Doctoral Dissertation

Practicing Peace in the Indigenous Context: A Study on Three Villages
of the Chittagong Hill Tracts (CHT) in Bangladesh

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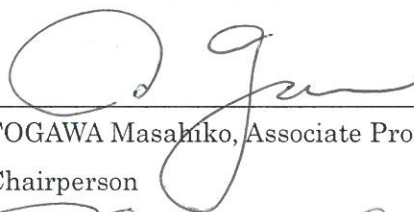
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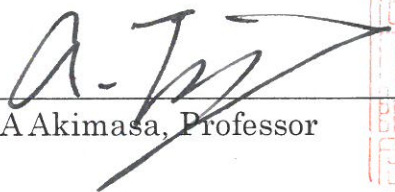
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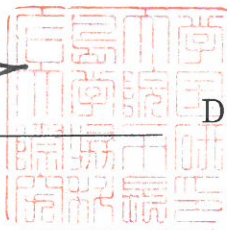
Abstract

Peace studies in recent decades refer not only to the political structure or to the management of the state but designate the way in which the conduct of individuals or of groups participating in the peace processes may have led them to experience conflict. This approach has been engaged to guide an anthropological investigation of the Chittagong Hill Tracts (CHT) Peace Accord 1997 in Bangladesh. To assess how local people experienced the peace process through the CHT Peace Accord 1997, I conducted a qualitative research study in three CHT villages. Drawing on interviews with local people in these rural villages, this thesis sheds light on a much-neglected and significant issue. I offer an analysis of their reiteration of the discourses of peace and conflict, the way in which they negotiated and/or contested these discourses, and the everyday dilemmas with which they lived. While most academic discourses on the CHT Peace Accord 1997 in Bangladesh have largely contributed to constructing peace and conflict as 'political processes', I closely examine the performativity in the accounts of the Jumma people, the reiteration and citation of existing discourses, as well as the new possibilities that emerge. I trace how all these discursive practices both contribute to the materialization of existing discourses of peace and simultaneously exclude them.

In this thesis, I have argued that, even after a political agreement was achieved between conflicting parties in CHT, violence has continued to exist. I have investigated this situation using an anthropological fieldwork approach. By locating the dynamics of conflict in the post-Accord period at the village level, I have emphasized the fact that the CHT Peace Accord may have contributed to reducing the armed struggle but, at the same time, it created many problems in the implementation and clause-making processes. The Peace Accord has been submerged by ideas and practices which have done very little to meet the demands of the Jumma people in their struggle for recognition of their self-identity and cultural rights, a form of connection that is discordant to discourses of peace building and sustainability.

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Abbreviations

AAA	American Anthropological Association
ADB	Asian Development Bank
AIPP	Asia Indigenous Peoples Pact
APBn	Armed Police Battalion
ASA	Association of Social Anthropologists
ASK	Ain o Salish Kendra
BBS	Bangladesh Bureau of Statistics
BCS	Bangladesh Civil Service
BDR	Bangladesh Rifles (now known as Border Guard Bangladesh [BGB])
BDT/Tk.	Bangladeshi taka (currency)
BGB	Border Guard Bangladesh (formerly known as the BDR or Bangladesh Rifles)
BIPF	Bangladesh Indigenous Peoples Forum
BNP	Bangladesh Nationalist Party
CBCB	Catholic Bishops' Conference of Bangladesh
CEO	Chief Executive Officer
CHT	Chittagong Hill Tracts
CHTDB	Chittagong Hill Tracts Development Board
CHTRC	Chittagong Hill Tracts Regional Council
CRG	Collaborative Research Group
DC	District Commissioner
DGFI	Directorate General of Forces Intelligence
ECOSOC	Economic and Social Council
EFA	Expanded Food Assistance (program)
EPFIDC	East Pakistan Forest Industries Development Corporation
EU	European Union
FGD	focus group discussion
GoB	Government of Bangladesh
GOC	General Officer Commanding
HDC	Hill District Council
ILO	International Labour Organization
IWGIA	International Work Group for Indigenous Affairs
JP	Jatiyo Party

JSS	Jana Sanghati Samiti or "People's Solidarity Association"
km	Kilometer
MoCHTA	Ministry of CHT Affairs
MP	Member of Parliament
MRG	Minority Rights Group International
NGO	non-governmental organization
OCCHTC	Organizing Committee CHT Campaign
OICSR	Oriental Institute of Cultural and Social Research
PBCP	Parbatya Bangalee Chhatra Parishad (or "Hill Bengali Students' Council")
PCJSS	Parbatya Chattagram Jana Sanghati Samiti or "United People's Party of the Chittagong Hill Tracts"
PCP	Pahari Chhatra Parishad ("Hill Students' Council")
PO	participant observation
RC	Regional Council
RF	Reserved Forest
Tk./BDT	Bangladeshi taka (currency)
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNO	Upazila Nirbahi Officer
UNPO	Unrepresented Nations and Peoples Organization
UPDF	United People's Democratic Front
US/USA	United States/United States of America
USF	Unclassified State Forest
VDP	Village Defense Party
WFP	World Food Programme

Chapter 1: Introduction

1.1 Background

This thesis critically examines the dominant discourse of the 'root causes of conflict' in the implementation process of the Chittagong Hill Tracts (CHT) Peace Accord 1997 in Bangladesh. It uses case studies of 'peace-building processes' as a basis for discursive analysis. Accordingly, it deals with the ability of the peace process to contest the root causes of conflict in the CHT region of Bangladesh. The primary concern of this thesis is to achieve a better understanding of the complexities of peace building in the domestic sphere (in relation to the global arena). In particular, the thesis focuses on ethnic conflict in the Asian region in the post-Cold War era, drawing upon this to re-examine peace, while making it more applicable to the realities of these complex empirical circumstances. Focusing on peace building in the local context, the thesis explores the strength of the peace discourse in its relationship with ground-level conflict and its everyday realization. In doing so, it argues for different concepts such as ethnicity, identity politics, and the power relationship between different actors including political parties, law enforcement agencies, vested interest groups, etc. Furthermore, the thesis contends that the relationship of peace and conflict with the experiences of people is shaped through their particular history, cultural context, and political economy in which the role of local people is considered to be that of a cultural innovator.

At the beginning of this study, I viewed the peace-building concept as a functional sphere where state and non-state actors attempted to varying degrees of success to reduce political conflict in different circumstances. Primarily, I was interested in examining how and to what extent the peace discourse has been practiced in the multi-ethnic setting. For this purpose, I

selected the Chittagong Hill Tracts (CHT) Peace Accord 1997 in Bangladesh as a case of the peace-building process, and visited the CHT region to carry out field research. After spending a few weeks in September 2011 in different areas of the CHT, I settled on a remote area of the Khagrachari Hill District. This region is on the periphery of the state, in terms of the state's provision of services to its ethnic minorities, with the state neglecting their demand for autonomy. This and other demands, along with unsatisfactory efforts to address them, have turned into factors causing conflict between the ethnic minorities and the state army. In 1997, the Peace Accord was signed between the government and a political party of ethnic minorities. However, the Peace Accord has not settled the situation: rather, several issues have arisen in the CHT region. The reality in the region has continued to be far from the ideals of the Accord. After spending a long period in the field, I realized that the peace process of the CHT Peace Accord was far more complex than I had envisaged, as my empirical research not only brought unexpected answers to my initial research question, but also led me to ask other related questions about the discourse and the practice of peace processes. I came to understand the truth that a peace accord may not always contribute to reducing conflict, but, at times, may contribute to causing conflict and can also lead to further conflicts. Through this, I was able to form my central argument: while the Peace Accord was evidently signed in the CHT, I argue that the peace process remained detached from the local people. The Peace Accord was submerged by ideas and practices which were far from meeting the demands of the indigenous people, who had been struggling for their ethnic identities, land rights, and anti-militarization, a form of connection that was discordant to discourses on peace building and sustainability.

The findings of this research, ranging from a functional approach to a discourse analysis

approach, were driven by my several periods of fieldwork between 2011 and 2015.[1] A particular incident, a particular conversation, a particular comment, a particular person, a particular institution, and/or life in a particular village, sharpened and redirected my research. By adopting a discourse analysis methodology, as explained below, I found I was more able to understand the complexities and contradictions of the Peace Accord, and the social, cultural, political, and economic life in the Chittagong Hill Tracts (CHT).

