunachali peoples also changed significantly when the British took over, which baffled them. They tried to deal with them by sending various punitive expeditions time and again. They at times, devastated the tribal habitat in the Hills, blocked their outlet to the plains and restricted their movement within the hills. According to Sajal Nag, such expedition of the British on the neighbouring tribes was a sort of virtual declared war on the tribals.⁵

To begin with the Britishers were only interested in Assam for its vast natural resources of tea and coal and also by using them as a buffer state against China and Burma. Although they at the beginning took a policy of non-intervention towards the Nagas but later they had to intervene because of continuous raids of the Nagas in the plains of Assam. They also included a number of onerous rules governing the interaction between the hills and the plains. The Excluded Areas Act, Partially Excluded Areas Act, and Inner Line Regulations were allegedly passed to safeguard the hill regions from plainmen, but they actually put a halt to communication between the Brahmaputra valley's inhabitants and the nearby hill tribes. In spite of the fact that the Inner Line System was allegedly implemented in 1873 to limit the political authority of the Deputy Commissioners of the border districts, in reality, it had the primary effect of reducing the movement of the plains population into the hills. In 1875, besides inner line, the outer line was created to demark as far as the river Burai, which was the external territorial limit of the frontier. The introduction of Inner Line and Outer Line had limited the movement of both the hill and plain peoples.⁶

As also mentioned by Mackenzie in his work, the relationship between the British and the Nagas can be divided into three phases. The first phase consists of the military expedition from 1832 to 1850, the second phase was largely the Britishers' non-intervention towards the Nagas from 1851 to 1865, and the third phase covers the time when the British established their direct administrative control over the entire Naga Hills, i.e. from 1866 to 1947.⁷ They initially adopted a non-interventionist strategy, but subsequently, when the situation demanded, they gradually waded into the Naga Hills. Although the Nagas first attempted to oppose the British involvement, they were unable to stand up to the escalating British army, and as a result, the whole Naga territories quickly came under British authority.

The Raids-Expedition- establishment of outpost' pattern of British policy continued from 1826 to 1878 when a British outpost was established in Kohima, Aizawl and Sadiya which thenceforth became the fort from which the colonialists dealt with the tribal. For the tribals however the pattern of raids had changed from essential part of their living to a frequent fight to resist the colonial power.

On the other side, the discovery of tea (1832) also prompted the British to colonise the hill frontiers because they needed the hill slopes. The Nagas were frightened by the British's persistent advance into the highlands under the guise of developing a tea plantation. They faced threats to their independent means of subsistence and governance. The Nagas decided that their raids in the plain areas were their sole option for halting colonial

³ *Ibid.*, p. 8.

⁴ Nag Sajal, "The Making of the Inner Line", in inner line by H Srikant, p. 1.

⁵ *Ibid.*, p. 1-2.

⁶ A Mackenzie, *Op.cit.*, p. 8.

⁷ *Ibid.*

intrusion. Thus, they employed their traditional weapons, which at the time were demonstrably far less effective than the sophisticated colonial armaments. The economic imperative quickly became a political weapon.⁸

The gradual increase in the tea gardens and the search for lands had brought in confront the valley people with the hills. The hill peoples as from the very beginning had followed the policy of isolation and had their own separate system of administration, religion and customs. They at once with such advancement of the outsiders into their lands felt a sort of threat to their age-old customs and religion. They found their livelihoods to be in danger. For them it was not just tea rather their forests being cleaned for various kinds of timber. The Nagas felt the changes suspicious and difficult to adjust the growing situation. The colonial government started employing pains men in order to collect timber from their nearby hill forests. Being unable to resist the colonial government and its entry into the Naga Hills they continuously started raids in the colonial outpost, bungalows and tea gardens of the plain areas. Due to such incidents many at times the roads or the passages through which the Nagas use to come down to the plains were blocked.

