

Imagining Homeland(s) : Politics of Sub-Nationalism and National Register of Citizens (NRC) in Assam

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The histories of immigration and migration of outsiders to Assam is not a recent phenomenon. Bahiragota (outsider) and bidexhi (foreigner) are the two terms with which the immigrant communities came to be recognized. Access to resources was one of the many reasons for the contention between the Assamese and 'bideshi' (or foreigner)/'Ona-Axomiya' (or non-Assamese). The Assam movement was perceived by people of Assam as a call to protect the land from the domination and control of the immigrants. With the existing scholarship, media reports, field visits this paper tries to elucidate that a long neglected issue by the succeeding governments has created politically complicated situation often leading to contestation of citizenship in Assam. This paper seeks to understand the historical trajectories of the implementation of the NRC in Assam and how these histories have led to a complex identity question in the region. The study will also try to

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understand the multi-faceted dimensions of Assamese sub-nationalism in the present context and what meaning the updating of National Register of Citizens (NRC) holds for various ethnic groups and communities in Assam.

[**Keywords** : Sub-nationalism, Migration, Indigenous, Identity, Ethnicity, Citizenship]

1. Introduction

Immigration and migration to Assam is not a recent phenomenon. Almost all groups living here seem to have come to the region, from different places at different points of time. With increasing migration after inclusion of Assam into British India, there emerged a boundary between the natives or the indigenous and outsiders or the 'bahiragota' and a call to defend the indigenous identity was initiated. The people of Assam witnessed this phenomenon of Identity formation not because of sheer self-discovery but was driven by the anxiety of a demographic change. When they felt vulnerable and susceptible in the economic, cultural, and ethnic front, according to Baruah 'the Assamese invoked their distinctiveness of language and culture (Baruah, 2001). This invocation of distinctiveness contributed to the rise of Jatiyotabadi or 'sub-nationalism' (sense of belongingness to a nation within the nation as an imagined community). Baruah rightly mentions that 'Ethnic sentiments, emotions related to their culture, language, symbols and politics of recognition or representation come together to give birth to an image of their communion or nationhood which can also be described as sub-nationalism' (Baruah, 1991). Sanjib Baruah when using the terms refers to 'a dynamic essence that makes it inherently different from nationalism but describes a situation at a particular historical moment' (Baruah, 2005). Many scholars from Assam use these terms to convey the distinct aspirations of people of Assam in asserting their identity of language and culture in and around the Assam movement. The usage of the term has been contested by other scholars. Marxist scholar Hiren Gohain mentions it as 'Chauvinism' (Gohain, 1980), while historian Amalendu Guha has called it to be 'Little Nationalism' (Guha, 1977). This work seeks to re-articulate citizenship debates in the region focusing on aftermath of the Assam Movement 1979-1985 and also reflects on the historical trajectories and consequences of national register of citizens in Assam. It also maps the historical development of sub-nationalist politics in the state.

2. Sub-nationalist Upsurge : 'Solving Demographic Aggression'

The history of migration to Assam continued in undivided India, and later from East Pakistan; it was only after 1971 that several lakhs of Hindu and Muslim refugees fled to Assam. The Prime Minister of India on 8 February 1972 assured that: 'all possible assistance will be given to the Government of Bangladesh in the unprecedented task of resettling the refugees and displaced persons in Bangladesh' (Baruah, 2001). Baruah (2001) states that 'not all refugees returned, Bangladeshi migrants constantly crossed the international border into Assam and thereafter to other parts of India in the quest of a better living'. In Assam, the presence of outsiders inculcated fear and restlessness among the natives and indigenous at the demographic alteration, linguistic population, culture, and access to resources.

Perna Singh (2015) in her work *How Solidarity Works for Welfare*, argues that sub-nationalism and social development are interlinked. She is of the view that greater levels of sub-national solidarity is directly linked to improved commitment of the state for social welfare. To argue her point she states that Uttar Pradesh with little or no sub-national solidarity lags behind states with higher solidarity like Kerala and Tamil Nadu. Whether or not there is an agreement with this view, it is commonly argued that one of the crucial elements of sub-nationalism is more power and a greater share of resource allocation.