1.2. Overview of Chittagong Hill Tracts

The abundant hill area of the south-eastern part of Bangladesh is known as the Chittagong Hill Tracts (CHT). It forms part of a vast mountain range which stretches northwards some 1,800 km from western Myanmar (Burma) to where it meets the mighty eastern Himalayas in China. A narrow strip (roughly 280 km by 60 km) is currently part of Bangladesh, administered from the capital, Dhaka.[2] The total region amounts to 5,093 square miles, which constitutes almost 10% of the total area of Bangladesh.[3] The geographical features of the CHT are a number of ridges, 1,500 to 2,000 feet high, which stand seven to ten miles apart in the northern part of the district. The hill region is also part of a much larger continuous hill region, stretching westward into the Indian state of Tripura, and, to the north-east, into Mizoram, another Indian state. The Arakan region of Myanmar (Burma) is to the south and south-east, forming a bridge between Bangladesh and Myanmar. For more than 120 years, this vast hill region was administered as a single administrative unit under the British Crown.[4] A part of the region became incorporated into the state of Pakistan, and later, in 1971, into

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[1] I conducted about seven months of field research in different phases. The methods of research were mostly qualitative. Details of the field research are discussed in Chapter 3.
[2] Tripura, S. B. (2008); van Scendel (1992)
[3] See Gain, Philip (ed.), *The Chittagong Hill Tracts: Life and nature at risk* (2000:1)
[4] As discussed in Chapter 4, the end of the British rule brought about new national borders which crisscrossed this region.

Bangladesh. In 1983, the region was divided into three administrative districts: Khagrachari, Rangamati, and Bandarban hill districts.
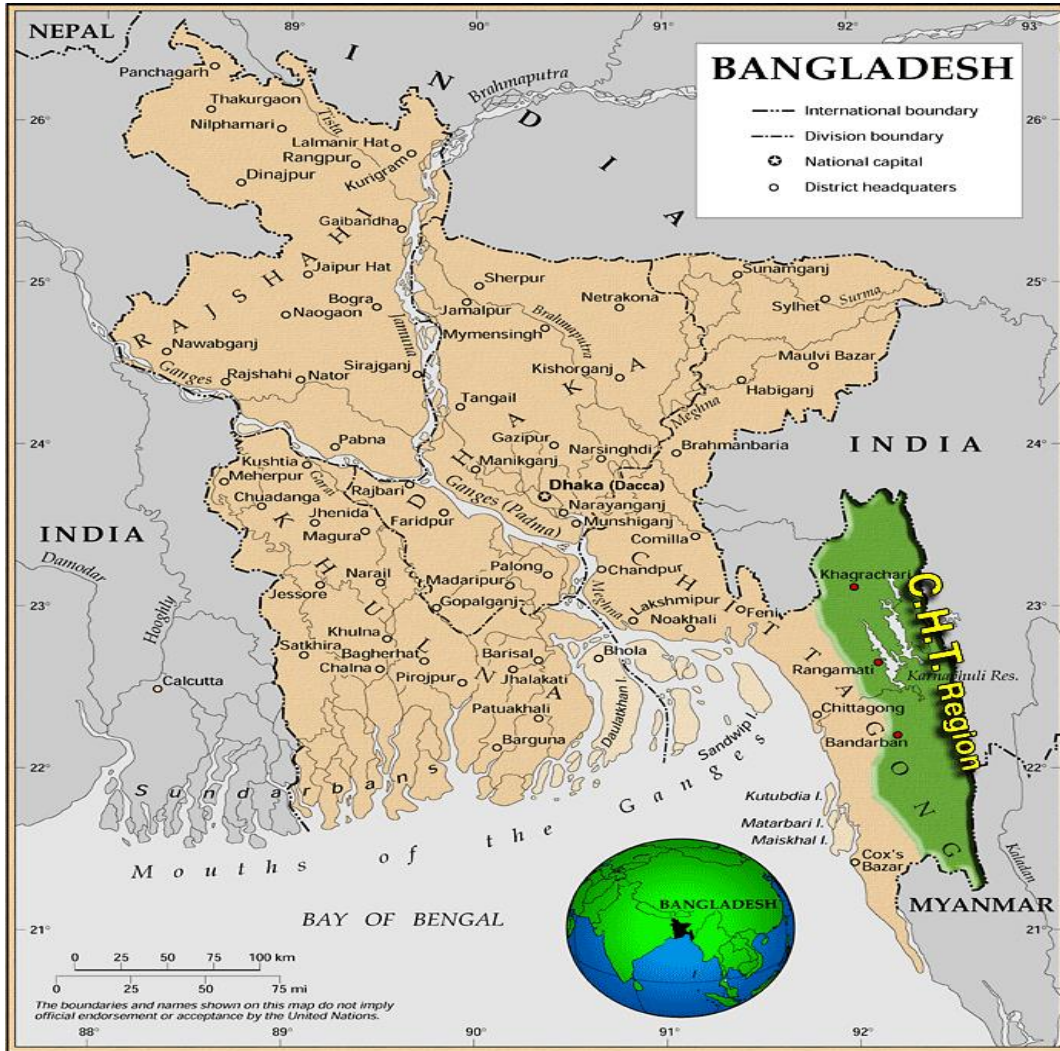
Figure 1.1: Chittagong Hill Tracts (CHT) in Bangladesh

The types of land as well as the land ownership patterns in the CHT differ from those of the plains regions. The Jumma people have customary rights over the land. About one-quarter of the total CHT land is occupied by 'Reserved Forest' which restricts cultivation and extraction by the Jumma people. The Jumma people are only permitted to use the rest of the land that is recognized as 'Unclassified State Forest', in addition to the 'District Forest' at the discretion of

the district administration.[5]

The administrative structure of the CHT is different to that in other areas of Bangladesh. It has special administrative status, known as a multi-administration system, and a combination of indigenous administration and civil administration that reflects the persistence of the indigenous structure. The district is under the jurisdiction of a Deputy Commissioner (district administrator), and is subdivided into three subdivisions (corresponding to the Jumma circles[6]) administered by three Subdivisional Officers. The Deputy Commissioner is the administrator, executive, and judge of the district. The Subdivisional Officers assist the Deputy Commissioner in administering the district. Each of the three subdivisions is again subdivided into several *Thana* or police stations. The Police Officer in Charge is the administrator of each *Thana*, being responsible for preventing the violation of laws and crime.

1.3 Identifying the Local People

In 2011, the total population of Bangladesh was estimated at 152,518,015, which is divided into mainly four religions and 27 ethnic groups. The religious profile of the population of Bangladesh is given below:

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[5] Nasreen (2002)

[6] Among the various ethnic communities, three circles play a significant role in the traditional administration system of the CHT: the Chakma Circle (179 *mauzas*; 2,421 square miles, including 763 square miles of reserved forest); the Bohmong Circle (97 *mauzas*; 2,064 square miles including 620 square miles of reserved forest); and the Mong Circle (100 *mauzas*; 653 square miles, with no reserved forest).
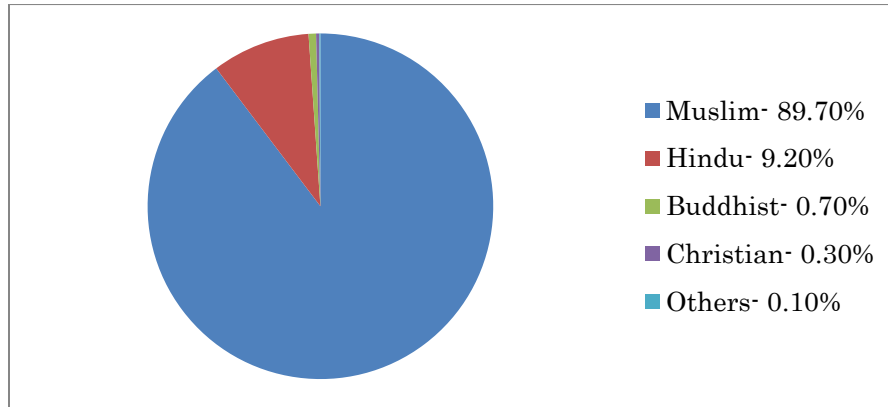
Figure 1.2: Religious profile of population of Bangladesh
Source: Census of Bangladesh report (2001)

Ethnically, 98% of the population of Bangladesh is derived from the Bengali ethno-linguistic group; the other 2% of ethnic people are officially known as 'tribal'.[7] The total number of 'tribal' people in Bangladesh is 1,586,141[8], of which 845,544[9] people live in the CHT region. The CHT is home to the country's largest concentration of indigenous populations. On the other hand, about 752,690 people in the CHT belong to Bengali groups.

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[7] While the state of Bangladesh identified ethnic people as 'tribal', 54 ethnic groups did not want to be termed as 'tribal' groups or 'small ethnic' groups but as *adivasi* (indigenous people), in line with United Nations (UN) conventions, to protect their cultural, traditional, and land rights.

[8] According to the official Census of Bangladesh 2011, the total number of indigenous peoples in Bangladesh was 1,586,141. However, indigenous peoples claim to have a population exceeding three million, with more than 54 indigenous ethnic communities who have been living in the country for centuries.

[9] The Census of Bangladesh 2011 shows that the population of the three hill districts is approximately 1,587,000 (http://www.bbs.gov.bd). It is estimated that around half of the population of the CHT comprises indigenous peoples, thus the number of indigenous peoples is estimated at 700,000 to 800,000.