After discovering that the Naga tribes were amenable to British authority, the government issued the Inner Line Regulation in 1873, taking into account the nature and customs of the Nagas. The inner line was discovered to be crucial for bringing the commercial relations under strict supervision. The primary driver behind the creation of the Inner Line Regulation was the economic benefits, specifically the tea industry's ability to provide revenue for the British government. According to Sanghamitra Mishra, the extension of the tea-plantations was portrayed as a process that "somewhat humanised the Nagas..." "forcing them to disregard their internal fighting" in order to bring the lands under control without the use of force.⁹

The Brahmaputra valley's northern and southern limits were the line's placement. The legislation primarily served the British government's economic interests because it established guidelines for land ownership, trade activity, and allowed the executive branch effective administrative authority over the hill peoples. Through this regulation tea planters were restricted to cultivate beyond the inner line. Passes were issued by the Deputy Commissioner for whoever wants to trade or cultivate beyond the inner line. Moreover, land which was required for tea cultivation for the Nagas were given a special compensation. For the most part it was seen that the British Government remain aloof from direct interfering in the matters of the hill tribes and so they were given the liberty to settle the disputes in their own traditional democratic ways through the help of village chiefs or *Gaon Buras*. As a result, the Inner Line Regulation of 1873 created a barrier between the hill areas and valley residents, giving the hill residents distinct status. On the other hand, this gave the government permission to set laws or regulations for the hill people in accordance with their requirements and circumstances.

Although the Naga Hills were established in 1861, the Chief Commissioner of Assam was first given authority over them in 1874. Following his assumption of responsibility, the chief commissioner came under persistent pressure from other British authorities to take over management of the villages in the trans-Dikhu area and the Sema area. The Chief Commissioner wrote to the Government that No peace will come until we have economically and progressively assimilated the entire hill region between here and Chindwin. This is unusual because of the vast, ungoverned hill country between Assam and Burma.¹⁰ He added that the Naga Hills are in a frontier region and that an absolute line of control is necessary since the officers in charge must manage the tribes on the other side of the border. In response to the letter, approval was given to include all of the Naga Hills that had previously been declared outside the jurisdiction of the British Government.

The Chief Commissioner in order to control the raiding Nagas of Sibsagar, closed the dwars through which the Naga traders used to come down to the plains for various activities in 1861. The assassination of Tonoo Cachari in the Geleki Dwar was another key event that prompted him to shut down the dwars. The Namsang and the nearby clans were the primary users of the Geleki dwar. The previously described total control over the Nagas

⁸ Sajal Nag, *Op.cit.*

⁹ Misra Sanghamita, The Nature of Colonial Intervention in the Naga Hills, 1840-1880, in the *Journal of Economic and Political Weekly*, December, 19, 1998, p. 3278.

¹⁰ Political, File No. 322-34, 1908, Assam State Archive.

did not sit well with the freedom-loving Nagas, and as a result, a series of raids and killings ensued. The attack on the Geleki guard house in 1867 caused the dwaras to be shut down. In response, the Chief Commissioner stated that those living in the hilly regions were Abors, who like plundering and engaging in criminal activity to satisfy their need for human heads.¹¹

It was getting difficult to administer the Naga Hills frontier tribes as they were presented in the official records as 'violent and ignorant'. In 1873, the Banfera Naga Chief who laid claims to much of the lands on Sapekhati was complained by the tea planters to be an arrogant man who with other Naga peoples used to come down to the factories and commit massive destructions and create disturbances in the tea garden areas. The tea planters had to suffer due to such activities of the Nagas. When the officials in command learned of this, they gave the order to harshly punish the raiders, preferably by incarceration, because if these instances went unreported, the entire region would become completely demoralised. The British government's top priority was to support the tea gardens, a newly emerging political economy. On the other hand, the region's ecosystem and terrain underwent a long-term transformation as a result of the large increase in tea production. Despite numerous expeditions being deployed to the Naga Hills to handle the situation, the killing of the British officers persisted. The murder of Lieutenant Holcombe by the Nagas was one such instance that rocked the authorities. In the Naga Hills, Holcombe and his officers were killed.¹²