The sub-nationalist aspirations in many parts of India had given resurgence and reassertion to many who were earlier marginalised on ethnic identity and linguistic grounds. According to Basu (1992), 'the influx of migrants, dwindling job prospects for the indigenous and natives, immobility of local population, the rapid growth of education among the lower middle classes, language domination or insecurity of language-culture-religion were some of the common factors which were responsible for the rise of sub-nationalism in these regions'.

Nani Gopal Mahanta (2007) in the article 'Assam : Portents of Violence and Hope for Peace' states that the 'state has failed to provide basic human security to the people and as a result of which various sub-national groups are taking recourse to violent methods'. He mentions that 'the ethnic groups of Assam like Bodos, Karbis,

Rabhas, Missing, Tiwa, Koch-Rajbangshis are increasingly asserting an identity that is quite distinct from the caste Hindu Assamese identity. Therefore, there is a need to involve the representatives of the ethnic groups to engage with their identity concerns.

In the rise of sub-nationalism and ethnicity, politics play a two-way role, making the spread of sub-nationalism or Jatiyotabada deliberate process. In strengthening the demand for a distinct administrative mechanism by the ethnic groups, politics of recognition and representation has played a greater role which consequently led to the rise of sub-nationalism. This requires the state to identify and recognise the distinctiveness of these ethnic groups. When this recognition is alleged to be a granted favour or as a political right attained through a long demanding political struggle; the state's plan to recognise and represent the ethnic groups in the decision-making bodies could nurture stouter opinions and sentiments of ethnicity among other groups. At various levels, these outcome can be witnessed. According to Baruah (2005) 'at the institutional level, the ensuing politics of 'recognition' employed by the federal state have fashioned a multiplicity of institutions that contest with similar institutions of other groups and also with the structures.

Within the state of Assam, there has been a constant struggle for power vis-a-vis sub-nationalist aspirations by various ethnic groups. Many insurgent groups have been fighting for separate homeland, various ethnic groups are constantly demanding a separate tribal council for additional autonomy within the sixth schedule of the constitution. There are also many students groups like All Assam Students Union (AASU), All Assam Chutia Students Union (AACSU), Asaam Jatiyotabaadi Yuva Chatra Parishad (AJYCP), All Assam Koch-Rajbongshi Students Union (AAKRASU), All Assam Tai Ahom Students Union (AATASU), All Assam Bodo Students Union (AABSU), All Assam Minorities Students Union (AAMSU) persistently demanding constitutional 'safeguards' for the protection of the welfare of the respective communities of the state and autonomous institutions'. Benedict Anderson's (1991) work 'imagined community' appears to find resonance in such circumstances. Sentiments of ethnicity among groups in relation to their language, culture, and politics of recognition and representation helps build an image of their communion, in other words the sub-nationalist aspirations.

3. Battle for Homeland : Assam movement and Assam Accord

In the 1980s, with the leadership of All Assam Students Union (AASU) a popular social movement erupted with the demand to oust the illegal immigrants from Assam. This movement; considered as one of the most stringent mass movements in the contemporary Assam had erupted as a result of the resistance by the civil societies against the inclusion of the names into the voters' list of people who they believed were, illegal immigrants. This anti-immigrant movement (1979-85) is known as Assam movement or Asom Andolon. Assam Movement is considered as the movement by the people of Assam against whom they considered the outsiders, citizens against the people whom they considered non-citizens; indigenous or 'Khilonjiyas' against the foreigners. The movement saw participation from various sections of the population 'irrespective of their ethnic affiliations to drive out who they considered illegal immigrants' (Weiner 1983). The Assam movement ended with the signing of the tripartite agreement 'Assam Accord' between the leaders of the movement, the Assam government and the Indian government on 15th August 1985. The main demand of the movement was to detect and deport the illegal foreign nationals especially from Bangladesh. Roy (2016) opines that,