Table 1.1: Population ratio in the CHT

Type of population	Number	Percentage
Jumma	845,544	53
Bengali	752,690	47
Total	1,598,234	100

Source: Bangladesh District Gazetteer (2011, cited by Chakma, 2012)

1.3.1 The Jumma people

The 12 ethnic communities of the CHT are religiously, linguistically, and culturally different from the majority Bengali Muslim population of the country. The communities are known collectively as "Jumma", which means "shifting (*Jhum*) cultivator" in the local language. Since the colonial period, they have been officially identified as 'tribal'; however, for a long time, they have been rejecting the 'tribal' identity. The Jumma people are not homogeneous in terms of their religious and ethnic backgrounds. Hierarchical relationships exist within the 12 ethnic communities[10], and the identity of the Jumma people is dominated by the Chakma population.

Although the Jumma people have several ethnic factions, politically they are more collective and active in establishing their rights in the region. The notion of 'Jumma" has a strong political meaning. The PCJSS (Parbatya Chattagram Jana Sanghati Samiti or United People's Party of

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[10] The names and respective populations of the 12 ethnic communities are: Chakma (241,610); Marma (131,230); Tripura (58,455); Murong (17,168); Tanchangya (16,410); Bawm (5,584); Pankho (1,668); Khami (1,091); Lusai (669); Chak (798); Kheyang (1,328); and Bonogogi (966) (Nasreen, 2002).

the Chittagong Hill Tracts) was formed as a political party by activists who came from different ethnic groups of the Jumma people. Whereas the activists were unified under the umbrella of Jumma nationalism, the establishment of constitutional recognition of the Jumma people was their main demand. Moreover, for a long time, they have fought against the militarization process of the Chittagong Hill Tracts (CHT). The PCJSS was also the key stakeholder of the CHT Peace Accord 1997. On the other hand, when constitutional recognition of the Jumma people was not achieved by the peace agreement, many of the Jumma activists formed a separate political party called the United People's Democratic Front (UPDF). Like the PCJSS, the UPDF was formed under the banner of Jumma nationalism by members of the different ethnic groups of the Jumma communities. From the perspective of political ideology, although many differences are to be found between PCJSS and UPDF activists, ethnic variations have rarely interrupted their activities. However, this political divide has severely interrupted the social relationships of political activists as well as the ordinary Jumma people.

1.3.2 The Bengali people

Until the 1980s, only a small proportion of the Bengali people lived in the Chittagong Hill Tracts (CHT). However, the Bengali resettlement project dramatically changed the composition of the population. The percentage of Bengalis in the CHT rose from 26% in 1974 to 47% in 1991 (Bangladesh Bureau of Statistics [BBS], 1991). While the Bengalis in the CHT belong to the same nationality, in regard to socio-economic identity and occupation, they have several differences. The Bengali people who have lived in the CHT for a long time are referred to as *adi Bengalis* which means "old Bengalis" in the local language. Over the decades, the old Bengalis have had a good social relationship with the Jumma people, living with them as neighbors and having a vibrant social life. On the other hand, the Bengalis who have migrated

from the plains to the CHT since the late 1970s as part of the Bangladesh government's Bengali resettlement project are known as "settlers." To maintain their livelihood in the CHT, they have been granted land, cash incentives, and monthly rations. Although the Bengali resettlement project is repeatedly sponsored by government funds, many Bengali people have been resettled in the CHT without the proper consent of the resettlement authorities. Most of them have settled through their own initiative or through kinship networks. The "unauthorized" settlers are not entitled to government rations. However, as new inhabitants in the region, both "authorized" and "unauthorized" settlers have been trying to establish their socio-economic influence by marginalizing the Jumma people. Although the "authorized" and "unauthorized" settlers do not belong to the same historical and economic background, the Jumma people have argued that these two groups have, at times, played the same role in different conditions.

In addition to the old Bengalis and Bengali settlers, many Bengalis have started to come to the CHT owing to their occupations, that is, as non-governmental organization (NGO) workers, tourism developers, government officials, etc. Some have settled permanently and some have stayed temporarily. In addition, at the rural level, it has been observed that, after retirement, many army officers have established their permanent residences in these areas. Those who have settled in this way have better social status than the Bengali settlers. While the settlers, old Bengalis and job-holder Bengalis all belong to the Bengali nationality, their social status is heavily influenced by their respective settlement strategy. In the case of conflict in the CHT, whereas the Bengali settlers are seen as a key actor against the Jumma people, direct participation by the old Bengalis and job-holder Bengalis is marginal. Thus, the Jumma people distinguish two separate groups of Bengalis: the Bengalis who have settled under the government's resettlement program and the Bengali people who have become established in

the CHT due to their occupational purposes. From the Jumma people's view, while the settlers have been responsible for creating violence, the other Bengalis (including the job-holder and old Bengalis) have tried to maintain good social relationships with the Jumma people.

At the beginning of my study, I intended to investigate the experiences of local people with regard to the Bengali–Jumma conflict. After spending more time in the field in Khagrachari Hill District, I realized that there was far more complexity to the context of the conflict than I had envisaged. As I observed, the conflict in the CHT was not limited to the Bengali–Jumma dichotomy, but was also observed in various in-group feuds.

In addition, although the conflict between the PCJSS and the UPDF originated from a certain group of the Jumma people, it has affected the whole community in the region. This situation directed me toward including new arguments in my research. Therefore, I started to argue that, while the conflict in the CHT mostly originated between the Bengali–Jumma people, the context would not be clear if the reality of different layers of in-group feuds remained uninvestigated. Through this realization, I contend that, along with the Bengali-Jumma conflict, the real story of the grassroots people is often complex in multiple settings. In my thesis, I have tried to investigate this complexity which will become apparent as the thesis progresses.

1.4 Chittagong Hill Tracts Peace Accord 1997 Setting

Prior to the British colonial period, the CHT region and its people were independent and lived in a sovereign territory under customary rules and an administrative system. The people, at that time, were identified by the Bengalis as *Joomea*, meaning the people involved in *Jhum* or shifting cultivation (Tripura, 1998). The cultivation process was managed by customary rights,

and was considered to be the key to the survival of the Jumma people's identity. However, the politics of identity originated in the British colonial period, when it was adopted in the state apparatus as a policy (especially the tribalism policy) to deal with the CHT region. The colonial government first used sub-names, such as 'tribe' or 'hill man', separating the Jumma people from the majority of Bengali people in the country. The notion of 'tribal' is not only related to the identity issue, but also to the governing policy through which the colonial administrator began to control the whole political economy of the local people. The colonial administrator documented several aspects of tribalism, such as having: primitive religious beliefs, that is, 'animism' and 'heathenism' (Marriott, 2003:146; Xaxa, 2005); ape-like physical features (Xaxa 2005; Marriott, 1999); and sexuality of an immoral and exotic nature (van Schendel, 1992). The institutionalization of tribalism was not homogeneous to the Indian subcontinent and was undertaken in different ways in different parts of the British Empire, with the overall purpose being to increase the dominance of colonial rule. In the CHT, the Jumma people, for the first time, came to experience a different kind of political economy which influenced changes to their own culture and society. The colonial administration started the process of land alienation by taking over the ownership of land rights in the CHT through the creation of reserved forest (Dewan, 1990).

The problems in the CHT largely began with the building of the Kaptai hydroelectric dam between 1957 and 1963, during the era when the area was administered by the Pakistan government. This dam flooded at least 54,000 acres of settled cultivable land farmed by the Jumma people (Nasreen, 2002). The Kaptai hydroelectric plant project, undertaken by the state, permanently displaced thousands of the indigenous Jumma people without any compensation (Jenneke, 1997). While the policy of exclusion was adopted by colonial and Pakistan

governments, it has continued to dictate the development of identity and the livelihood policy of the CHT people in the Bangladesh period.

After the independence of Bangladesh in 1971, a group of indigenous people formally placed their demands for autonomy to maintain their self-identity. However, the Prime Minister of Bangladesh, Sheikh Mujibur Rahman, rejected the Jumma people's demands by advising them "to forget ethnic identities" and "to be Bengalis" (Al-Ahsan and Chakma, 1989:967). The denial of constitutional recognition of the Jumma people's diverse ethnic identity and regional autonomy by the independent state of Bangladesh brought social, political, and cultural chaos to the Chittagong Hill Tracts (CHT). A portion of the Jumma people started strong resistance by forming the political party PCJSS, with its armed wing Shanti Bahini ("Peace Force"). From 1976, the CHT became an area under military occupation and a training ground for counter-insurgency. Moreover, approximately 400,000 Bengalis moved into the region between 1979 and 1987 under a government transmigration program which had several sociocultural consequences for the indigenous Jumma people: destruction of the agricultural system; change in the names of indigenous localities; attacks on indigenous religious institutions; and, above all, forceful eviction from their land. The indigenous Jumma people now risk being outnumbered by Bengali settlers who have continued taking over their land and attacking their religious and cultural values. The land and religious issues have further increased the conflict between the Jumma people and Bengali settlers. Under these circumstances of conflict and violence, the Jumma women have often been the most vulnerable victims of the people of non-Jumma communities. The civil administration and the military have appeared to be concerned bystanders, while, at times, being the direct patrons and protectors of the Bengali settlers (Mohsin, 1997). Since 1980, 13 major cases of sectarian

attacks by the Bengali settlers on the Jumma people have been reported (International Work Group for Indigenous Affairs [IWGIA], 2012; Amnesty International, 2013).