After such incidents the British Government chose to regulate the Nagas by all means. They carried military operations. As the concern of the government was to fulfil their growing demands of economy despite the continuous raids and murders they continued their works of tea garden and transportation. They saw the resistance of the of the hills as a interruption in the sphere of influence. Consequently in 1894-95, the Nagas of the border areas of Sivasagar burn the managers bungalow, godown in the Charideo tea garden. In response to it the British government closed the old Naga path through which the Nagas which to come down to the plains of Assam for trading activities. Even they ordered to close the path until and unless the convicted are traced and fine was imposed upon every villages that used the path.¹³ In addition, post guards were installed in the Sivasagar region's borders in 1896 and 1897 in response to the escalating problems. A lot of thefts committed by Nagas near the inner line in Sivasagar's border regions were discovered frequently. The dwaras and the haats were repeatedly shut down as a result of the frequent thefts. The village chiefs were informed that the Naga pathways to the plains would be blocked if the thefts continued at this rate. A small police team was stationed in Santok to keep an eye on the situations. The thefts in the areas of the plains were reportedly reduced as a result of the laws and penalties placed on the raiders.¹⁴ The Naga communities were given kakoties to find the offenders and anyone who violates the forbidden paths. As a result of the discovery that the Nagas utilised different hill routes to get to the plain villages during the hunt, authorities issued an order stating that "if the culprits would surrender, the various paths they used, such as the Safrai, napuk, Towkok, and Tingalibam, would be closed until next winter."¹⁵ The initiative of blocking or closing the paths was also based upon the thought of other tribes coming down from the hills to raid the plains. Thus, the closing of dwaras, paths and the imposition of the inner line upon the peoples of the plains and the hills strengthen the idea of separate identity of both the dwellers. The measure, known as the Inner Line Regulations, was established as a law known as the Bengal Eastern Frontier Regulation Act of 1873, which forbade non-tribal people from entering the delineated Lushai zone without a legal pass from the district administration. The Inner Line zone was off limits to tea planters as well. Both the Naga Hills and the Lushai Hills implemented the rule intended to curb trespass into tribal grounds and lessen the risk of tribal raids. The official announcement said that It was determined that it was urgently necessary to tighten up the regulation of our citizens' commercial interactions with the frontier tribes residing on our boundaries. The growth of tea gardens outside of our borders had already put the government in conflict with the hillmen over a number of challenging issues, and overall, the government came to the conclusion that it was necessary to grant special authorities and establish special regulations.¹⁶ In order to implement this policy, a

¹¹ File No. 22, General File, Naga Frontier Expedition, 1875 Assam State Archive.

¹² *Ibid.*

¹³ File no. 22, *Op.cit.*

¹⁴ Political Department, Political Branch-B, File no. 85-91, 1918 July, Assam State Archive.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

regulation was created by the Lieutenant Governor and approved by the Governor General in Council. This order grants the Lieutenant Governor the authority to establish an inner line—to be known as the Inner Line—beyond which no British subjects of particular classes or foreign residents may pass without a licence in each of the regions affected. When issued, the pass or licence may be subject to additional requirements that seem reasonable. Additionally, regulations are established for trade, the ownership of land outside of the boundary, and other issues, giving the executive government effective control. The law also authorises the government to establish regulations for elephant capture and provides for the preservation of elephants. However, it can be argued that it completely ended the hill people's invasions on the lowlands.

Moreover, in 1872, there were feuds between Borlangia Nagas and Kamsangia Nagas leading to mutual massacres over the issue of collecting revenue from the planters for using Naga lands. This event prompted the government to evolve measures to define Naga and British territory and curb mutual movements. Because of the fear that the Naga raids had caused, the Lt. Governor of Bengal decided to halt further land allocations to plantation owners in the disputed zone. Additionally, this caused the tribal lands to encroach, which prompted additional invasions. In fact, encroachment-related raids had gotten so bad that the Indian government was forced to come up with a method of containing the encroaching areas lest their tea plantations' security be compromised and a thriving plantation sector be abandoned due to 'raids' of this sort.

By enacting the Inner Line Regulations, the Lieutenant Governor was given more authority to define an inner line in each of the affected regions, beyond which no British subjects of specified classes or foreign residents are permitted to travel without a permit. When issued, the pass or licence may be subject to additional requirements that seem reasonable. Additionally, regulations are established for trade, the ownership of land outside of the boundary, and other issues, giving the executive government effective control. The law also authorises the government to establish regulations for elephant capture and provides for the preservation of elephants.¹⁷ The Inner Line therefore was to prevent the British tea planters and some India rubber traders to penetrate into the interior of the tribal habitats which could provoke tribal wrath. Even the Christian Missionaries, were not allowed to go in without permission as their interference in the tribal faith could result in conflict. The device worked as long as these areas remained sovereign. But it was seen that later the Inner Line becomes dysfunctional. According to the British administration the in order to manage the freedom loving hill tribes they needed the Inner Line but ones they came under their administration, it had been rendered redundant. However, it was not abolished but continued in a very slack manner.