'With the signing of the Assam Accord, one can see the confirmation of a hierarchized model of citizenship constituted by the universal (we), the Assamese people, whose claim to citizenship was beyond any legal dispute. The universal (we) was superimposed on residual citizens, whose citizenship was rendered ambivalent by their linguistic identity and their religion. The government sought to resolve this ambivalence through the law, by conferring deferred citizenship onto some, through the determination of their legality by the Foreigners Act'.¹

'People from numerous ethnic groups overwhelmingly participated in the movement; the Karbis, Dimasas, Rabhas, Bodos, native Bengali speakers, and native Muslim communities.'¹ This movement appealed for a distinctive 'Assamese' identity and demanded for what can be called differentiated citizenship. 'This difference was expressed in the early years of the Assam movement concerning the linguistic/cultural identity of 'Assamese people', and

in the later years, when the United Liberation Front of Asom (ULFA) took over the struggle, the difference was in terms of unequal development and discrimination' (Roy2016). At the root of both the differences and in the foundation of the Assam Movement was a controlling sentiment in the minds of people of Assam, about the crisis of citizenship in Assam. However, the prototypical model of citizenship that the Assam movement implored had certain contradictions; including seeking to change the relationship with the Indian state. The articulation of citizenship changed both within the state as well, between the different ethnic groups and Assamese, the Assamese and the Bengalis among others. Roy(2016) mentions that 'The Assam accord and the amendment in the Citizenship Act, 1955 following the accord in 1986, put in place a template of graded citizenship in Assam, and shifted the chronological boundary of citizenship for the state to 25 March 1971, from 19 July 1948, which was the constitutional deadline for the rest of the country'. The central Government of India pointed out in the Assam accord certain promises that would ensure;

'Constitutional, legislative, and administrative safeguards...to protect, preserve, and promote the cultural, social, linguistic identity and heritage of the Assamese people and the all-round economic development of Assam. On the question of outsiders in Assam, the accord evolved a graded/differentiated system, categorizing the outsiders based on the date of their entry into Assam. It legitimized the citizenship status of those who had entered Assam from the (then) East Pakistan before 1 January 1966. Those who had entered the state between 1 January 1966 and 24 March 1971 were to be legitimized in phases, that is, they were to be disenfranchised for 10 years from the date of identification, while others who had come after 24 March 1971 were to be deported as illegal immigrants.'²

The two tiered nationalism; pan-Indian and regional as mentioned by Baruah has resemblance with Amalendu Guha (1977) and Sudhir Chandra's (1982) expression. They very well pointed out that the consciousness of the Assamese identity on the basis of regional cultural homogeneousness was established 'along with the all India cultural homogeneity and anti-imperialism at the beginning of the 19th century' (Guha 1986). Baruah very rightly emphasizes on the fact that the skirmishes and conflicts in Assam on the lines of language and identity are suggestive of unsuccessful subnational

ambitions and aspirations in the process of nation-building in India. He pointed out at many instances in post-colonial India where the concept of nation has become innately unstable and challenging especially the movements for self-determination by different ethnic groups.

The outsiders' question or 'illegal immigration' that got aggravated in Assam, in the 1980s, endures even today. The parliament of India introduced the Citizenship Amendment Act(CAA) 1986, it added section 6A to the CAA 1955. Section 6(A), that introduced an additional category of citizenship along with birth, registration, descent, naturalization, and by integration of the foreign territory into India, that was exclusive to Assam. According to this act, "all persons of Indian origin who came to Assam before 1 January 1966 from the specified territory (meaning territories included in Bangladesh) and had been generally resident in Assam will be considered the citizens of India from the date except when they chose to not be. The section also added that the persons of Indian origin from the specified territories who came on or after 1 January 1966 but before 25 March 1971 and had been resident in Assam since also and had been detected as outsider by the provisions of the Foreigners Act, 1946 upon registration will be considered as citizens of India, from the date of expiry of a period of ten years from the date of detection as an outsider. In the interim period, they will enjoy all facilities including Indian passports, but will not have the right to vote. All other persons who entered the state on or after 25 March 1971, upon identification as illegal migrants under the Illegal Migrants (Determination by Tribunal) (IMDT) Act, 1983, will be deported".