During the period of counter-insurgency, almost a hundred thousand Jumma people have been forced to cross the border into India, or have become internally displaced as a result of the armed conflict (Jenneke, 1997; Barua, 2001). Around 8,000 people, including security members, have been killed from both communities. After a long process of political negotiation, a major turning point occurred when the Bangladesh government and the PCJSS signed a Peace Accord in 1997. However, the Accord has not settled the situation: rather, several issues have arisen in the CHT region.

1.5 Objective and Research Questions of the Study

The main objective of this study is to identify the root causes of conflict within the paradigm of the prevailing discourse and practices of the CHT Peace Accord 1997. The study takes into account the historical perspectives, negotiating strategies, and everyday experiences of the local people. In order to achieve this objective, the study will more specifically examine the following research questions:

(1) What is the dominant discourse of peace and how has it developed in the major historical periods in the Chittagong Hill Tracts (CHT)?

(2) What are the impacts of the Peace Accord on the region? Or, what is the context of the 'before and after' situation of the Peace Accord?

(3) How are the local people in the CHT experiencing peace as seen in their everyday negotiations?

It is through answering these questions that I am confident of achieving my research objective.

1.6 Thesis Approach

This thesis takes a multidisciplinary viewpoint to analyze core arguments regarding 'peace' in the CHT region in Bangladesh. The thesis structure is multidisciplinary in the sense that it deals with the central arguments of peace scholarship and examines with anthropological insight and methodology. In essence, this study has used peace studies as its major theoretical grounding, with this foundation positioned within an anthropological research procedure.

While adopting a discourse analysis method, the study has employed diverse research techniques. Discourse analysis is considered to be an analytical tool that deals with theories on the relationship between ideas and practices, that is, of how certain thoughts have been established through social practices as if they were neither natural nor neutral (Jørgensen and Philips, 2002:55). It deals with the reality of society, affirming that the 'reality' of society is a social construction, frequently apparent as real due to sediment discourse—a long series of social arrangements that we take for granted and therefore do not question or try to change. As stated by Jørgensen and Philips:

> Underlying the word 'discourse' is the general idea that language is structured according to different patterns that people's utterances follow when they take part in different domains of social life … 'Discourse analysis' is the analysis of these patterns … proposing the preliminary definition of a discourse as a particular way of talking about and understanding the world (or an aspect of the world). (2002:1)

The discourse analysis approach is treated as a 'complete package' that contains philosophical, theoretical, and methodological guidelines. In this study, discourse analysis was found to be

relevant owing to the study's concern with the relationship between the ideas and practices of particular peace-building activities.

1.6.1 Importance of discourse analysis in social research

Generally, the term 'discourse' requires the undertaking of a long and serious treatment or discussion in speech or writing. For instance, van Dijk (1977) noticed that discourse refers to the different signals and signs that facilitate people's creation of coherent meaning of their world, their reality. Van Dijk extended his discourse analysis by conceptualizing it in the domain of 'socio-political discourse'. While the activity of 'talking' is the core meaning of discourse, the socio-political context of discourse does not merely concern the content of the speech activity but focuses on the way in which something is discussed (van Dijk, 1977). In that sense, discourse can be seen as the boundary consisting of cultural, social, political, and economic backgrounds, which people unconsciously use to create meaning and understanding of their world.

On the other hand, discourse, according to French social theorist Michel Foucault (1980), is related to power as it operates by rules of exclusion. In discussing discourse, Foucault focuses on its signs, gestures, and symbols by which power is exercised. Statements or words must not be codified in language: rather, they have to be put into practice through which discourse is meaningfully understood. As Foucault says, it is through plays of power that individuals are dictated to and manipulated. This manipulation ensues in the socially complex setting where expert knowledge influences the form and content of representations. In further elaboration, Apthorpe and Gasper (1996) remarked that "discursive practice" can be taken to be an instance of the capture of an exercise of power by a group of people, their arguments and

organization against others through specific happenings, in particular arenas, over various periods of time. This approach investigates who can speak or be involved in the peace process, and for whom, from which points of view, and with what authority the terms will be negotiated. In the case of social discourse theory, the development of peace discourse has become an important phenomenon in the peace literature. The paradigm of discourse analysis in the peace literature is discussed in the next subsection.

1.6.2 Theoretical development of peace discourse: a holistic understanding

In 1969, Galtung first introduced the notion "peace discourse" in the mainstream peace literature. He identified peace discourse based on the way in which people around the world organize their understanding of conflict and violence. Galtung (1969) stated that peace discourse makes use of tested conflict analysis techniques, broadening the scope of actors and stakeholders, taking into account root causes and basic needs, and assuming that solutions must be based on legitimate goals. According to him, conflict is not necessarily negative, nor does it need to lead to violence. It is necessary for progress and evolution. Any change in the world can be understood as a conflict with the status quo, and change can have positive effects. Consequently, Galtung (1969) detected two interrelated forms of violence: direct and structural. Direct violence is what is usually thought of in terms of aggression, military force, etc. Structural violence is harm which is built into the laws and traditional behavior of a group or society. Harm is permitted or ignored. Each of these forms of violence can be equally destructive and detrimental.

After 20 years, in 1990, Galtung wrote another article titled "Cultural Violence" which emphasized the importance of the cultural circumstances. As he stated,

The study of cultural violence highlights the way in which the act of direct violence and the fact of structural violence are legitimized and thus rendered acceptable in society. One way cultural violence works is by changing the moral color of an act from red/wrong to green/right or at least to yellow/acceptable; an example being 'murder on behalf of the country as right, on behalf of oneself wrong'. Another way is to by making reality opaque, so that we do not see the violent act or fact, or at least not as violent. Obviously this is more easily done with some forms of violence than with others; an example being *abortus provocatus*. (Galtung, 1990:292)

Furthermore, Galtung listed six cultural domains of violence: religion and ideology, language and art, and empirical and formal science. Galtung's efforts opened the space in which to identify the root causes of conflict in the cultural context. While the Galtung approach is still followed by many liberal peace-building activists and academic scholars, the cultural method was criticized for its emphasis on universalized nature. Scholars of cultural study and anthropology, in particular, assessed the categorization of cultural violence. Although religion, ideology, language, and art potentially create some space for 'subjectivist' concerns, they also remove the promise of greater attention to culture by centering on the universalized "presumption about natural laws and human nature". More specifically, Galtung identified cultural violence in relation to the "structure of peace" and limited his scope to inter-state relationships, with the non-state cultural contexts yet to be investigated. By over-emphasizing the role of structure, the grassroots people were made to appear as mere tools.

The predominant position, which considers war as being part of the architectonics' structure of the system of states, defines peace as the absence of war. Peace in this view is mere appearance, a front, a playful moment, a mimetic act, that emerges when the 'real thing' in the

lives of the local people is somehow blocked. Thus, peace discourse has often failed to recognize the social interaction process which is created in the everyday lives of the local population. It is through social interaction during our entire lives that we begin to learn what is to be expected, to see what is expected, and to act and react in expected ways. In so doing, we are constructing and maintaining the social order.

The recent text by Adrian Little (2014), titled *Enduring Conflict: Challenging the Signature of Peace and Democracy,* has challenged the idea that the absence of conflict is the foundation and norm of a stable political environment. By linking complexity theory and the notion of signature with case studies, Little argued that political processes need to be understood within their social and cultural contexts. In looking at countries involved in conflict transformation, he developed the idea of "enduring conflict", referring to both the enduring nature of political conflict and the endurance of people in conflict-ridden societies.

Little's argument addressed the many ways in which conflict persists and continues to characterize social relations and identification in 'post-conflict' settings. Building on the theory of post-structuralism, Little investigated the use of binary divisions in theory and practice, arguing instead that conflicts have a spectral dimension, whereby they "sometimes linger unarticulated at the back of the stage" and manifest themselves through political institutions (2014:24). In a similar way, the anthropologist Chris Coulter (2009)[11] indicated that many of the international organizations and NGOs that implement post-conflict transitional justice mechanisms operate from a human rights framework described in legalistic

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[11] The book, *Bush Wives and Girl Soldiers: Women's Lives through War and Peace in Sierra Leone*, drawn from research gathered in the course of living in Sierra Leone for over a year, investigates war and its aftermath from the perspective of women. Most of the informants were women who had been abducted by rebel forces. Throughout the research, Coulter showed that these women carried out a variety of roles during the war, including soldiering, looting, domestic work, sex slavery, pseudo-foster parenting, and mediation (Coulter, 2009).

language. This framework, however, may not be accustomed to an in-depth examination of societal or cultural systems of meaning that exist separately from the context of conflict. Moving beyond traditional approaches, the post-structuralist paradigm poses questions about the types of strategies that ordinary people used in their everyday lives to cope in conflict and post-conflict society and how those strategies were informed by the cultural space in which they occurred.