The Inner Line in the Post-Colonial Times

The colonial government's Inner Line, which was established for their own mutual benefit, has persisted to the present. The inner Line permit is essentially a document that grants Indian citizens permission to enter or remain in certain regions of the north-eastern states for a predetermined amount of time with a valid permit from the state government. The regulation states that Section 2 of the Act establishes the "Inner Line" regime that is applicable to states and gives the state government the authority to suspend and bar any Indian person who has exceeded the permit's restrictions.¹² Section 3 of the Act also addresses conviction by a magistrate and a one-year sentence in addition to a fine. ¹³ Land sales and purchases by people who are not locals are prohibited by Section 7 of the Act.¹⁸ The Inner Line Permit System has been expanded to the states of Manipur, Arunachal Pradesh, Mizoram, and Nagaland via the Adaptation of Laws (Amendment) Order, 2019, and it has been replaced with the districts stated in the preamble of the Bengal Frontier Regulation Act (BEFR Act), 1873. The northern states had established and issued their own procedure in accordance with the rule, making it simple and online accessible.

According to the Bengal Eastern Frontier Regulation of 1873, only Indian nationals are eligible for the Inner Line System, while foreigners (non-citizens of India) must get a Protected Area Permit in accordance with the Foreigners (Protected Areas) Orders of 1958.¹⁹ All territories and states listed under the "Inner line" and

¹⁷ Puppall Sharlin, Constitutional Validity of Inner Line Permit System in North-East India, in the Indian *Journal of law and Legal Research*, Volume III, Issue I, May, 2021, p. 2.

¹⁸ Sharlin Puppall, *Op. cit.*, p. 1.

¹⁹ *Ibid.*, pp. 1-2.

international borders are regarded as protected areas under this Order. Himachal Pradesh, Jammu and Kashmir, Manipur, Mizoram, Nagaland, Rajasthan, Sikkim, and Uttarakhand are among the states with protected areas, and only in exceptional circumstances that may be justified to the government are foreigners permitted there.²⁰

The judiciary must determine whether the Inner Line practise is impeding the delineation and differentiation of the regions or resolving issues with the free passage of people and products in order to evaluate the constitutional legitimacy of the Inner Line.

Perhaps it became clear that the Inner Line Permit in some way or another had restricted people's ability to travel about or live in particular locations. Any kind of appropriate restriction must be legal and maintain a balance of power between the rights of the person and the limitations placed by the government.

The Inner Line's primary goal, as stated from colonial times, was to protect and conserve the native cultures and practises of the territories rather than meddle in their internal problems. It also underlines the need for all residents, regardless of where they live, to maintain and preserve their ancient culture and legacy.

Conclusion:

From the aforementioned decision, it was clear that the British government had often passed laws for their mutual benefit, whether it was for the security of the populace or for the administration's efficient rules. The Naga Hills had always maintained an attitude of seclusion or distance. They preferred to maintain their independence and adhere to their own system of laws, traditions, and customs. They objected to any kind of outside influence on their areas. They occasionally pillaged and carried out raids into the surrounding districts, and in an effort to protect their sovereignty, they even made attempts to impede British immigration. The Inner Line Permit was established so that the bordering northeastern highland states would preserve and defend its customs and to bring conditions under its control. Now, it was up to the government to strike a balance between preserving the rights of indigenous tribes and fostering economic growth in the northeastern states. The Inner Line Regulation System, in place since the Colonial Era, offers both benefits and drawbacks. In conclusion, every rule and regulation, like customs and traditions, must be dynamic in nature, and any required adjustments must be made in accordance with the demands of the moment. Similarly, in order to bring about the required changes in the state's affairs, this policy also needs to be reevaluated in light of the passing of time.

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