Responding to the crisis of citizenship and the contestation over illegal immigration in Assam, two Public Interest Litigations (PIL) were filed in the Supreme Court of India, to interrogate the constitutional legitimacy of Section 6A of the Citizenship Amendment Act. The PIL filed by Assam Sanmilita Mahasangha focused on the provision in Section 6A that granted citizenship of India to those who came to Assam from the specified territories (mainly Bangladesh) between 1 January 1966 and 24 March 1971. According to this PIL, this provision with alteration of legal frameworks of citizenship promotes indiscriminate migration thereby increasing the anxieties of the people of the state. The PIL filed by the NGO Swajan and Bimalangshu Roy Foundation in 2012,

raised their concern on that provision of Section 6A, which treated all migrants from specified territories as illegal who entered Assam after 24 March 1971. This PIL states that the 'clubbing of all migrants who entered Assam after 24 March 1971 as illegal is problematic; it is imperative to distinguish illegal migrants from displaced persons (primarily Hindu and other minority groups fleeing persecution), who must be given the legal status of citizens' (Roy, 2016).

To resolve this contestation of citizenship, it is not pursued exclusively through the legal mechanisms of the Foreigners Act. Pressed by political agreement identification of belongingness, it is pursued now through a bureaucratic intervention. In recent years, the sub-nationalist movements have been replaced by projects of citizenship reaching deep into history in its search for the indigenous identification

4. National Register of Citizens : Re-articulating Citizenship

Duschinski (2009) has argued that 'the demand for identification that opens possibilities of sanction and prohibition, is the moment at which state power is practiced and state subject-hood is formed'. The identity documents are erratic, uneven and unsteady enactments of state power, continually alternating between being a 'threat' and 'a guarantee' to their bearers, and negotiating the undefined and ambiguous geographies between indiscriminate violence and the sanctity of law. National Register of Citizens was being updated for the first time since 1951 in Assam under the aegis of the supreme court of India, trying to document the 'original inhabitants' of the state and detect out 'illegal immigrants'.

To prepare and update this register, Assam has witnessed over the past few years an unparalleled and extra-ordinary bureaucratic exercise of recognizing 'citizens'. There is little political contestation or any challenge in Assam over the NRC, instead this exercise has tremendous support and approval from the people in the state. This is suggestive of the enduring appeal of authentic Assamese identity, a definition that is presently being formally deliberated and contested in the state. In NRC, people have entrusted for an efficient mechanism for the mammoth task of identifying those who belong.

The NRC that is being prepared in Assam is about identifying the Indian citizens. However, to derive to this Indian citizenship, it is

to be traced to a legacy in Assam, making the NRC a register of citizens who are legitimate residents of Assam. Anupama Roy suitably recognizes this as hyphenated citizenship, hitherto unfamiliar and unknown in the constitutional terminology of citizenship in India.

This updating of the NRC has instigated unanticipated hassles and apprehensions across the entire ethnic range of the population in the state. For the small ethnic indigenous communities, to fulfil the demand for citizenship rights have put them in dire situations, as many of the people from these groups do not have documents to prove their status. On the other hand, after facing decades of harassment in the hands of insurgents and state police apparatus, the immigrant population are more often equipped with these documents as a kind of shield against abuse of power. People without proper documentation were considered non-citizens. 'The arduous expanse of documentation that one needs to procure to prove one's citizenship is a strenuous process especially for the communities with a nomadic existence such as the Mishings, a riverine community indigenous to Assam and also the Bengali-speaking Muslims who live on the riverine islands locally known as char-saporis and specifically to women of such communities' (Ahmed, 2016).