By tracing the genealogy of the peace–conflict dichotomy, Coulter argued that the predominant peace discourse often relies on an assumption that, with the arrival of a politically-determined end to conflict, the lives of those affected by conflict improve. In this dichotomy, people either belong in peace or conflict: anything in between does not fit into these roles and the rigid scope that define the roles of people in society. Understanding this dichotomy raises the controversial question of whether participants' positions relative to society improve or worsen as a result of conflict. Coulter's analysis of post-conflict social relations is equally significant. Instead of reproducing the imagery of the post-conflict period as a time of progress and development, Coulter demonstrated that for grassroots people, particularly those who have acted outside their typical social position (e.g., insurgents or counter-insurgents) during the conflict, the post-conflict period can be a time of 'silence', 'repression', and 'conformity' as the people are encouraged or forced to return to socially ordained positions and behaviors. Rather than defining ordinary people as victims or perpetrators, communities labeled those people who had been with the rebels as "a social dilemma" (2009:212). In this sense, Coulter's work stands in stark contrast to the large body of conflict and post-conflict literature with its intention of locating and representing grand narratives, patterns, cohesions, and trends. She suggested investigating the ways in which local

people negotiate and/or contest these discourses, and the everyday dilemmas with which they live. For example, looking beyond the public activities of rebels and the armed forces, we see that, without the involvement of people's means of livelihood such as working in their jobs, operating businesses, undertaking schooling, and cooking (activities typically done by ordinary people during both conflict and peace), the warfare machine would come to a halt. As Coulter put it, "even during the war, the chores of everyday life had to be performed" (2009:116, as cited by MacKenzie, 2011). The performativity in the ordinary people's accounts, the reiteration and citation of existing discourses, are examined as well as the new possibilities that emerge.

The scholarship of post-structuralism has influenced many anthropologists investigating the peace process in a particular society. Thus, in *The Anthropology of Peace and Nonviolence*, Sponsel and Gregor (1994) proposed that the peace initiative should be adjusted in a holistic way. Looking beyond the study of history, culture, and politics as separate entities, the holistic approach examines how this entire social phenomenon involves interaction between these contexts (Little, 2014; Sponsel and Gregor, 1994; Douglas, 1992). Such a perspective requires identification of the root causes of conflict in a broad historical, political, social, and cultural context, given the fact that options for peace and conflict are largely the products of existing social structures. By adopting the holistic approach, in this study, I trace how all these discursive practices contribute to the materialization of the existing discourses of peace.

The discourse analysis approach actually allows the use of various theories and methodologies in a particular research study (Denzin, 1978). In adopting these multiple methodological approaches, I have used different theories such as colonialism, tribalism, sociocultural approaches to peace, political bipolarity, etc. All these theoretical components have been used

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as guidelines to investigate the findings. Details of the theoretical discussions are provided in Chapter 2.

1.6.3 Theoretical aspects: relationship between thesis arguments and empirical evidence

The specific case of peace discourse is generally understood by multiple agents, multiple theories, or multiple methods (Jørgensen and Philips, 2002). I have identified four major theoretical aspects that are relevant to the CHT peace process. Firstly, I have adopted colonialism theory in order to investigate the historical causes of conflict. Secondly, the relationship between the tribalism policy and colonialism is discussed. The relationship between the colonial legacy and the tribalism policy has been the root cause of conflict in various indigenous communities around the world. The case of the indigenous people of the CHT is no different to that of other indigenous societies. I argue that, although the tribalism policy was introduced by the British colonial government, it resiliently persisted in the post-colonial regimes, even in the CHT Peace Accord. Thirdly, I consider the sociocultural approach to peace discourse, with this theoretical approach mostly discussing the limitations of the state-centric or political party-based peace-building model. In this section, it is argued that excessive concentration on political debate creates barely any space for the participation of ordinary people. Fourthly, this argument is supported by following the theoretical debate, namely, the 'bipolar view of polity'. After locating several research studies on South Asian countries, the final section discusses how negotiations between political leaders have created little space for local people. Alongside the political dialogue, the sociocultural approach suggests that the peace discourse should consider the perceptions or participation of local people which have been mostly ignored.

Finding a suitable theoretical framework in which the CHT peace process could be discussed in a holistic way was a major objective in undertaking this study. Thus, I have tried to relate the peace process to these theoretical paradigms. In so doing, I intended primarily to create the argument that the peace discourse should not be considered only as a political dialogue, but should also include the agency and everyday negotiation process of the ordinary people. The theoretical discussions not only helped me to investigate the peace discourse paradigm but also to analyze my empirical findings in the following chapters and to conclude my thesis. Before analyzing the main empirical findings later in the thesis, Chapter 2 addresses in detail the study's major theoretical grounds (i.e., colonial legacy, tribalism, socio-cultural context of peace, and bipolar view of polity).

Thesis Design
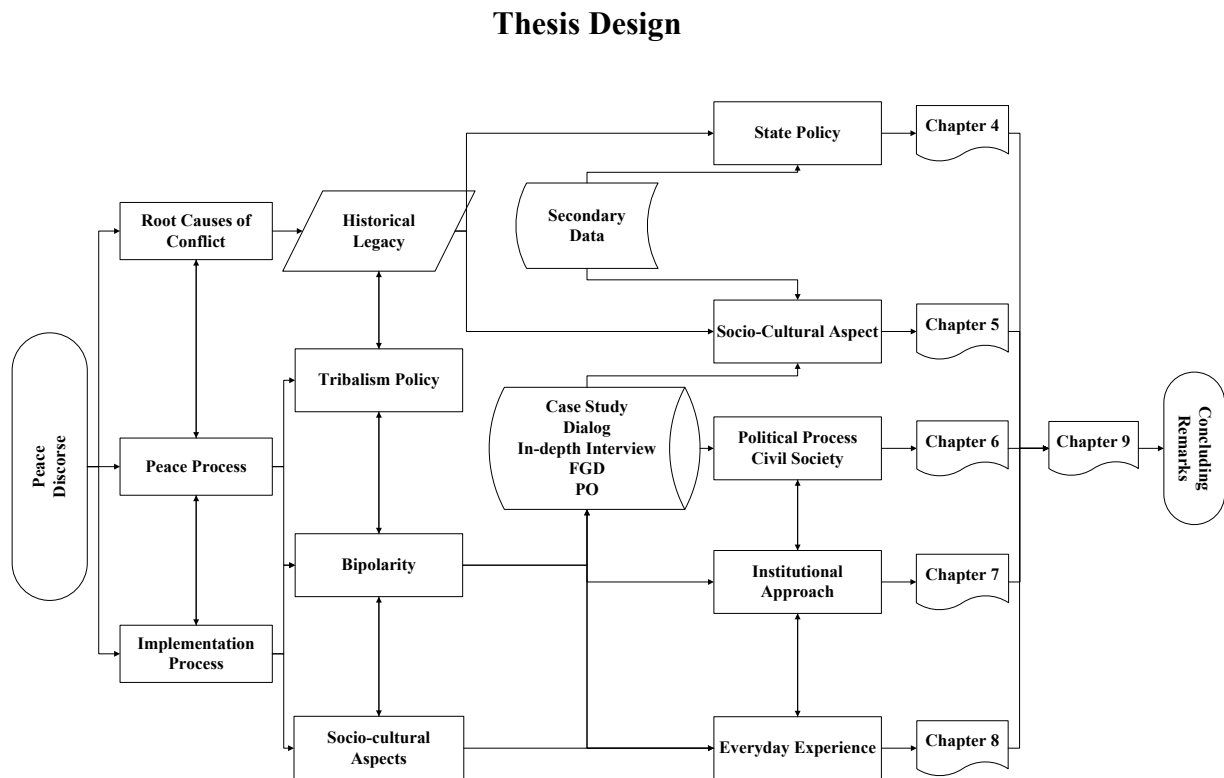
Figure 1.3: Theoretical framework

Notes: FGD=focus group discussion; PO=participant observation

The study's empirical data and analysis have been organized in regard to these four theoretical lines of enquiry. Before analyzing the study's main empirical evidence, it is necessary to discuss the theoretical paradigm shift in this arena. The shift and current discourses are thus discussed in Chapter 2 in regard to the above-mentioned lines of enquiry. Through this discussion, I realized that this review would be incomplete if it failed to consult the peace literature. Therefore, I have not only reviewed the literature but have also built an analytical framework through the review process.

1.7 Significance of this Thesis

This thesis presents key insights and understanding gained through this study which could contribute to three areas of scholarly inquiry. These areas are evidenced through the development of the arguments within the chapters of the thesis.

The first contribution is that this research is a systematic detailed ethnographic study which deals solely with the experiences of local people regarding the CHT Peace Accord at the grassroots level. Studies by political scientists of the CHT Peace Accord often tend to focus on the negotiations between political parties. The processes of implementation are similarly given importance. On the other hand, when the CHT issues are studied by anthropologists, the focus is on the historical formation of ethnic categories, gender-based violence, and development discourse. No anthropological studies on the CHT have precisely focused on the CHT Peace Accord. This thesis makes a substantial claim of originality, based on the ethnographic research itself, and on the linkages between the empirical evidence, the application of theoretical concepts, and the anthropological research methods.

In regard to the second contribution, this thesis seeks to provide a holistic understanding of the

CHT conflict in Bangladesh. By examining the historical legacy, political economy, sociocultural issues, and everyday experiences of local people, the central argument of this thesis investigates the dynamics of conflict in different cross-cutting layers. While history, politics, and economics have been the largely debated issues in previous investigations, the symbiotic relationship between these aspects has rarely been investigated in a holistic way. By adopting this holistic approach, I have investigated the interdependency of these discursive practices and, through this, have attempted to trace how it has played its part in the existing CHT peace discourse.

On the other hand, a common trend has been to identify the Jumma communities as largely powerless or as victims in the face of the state authority. Even when research studies have considered the marginalization of the Jumma people, they have focused mainly on their vulnerabilities, instead of focusing on the diverse socio-political sphere. My thesis has added knowledge in this field by considering the interconnected nature of conflict variables in diverse areas of their lives, such as their displacement from their ancestral lands, political negotiation, participation in the peace process, their experiences of violence, and their (un)recognized everyday forms of resistance. My analysis has not been restricted to identifying conflict: rather, it has transcended multiple layers of livelihood/survival strategies and everyday negotiation within the broader scope of their different life experiences.

My third claim of originality is that this thesis provides a distinctive framework for analyzing the CHT peace process. To explore the CHT Peace Accord, this thesis has re-examined the concept of peace discourse. An explicit rejection of the peace–conflict *dichotomy* is often found in post-structural scholarship. The application of the post-structuralist approach in the CHT peace issue provides a framework for understanding the local circumstances, the

everyday negotiations, and the root causes of conflict, as well as the success or failure of policy making and policy implementation. In order to establish a framework for analyzing the peace discourse in an area of conflict such as the CHT, I have reinvestigated four theories under the epistemology of the "anthropology of peace": colonial legacy, tribalism policy, socio-cultural aspect of peace, and bipolar view of polity. I have argued that the combination of all four theories provides better grounds for a clearer understanding of the complexity known as the 'peace process of the Chittagong Hill Tracts (CHT)'.

To gain further insight and to critically analyze the Peace Accord, I have argued that the lack of political will for implementation and the lack of appropriate measures for identifying the root causes of conflict have both contributed in numerous ways to the conflict dynamics especially in the post-Peace Accord period. This thesis shows how the continuation of colonial categories reinforced 'tribal' identity in the Peace Accord and made it the national policy structure governing the political, social, and economic lives of the Jumma people. The problem of identity formation has drifted into the region, establishing the CHT as a conflict zone.

1.8 Structure of the Thesis

This thesis is divided into nine chapters, each of which has a close linkage between the historical antecedents and the current circumstances as they relate to the experiences of peace and conflict in the region. Chapter 2 deals with the theoretical aspects and the recent literature on the CHT issue. Chapter 3 discusses the research methods. Chapter 4 analyzes the historical background of the CHT based on the secondary literature. Chapters 5, 6, 7, and 8 are mostly empirical, using a combination of primary and secondary sources.

The next chapter (Chapter 2) of the thesis discusses four vital key concepts used in this study: colonial legacy, tribalism, the bipolar view of polity, and holistic approaches of peace. This study draws heavily upon and builds on recent scholarship in peace studies, and on the institutional effectiveness of development that focuses on the state, political stakeholders, relationship with local people, and interaction between political actors. Taking this into consideration, in this chapter, I attempt to highlight several caveats that require preliminary clarification in relation to their use throughout this thesis. In doing so, I first critically examine the existing literature on the CHT issue, with this followed by the key approaches used in the peace literature that relates to Bangladesh. I then critically examine the degree of intervention in 'promoting peace', and the nature of the Chittagong Hill Tracts (CHT). This seeks to set up a framework through which the empirical discussion can be drawn in Chapters 4, 5, 6, 7, and 8.

Chapter 3 introduces the main research methods. Broadly speaking, I adopt two research methods in the study. Firstly, I use extensive literature from a number of disciplines to analyze the historical formation of social forces in the CHT, with this forming the framework within which 'political' and 'non-political' actors pursue peace. Secondly, and most importantly, various qualitative research methods are used, for example, participant observation (PO), in-depth interviews, case study, and focus group discussions (FGDs). The experience of the field research is discussed in a separate section. As I argue, intensive studies in conflict areas by anthropologists are challenging not only for risky environments, but also in terms of social status, ethnic background, and the outsider role which are severely affected in following the classical methodology of anthropology (e.g., participant observation) in field research. I also contend that the causes of conflict are neither bounded nor static. Thus, I use the concept of

multisided ethnography (Marcus, 1995) in my research methodology.

Chapter 4 addresses in detail the historical circumstances. This chapter examines how the tribalism policy of the CHT was introduced during the colonial era, institutionalized in the post-colonial era, even after the independence of Bangladesh, and the way it has been used to govern the CHT people in the Peace Accord context. The aim is to provide a historical background of the CHT to complement the theoretical framework of colonial legacy established in Chapter 2. I argue that, within the historical context of peace and conflict within which the tribalism policy has been created and reproduced, new forms of power have been constructed, and various inequalities have deepened. This chapter provides an in-depth examination of the historical context of the CHT before Bangladesh's independence, by focusing on two major eras: British colonization and Pakistan.

Chapter 5 investigates how the conflict in the CHT has developed in the independent state of Bangladesh by focusing on two major issues: militarization and the Bengali resettlement project. While the purpose of Chapter 4 was to establish a historical background of the CHT in the light of colonialism or the colonial legacy, this chapter attempts to analyze how the colonial policy is still continuing after the independence of the Bangladesh state. My aim in this chapter is not only to examine the armed conflict between the army and the Shanti Bahini ("Peace Force"), but also to investigate how the villagers, in their everyday lives, have experienced the militarization and the Bengali resettlement process at the grassroots level. I argue that, while the politics of Bengali nationalism are central to CHT studies, until quite recently, in our accounts of militarization and Bengali resettlement, there has been a general failure to consider the interaction of the historical, social, and cultural processes that have made the region a conflict zone.

Chapter 6 addresses the major challenges faced by political parties and civil society organizations in Bangladesh in promoting 'peace' by means of political negotiations, and also questions the importance of the political process as the means of conflict resolution in the present context of the Chittagong Hill Tracts (CHT). Several major challenges of the political process of the CHT Peace Accord in Bangladesh are discussed. These challenges include the bipolarity of key political actors, the role of international organizations and civil society, and the political process's connection with the daily life experiences of the grassroots Jumma people along with those of the Bengali settlers. I argue that there are differences in the real-life experiences of the CHT people. Thus, I aim to show that, even with what the determining political dialogue has tried to establish, the whole phenomenon is neither homogeneous nor historically the same. Through this, I want to establish that, along with development/political/governmental intervention; the real story of the grassroots people is often different and carries multiple layers of understanding and realization.

Chapter 7 examines the institutional implications of the CHT Peace Accord. This chapter critically locates two of the major questions: in what changes in the conflict context did the Peace Accord result? And how has the Peace Accord affected the indigenous people? The chapter attempts to address these pressing questions by investigating the institutional responses to the implementation of the Peace Accord. After the signing of the Peace Accord, successive governments have developed laws and policies, and enacted institutions and organizations to implement the Accord. The role of government in executing policy is of immense importance as the government is a key factor not only in the peace agreement but also in implementing and sustaining peace. The attitudes of the state toward the implementation policy need to be analyzed from the viewpoints of the political party,

successive governments and institutions, and their actions at the grassroots level. The role of local Jumma political leaders is also significant as many of them are actively involved in these institutions. The relationship between Jumma leaders, national political parties, the government and the state is important in this regard. The role of the executive authorities of Hill District Councils, Regional Council, and other institutions can be noticed in practice. I argue that the politicization of these institutions has been affecting the execution of the Peace Accord at the grassroots level. In addition, I should mention that this politicization process has its unique features. While the executive bodies are highly interested in establishing their political and individual domination, the welfare of grassroots people is rarely considered. Thus, the relationship between different actors (the government, local political leaders, Regional Council, etc.) is multifaceted, with this an essential component in understanding the implementation process of the Peace Accord. The unique political relationship and the people's negotiations with this process made the case of the CHT Peace Accord quite exceptional.

Chapter 8 investigates the consequences of the Peace Accord at the village level. In previous chapters, I realized that, while many of the initiatives had already taken place at the different policy levels, in reality, actions were not observed in practice. The implementation process of the Peace Accord resulted in complex conditions at the local level, with multifaceted consequences. While the withdrawal of military camps was delayed, army operations still existed through their different discursive practices. Although it was true that no new military camps were established after the peace agreement, many newly-developed paramilitary camps were on the lands of the Jumma people. Thus, land acquisition continued in the name of improved law and order, while the Bengali settlers were supported by the army in the name of

infrastructural development. The increasing numbers of Bengali settlers through the resettlement program continued to violate the customary rights of the Jumma people. The army–Bengali co-relationship affected the everyday lives of the Jumma people who still suffered from communal massacre, land grabbing, and forceful eviction from their own land. In addition, some in-group feuds have also arisen between different Jumma groups. In the post-Accord context, many of the recent studies regarding the CHT have been deeply concerned with the conflict between the Bengali settlers and the Jumma people. However, the dominant approaches and binary division of conflicts between Bengali settlers and the Jumma people have rarely investigated the recent 'in-group feuds' within the Jumma community. By locating multiple conflict scenarios at the village level, I argue that the Peace Accord not only contributed to reducing conflict, but also, at times, aided in increasing conflict and contributed to further conflicts. While the Peace Accord has reduced the armed conflict between the army and Shanti Bahini ("Peace Force"), many in-group feuds had already started due to the dissatisfaction of many Jumma political stakeholders. I argue that, although it is important to locate Bengali–Jumma dichotomy in the recent conflict scenarios in the CHT, the Jumma people have faced many difficulties in recent group conflicts between the United People's Democratic Front (UPDF) and the Parbatya Chattagram Jana Sanghati Samiti or United People's Party of the Chittagong Hill Tracts (PCJSS).