For most people in Assam, NRC is about integration and recognition of an identity or belongingness by descent and a verification of legal residence in Assam. However, in total NRC is an enormous bureaucratic intervention for 'identification and enumeration of citizens, of putting in place efficient and effective identification regimes and associated documentation practices, often associated with the exercise of state power, and state-formative practices' (Singh, 2015). During the process of identification and enumeration in the NRC, many people have been charged under a redundant act and often end up in being incarcerated in detention centres of the state.

5. Incarceration and Detention Centres

It is commonly understood that 'socio-political condition of the migrants, whatever is their juridical status within the larger immigration system of any nation, remain more or less deportable' (Genova, 2019). To this the situation and specific conditionality of

Assam remains an exception. The NRC as an identification mechanism has become a complicated process as there is no extradition treaty signed by India and Bangladesh regarding the citizens of Bangladesh illegally living in India, especially Assam. These situations make these people stateless and make them susceptible to an indefinite period of detention. 'There is no clear-cut policy as of now from either the Indian government or the state government on how to handle immigrants who do not know their place of origin. For instance, some of the detainees came to Assam as toddlers or children with their parents/guardians who may have died by now. There is no clarity on what the state ought to do with such cases' (Ray, 2016). This crisis of citizenship of Assam has ushered in an unprecedented imbroglio for the people of the state. In August 2019, Assam became home to 1.9 million people whose names were excluded from the NRC and whose status until then had remained a subject of immense contestation and conflict in India, particularly in Assam. These people were excluded as 'rightful citizens of India' in effect making them to be de-facto citizens of Bangladesh, a contested category by the Bangladesh government, making these people 'non-citizens'. These people have faced extreme dehumanization particularly in populist and political rhetoric 'equating them with criminals, terrorists and garbage' (Ahmed, 2019). Arendt (1951) in the work 'The origins of Totalitarianism' has argued that such dehumanization and criminalization of 'people is usually coupled with policies and edicts that strip them of their rights and exclude them from wider human community making them superfluous'. Zedner (2015) believes that 'such categorization of non-citizens as object of distrust legitimizes the state's authority to isolate and create a legal framework for social exclusion of these non-citizens, criminalizing migrants invokes a rationale that therefore legitimizes detention: migrants might be criminals necessitating detention, migrants might be criminals, because they are detained'. In absence of detention facilities, Assam has been detaining the 'non-citizens' in state run prisons in which certain barracks are notified as detention centres, located at Dibrugarh, Goalpara, Jorhat, Kokrajhar, Silchar and Tezpur.

Thus, there is an undeniable continuum between criminal laws and immigrant policies in Assam. The intensity of isolation from family, locked quarters, closed supervised and restricted movements

of being confined makes this practice of detention utterly inhuman and uncivil, yet backed by the state. These people are trapped within the pompous gestures of 'sovereignty' of the state and state's prerogative to enforce its legal order.

Now that almost 47 years have already passed since March 1971, one more question that arises is what will happen to the people-with their children and grandchildren born and brought up in this country- who came to Assam after the cut-off date? Will they be pushed into statelessness forever? Will they be forcibly put into detention camps by the state? Or will the government solve this crisis in a humane way? The government does not have any clear position on this. Amidst all these lingering questions, it remains to be seen if the citizenship conundrum will ever get resolved in the state. The present situation is too damaging to our constitutional, social and moral system and above all against the humanity. As Assam grapples with one of the biggest humanitarian crisis, the time is ripe to revisit the immigration practices. However any reformulation of the immigration policies needs to acknowledge that the present imbroglio has developed within the broader historical trends of immigration and increasing assertion of identity coupled with natives being insecure in a flood-prone state of Assam.

6. Politics of Migration and way ahead

Where there are conflicts, there are horrifying life instances; partition displaced millions of people from their land, and the birth of a new nation did not end their rendezvous for identities. The journey of their tryst with identity was not a smooth sailing one and endured numerous conflicts. Abantee Dutta (2019) very rightly points out that 'When borders are created; the people on both sides of the border who share a common culture, language and religion, and a sense of common identity have to bear the brunt; they become citizens of two nation-states overnight. Such a situation has aroused when the border between Assam and East Pakistan was drawn dividing the lives of many people'.