Chapter 9 concludes the thesis. It first briefly revisits the objective of the thesis: it then summarizes the key stages of the arguments and the main findings of the thesis. It finally presents the implications of the study and provides directions for future research.

Chapter 2: Theoretical Discussion

2.1 Introduction

The principal aim of this chapter is to examine the burgeoning literature on peace studies and the debates surrounding peace discourse. Based on the conceptual framework in the previous chapter, I argue that the notion of peace is neither homogeneous nor static. Peace discourse has shifted its analytical structure from state-centric macro-level analysis to micro-level sociocultural analysis. In particular, the anthropological view of peace understands not only the structure of peace or its inter-state relationship, but also its non-state cultural context where the experiences at the grassroots level are significant. This approach offers the investigation of the interrelationship between the political factors and local circumstances of a particular society (Little, 2014; Coulter, 2010; Sponsel and Gregor, 1994). Within this interconnectedness of the different actors, we can locate the history of relationship, everyday negotiation, agency, and conflict dynamics. Based on these areas of scholarship, I suggest that a holistic approach is most appropriate for peace studies, given the fact that options for peace are largely the products of the existing social structure.

This chapter begins with the introduction of the theoretical discussion. In this study, various theories and concepts relevant to examining the peace process of the CHT have been adopted: colonial legacy, tribalism, socio-economic context of peace, and bipolar nature of politics. This debate seeks to establish a theoretical framework through which the empirical evidence can be woven in the following chapters. The previous literature on CHT peace issues is then reviewed. Previous research studies, conducted on the CHT conflict, have focused on macro-level issues: the politics of nationalism (Zaman, 1984; Mohsin, 1997); ethnicity, racial

and ethnic differences (Uddin, 2010; Tripura, 1992); and class differentiation and land-based violence (Dewan, 1990; Adnan and Dastidar, 2011; Tripura, 2008; Roy, 2000). However, the interrelationships between these factors and the interaction of the broader issues with the local people have rarely been investigated. Finally, this chapter concludes with the argument that various components (e.g., politics, economic factors, and sociocultural factors) are interrelated when attempting to analyze the CHT peace process.

2.2 Theoretical Aspects of Different Chapters

The specific case of peace discourse is generally understood by using multiple agents, multiple theories, or multiple methods (Jørgensen and Philips, 2002). Four major theoretical aspects relevant to the CHT peace process have been identified in this study. Firstly, colonialism theory has been adopted in order to investigate the historical backdrop of the causes of conflict. Secondly, one of the basic root causes of conflict in various indigenous communities around the world, the relationship between colonial legacy and tribalism policy, is discussed. Although tribalism policy was introduced by the British colonial government, I argue that it has continued to persist in the post-colonial regimes, and even in the CHT Peace Accord. Thirdly, the sociocultural approach to peace discourse is discussed mostly in relation to the limitations of the state-centric or political party-based peace-building model. As argued in this section, over-concentration on the political debate has created hardly any room for participation by the ordinary people. This argument is also supported by the following theoretical debate, namely, the 'bipolar system of polity'. After locating several research studies on South Asian countries, the final section discusses how the negotiation between political leaders has created little space for the local people. The sociocultural approach suggests that, in addition to political dialogue, peace discourse should be considering the

perceptions or participation of local people which have been virtually ignored.

The major objective is to establish a suitable theoretical framework in which the peace process of the CHT can be discussed in a holistic way. Thus, I attempt to relate these theoretical paradigms to the CHT peace process. The overall purpose is to develop the argument that the peace discourse should not be considered only as a political dialogue but should also include the agency and everyday negotiation process of the ordinary people.

2.2.1 Colonial legacy

Peace discourse suggests that the root causes of conflict be traced historically. In order to investigate the historical background of the CHT conflict, the notion of colonial legacy was found to be a suitable theoretical phenomenon in this study. The colonial past is present in the contemporary world in several ways, some evident, some uninvestigated. Several academics have tried to work through this phenomenon in post-colonial settings all over the world. The notion of colonial legacy has been used to describe the impact of colonialism on a nation and its people, with this continuing into current times. However, in post-colonial literature, the term 'colonial legacy' has often been used in a critical way to narrate some adverse features of contemporary societies to their alleged colonial backgrounds (Cooper, 1996). At the same time, some post-colonial scholars have identified the term by analyzing relationships between the colonizer and the colonized people. Broadly coined by L'Estiole (2008) as "colonial relations", this relationship organized European contact with a large part of the rest of the world between the 15th and 20th centuries. These "colonial relations" have historically comprised many practices, including: subjugation, revolt and domination, scientific investigation, sacred missions, education and health care, underdevelopment, peace-building processes, trading and

economic exploitation, travel, art, migration and population resettlement, etc. Colonial relations, often marked by supremacy and violence, are however more suitably considered through the diverse processes of adoption rather than by the complete annulment of the colonized.

The most significant post-colonial studies of colonial legacy found their origins in the late 1970s, inaugurated by the effort of Edward Said's *Orientalism* (Said, 1978). Said's work can be seen as a contribution to a better understanding of the operations of cultural supremacy. In this sense, for Said,

> Orientalism can be discussed and analyzed as the corporate institution for dealing with the Orient—dealing with it by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short Orientalism as a Western style for dominating, restructuring, and having authority over the Orient. (Said 1978:3)

More specifically, Said defined the four components of orientalism: classification, expansion, historical confrontation, and sympathy. These are the consequences of 18th century European thought that create the existence of the specific academic and institutional structures of modern Orientalism. Said endorsed Orientalist discourse as the basis for all additional study and discourse on the Orient by the Occident. Similarly, Smith stated that "it would be a mistake to conclude that … decolonization marked the end of the empire. It did effectively signal an end to colonialism as a specific form of empire, but imperial interest and global reach continue to be present" (1994:268).

In this view, post-colonial theory plays out through a number of different processes and interactions between agents from the West and the developing world. The term is also being

used to critically and historically analyze underdevelopment, identity formation, ethnic conflicts, and 'peace-keeping' military interventions, as well as more generally unequal relationships between 'the West and the Rest', that is, corrupt and authoritarian regimes in non-Western countries. However, the notion of colonial legacy itself is of a challenging nature, not only for the study of the history of post-colonial studies, but also for wider anthropological academic practices. [12] Asad proposed that "anthropologists before independence were 'apologists for colonialism' and subtle agents of colonial supremacy" (1973:15). Asad claimed that the "social-scientific" studies of anthropology through its scholarship of non-Western societies became a "reluctant" assistant in the control of colonized people. Asad discussed the relationship between anthropology and colonialism in what is well known as the self-reflexive approach. However, self-reflexive approaches that historicized political economy were assessed for their absenteeism of a cultural critique. This argument was motivated by the 'interpretivist' anthropologists[13], Geertz (1973), Rabinow (1977), and Marcus and Fischer (1986). According to interpretivist argument, the ideas of 'ethnography' and 'culture' themselves were also criticized for their involvement in colonial and post-colonial "essentializations" of ethnic entities.

Clifford and Marcus (1986) identified this condition as one between the objectivity claimed by anthropologists as 'experts' in their selected research location, tribe/indigenous people, or social system, and the subjective nature of written representation through ethnography. Clifford and Marcus argued that, if, instead, the method of social-scientific ethnography was subject to historical assessment, then the notion of 'culture' itself could also be contextualized.

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[12] The investigations of colonialism in anthropology were broadly divided into two approaches: self-reflection and interpretivist (see details in the writings of Pels, 1997; Pinkoski, 2008; L' Estiole, 2008).
[13] The 'interpretivist' approach agreed with anthropology's historical relationship to colonial practices, and required the building of a new anthropological method to address its limitations (see Pinkoski, 2008).