Without taking into consideration the problems of the people on either side, the international boundaries were created which led to incessant migration from both sides. Migration in a globalized world is an unstoppable natural occurrence, making it imperative for us to understand the economic aspect of it. The question of poverty and hunger needs to be addressed along with inclusive development to

regulate migration. Immigration can be termed illegal when it is expressed in the terms of borders and since this globalized world demands the territorial borders to be drawn, there is absolutely no chance to undo it. The solution lies in making the process of migration easy and ensures that people crossing the border through permissible routes for the search of livelihood are treated as legal migrants, as no human can be illegal. The term 'illegal migrants' categorically dehumanizes the immigrants and divorces them from human rights. Terming any migration, whether temporary or permanent as illegal constantly dehumanizes the migrant population. One pertinent question that indicates towards the erroneous decision making powers of the government is that why policies and programs of the government term the migrant population as 'illegal' immigrants, often leading to identity movements in Assam. The rising insurgency in the area is attributed to the rising identity movements in the region. The strategy of violence adopted by many of these identity movements has had adverse impacts on the economy of the state. Hazarika (2000) has very rightly pointed out that 'The areas of commonality cutting across the ethnic boundaries need to be strengthened instead of focusing on the singularity of communal identity'. The added politicization of the phenomenon of illegal immigrants and the essentialisation of the tribals as xenophobic seem to have added to the loss of humanitarian hue of the phenomenon.

Therefore it would not be wrong if we say that Assam accord even though imperfect, but is the only realistic attempt at maintaining a fragile social peace in the state. This tri-partite agreement had set down a certain list of goals that aimed at the growth, stability, and peace in the state. There was a certain clause in the accord that guaranteed constitutional protection for the Assamese people and to provide them political assurance. For more than three decades, government after government, committees after committees made miscarried efforts to define who is an Assamese. In a multi-ethnic and multi-lingual state, there will be certainly an opposition to the notion of a homogeneousness in an identity called the Assamese identity. Homogenizing the Assamese identity as one standard identity would call for assimilating smaller tribal, linguistic, religious, and ethnic groups into it. Thus, it seems that although it would be easy to define who is an Indian in Assam in the NRC update, defining who is an Assamese possibly will take longer as it appears to be far more complex to unravel a standardized Assamese identity. This brings us to the question if the NRC will

bring about a closure to the discourse of doubt in Assam, or would there be any conclusion to this crisis?

7. Conclusion

The sub-nationalist politics of the region has privileged the Assamese identity over other-categories like caste, class, and religion; however, the national media, with the essentialisation of the ethnic groups as xenophobic; has very easily produced this as a narrative that is based on the fear of the “outsider”. Thus in the present times, it appears that the state of Assam with its irreversible past is being burdened with an unfavourable and unprepossessing present. One pertinent question that remains is, is the future of the state also in jeopardy. The need of the hour is to contemplate on the lessons that we must draw to circumvent prospects of a jeopardized future. NRC came as a bureaucratic intervention to deal with the sub-nationalist aspirations of the people of Assam; therefore any attempt to drop and abandon the exercise of NRC might lead to an unremitting, incessant, and amplified intensive conflict among different ethnic groups of people in Assam. What is more saddening is that the national media failed to delve into the root of the problem and very conveniently splattered all of the north-easterners as a bloodthirsty horde and ethno-fascist. The authorities and the government have been playing on the internal divisions of the people that were planted by the colonial rulers some hundred years ago.

In the last few decades, Assam has witnessed many bloodied and tearful times; the river Brahmaputra has turned red several times (Assam Movement, Nellie and Khoirabari Massacre, Secret killings, the Bodo-Muslim ethnic conflicts). Therefore, during these times, it is imperative to realistically find solutions to their socio-economic and cultural problems and to highlight the demands for identity quest in a politically correct manner while providing the utmost dignity to human lives.

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