In a similar vein, the concept 'colonialism' also needed to be considered as 'culture' and, at least partially, to be examined as an instrument of colonial power (Dirks, 1992b). This approach further offered to investigate the concept of 'history', which needed to be deconstructed by asking which stories it culturally privileged. This point has been made with force by Subaltern historians, particularly the Subaltern Studies Collective (Guha et al., 1982–1994; Pandey, 1990; Prakash, 1992). The approach has delivered analytics to anthropologists of colonialism in the debate between anthropologists and historians. This has been achieved by the anthropological argument that the historians who like to remain close to the ground of a specific historical collection wish to be countered by more attention to the documentation of the collection's cultural construction in the past (Pels, 1997; L'Estiole, 2008). This argument on colonialism and anthropology has enthused 'interpretivist' scholars, and eventually the close link between the two views has formed one of the leading methodological leanings in the anthropological theory of colonialism in recent epochs (Marcus and Fischer, 1986; Marcus, 1999; Clifford, 1992). The 'interpretivist' approach has established a new purpose and method for anthropological examination that incorporates "the hermeneutic insight that the investigator is always situated and must understand the meaning of his cultural practices from within them" (Dreyfus and Rabinow, 1983:xii).[14] Thus, this approach raises important questions about the study of colonialism and the dynamic interplay of different forms of methodology.

Today, anthropology has moved on from the unchallenged accounts of 'subjects' and 'others' in a post-colonial context. Ethnography has moved from the dictatorial construction of colonial subjects to a more empathetic voice in cross-cultural dialogue. Gupta and Ferguson

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[14] Cited in Pels (1997)

(1992) also identified that there are 'others' in our own societies: as a consequence, we have realized the rise in anthropology of 'at home' or 'halfie[15]' anthropologists (Abu-Lughod, 1991:137). In these settings, as Pels (1997) has argued, the main object has been "the study of the representations of the colonized by the colonizers 'in the context' of the practical engagement and entanglement of the two". In this vein, the study of colonial legacies or colonialism in anthropology is an ability to open up fruitful avenues for inquiry on 'the past as it lives now', with fieldwork activities and comparative study on the various ways of dealing with colonial legacies in former imperial capitals, or in former colonial boundaries, among intellectuals or peasants (L'Estoile, 2008). The approach investigates the legitimacy of much of the existing writing on the history of development and imperialist representations: in addition, it fundamentally denies the argument that the influence of the colonial era is over, by highlighting the contemporary consequences. Post-colonial theory has become a significant tool for anthropologists who have adopted a critical approach to the role of the West in describing the development plans of 'Third World' countries. This mission may explore the modes of the presence of the past which makes sense of a shared history of relationships.

2.2.2 Tribalism

The important legacy of colonialism was rooted in cultural superiority and changed the economic mode of life of the colonized people. At the most basic level, cultural superiority

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[15] The term *"halfie anthropology"* clarifies the 'self–other' distinction central to the paradigm of anthropology (see Abu-Lughod, 1991). Similarly, Clifford (1986) argued that ethnography can only represent partial truths. In recent decades, this common assumption among anthropologists is perfectly illustrated in Malinowski's posthumously published *A Diary in the Strict Sense of the Term* (1967) in which the homogeneous picture that the Polish-born anthropologist drew of the Trobriand society by representing "the native's point of view" became scattered and questionable by his frustration with the indigenous, the author's sexual fantasies with the Trobriand women, the officially denied relationship to other white people in the field, and his homesickness.

was dependent on the 'divide and rule' policy and the distinction between 'tribal' and 'non-tribal' colonized people (Dirks, 1999). Moreover, the colonial power constituted this 'tribalism' in various ways. In this context, at least three domains are considered important: (1) 'tribes' were seen as savages for having primitive religious practices and sexual practices that were emphasized as being both immoral and exotic (Marriot, 2003; Xaxa, 2005); (2) 'tribes' were seen as pre-modern and, for this reason, colonial governments tried to convince them that effective participation in the modern world required them to discard their own identities and cultures and become more like Europeans; and (3) 'tribes' were represented as practicing 'primitive' modes of subsistence agriculture: for this reason, colonial rulers forced them to change their existing economic arrangements, although the extent of the results varied from area to area (Prakash, 1992). All of these domains played significant roles in constructing tribalism in the colonial period. In fact, European civilization was exhibited as the symbol of modernization. In this context, colonial rulers considered that there were various levels of cultural evolution with tribal societies thought to be on the bottom level. This kind of knowledge was embedded in Darwin's law (or theory) of evolution by natural selection. The construction of knowledge was confused with a positive view of the advanced evolution of societies towards a higher status of maturity, that of nations with a long tradition in the West (Lewis, 1973). Consequently, this construction powerfully governed the development of the identity of colonized people and their livelihood policy in the post-colonial period.

As in indigenous societies around the world, the Jumma people of the CHT have gone through similar experiences of tribalism, as imposed by the colonial government. The existing conflict in the CHT is rooted in the British tribalism policy because the colonial category of tribalism was not only maintained by the colonial authorities, but also by the independent state

authorities in the regimes that followed. Thus, in this thesis, the term 'tribalism' is examined in many places. Chapters 4, 5, and 6 present the investigation of the historical consequences of the tribalism policy as well as analysis of recent policy.

2.2.3 Sociocultural approaches to peace: (re)visiting the notion of "cultural violence"

In conventional peace studies, the conceptualization of peace is mostly focused on the state, politics, and structural factors, with importance given to dialogue and negotiation between political parties. This approach has long been criticized for the lack of attention to the cultural milieu. However, since the decade of the 1980s, several investigations of peace and conflict have looked within particular cultures, emphasizing the culturally-specific nature of peace and conflict. Although Galtung's (1990)[16] efforts opened a space in which to identify the root causes of conflict in the cultural context, this space has been vigorously rearranged by academic scholarship in recent decades. More specifically, the anthropological contribution to peace studies is the research direction toward cultural anthropology which has been very accessible to the paradoxes and disputes-related study of culture and peace (Sponsel, 1994; Oda, 2007).

However, the conceptualization of culture is itself a challenging matter not only for the study of peace, but also for wider anthropological academic practices. The discussion of the "paradigm shift of conceptualizing culture" (from the essentialist view to the post-structural paradigm) is important in this regard. The essentialist view of culture analyzes the world as being made up of distinct peoples each with their own distinct way of life. This world view of culture is spatially located and bounded: it is based on inherited meanings and values which

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[16] Galtung's (1990) definition of "cultural violence" is discussed in detail in Chapter 1.

have been passed down unchanged and which are shared equally by all members of the culture. In this viewpoint, national and ethnic identities are portrayed as innate meanings where some natural, biological, and genetic characteristics are at the forefront. As argued by Grillo:

> By 'cultural essentialism' I mean a system of belief grounded in a conception of human beings as 'cultural' (and under certain conditions territorial and national) subjects, i.e. bearers of a culture, located within a boundaried world, which defines them and differentiates them from others. Equally worthy of explanation is that loose on the streets is not just culture, but anxiety about culture: 'cultural anxiety'. (2003:158)

In its criticism of the essentialist paradigm, the constructivist approach argues that culture cannot be seen as innate or static, but is, instead, a product of socio-political practices. This scholarship has claimed that culture is a product of socio-political practices in which various dimensions of power in a society have been playing a significant role (Grillo, 2003; Staszak, 2008). In this vein, culture should be studied as a situational atmosphere with multiple surfaces (Milne, 2009).[17] On the other hand, the definition of culture is mostly based on the 'self–other' dichotomy in conventional anthropological literature. Therefore, an explicit rejection of this *dichotomy* is found in post-structural scholarship. According to this view, otherness is the outcome of a discursive process by which a dominant in-group ('us', the 'self') creates one or more dominant out-groups ('them', the 'other') by denouncing a difference—actual or fictional—that represents a negation of identity and thus a motive for possible discrimination. Although, at times, it appears that the 'other' is valued, for example, as with exoticism, this is done in a stereotypical, reassuring fashion that serves to comfort the 'self' in its feeling of superiority (Staszak, 2008).

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[17] Milne's (2009) discussion of the theoretical paradigm of culture helped me to revisit the notion of cultural violence.

The paradigm shift in theorizing culture has been a significant influence in defining 'cultural violence' in the peace literature. As discussed in Chapter 1, the transition between non-violent and violent forms of conflict in Galtung's structuralist paradigm is grounded in the recognition of indirect forms of conflict. Violence is often labelled as two discrete forms: direct and indirect. Galtung went on to say that "[s]ymbolic violence built into a culture does not kill or maim like direct violence or the violence built into the structure. However, it is used to legitimize either or both" (Galtung, 1990:292). The structural categorization of cultural violence (e.g., religion, art, language, etc.) is constructed as evidence of the normative hegemony of the Western value system with its goal for peace, in comparison to the values of the 'other' society (Coulter, 2010). Yet this categorization does not accurately reflect that underlying social norms regarding violence may exist on a continuum running through society. Therefore, it is crucial to recognize that the grassroots people may experience different types of suffering during and after conflict—in some cases, the local people may view their situation as improving, in others, as deteriorating.

In this context, the 'reflectivist' scholarship has created fruitful preconditions for re-examining the relationship between culture and conflict, starting with the reconsideration of the social role and functions of the conflict itself. Rather than conflict being viewed as a certain effect of competition for power (as in realism) or as a deviation from the enlightened norm of social harmony (as in liberalism), conflict became reconsidered as an avenue of social development, occurring through the clash and competition between different agents of social and political advancement (Miall et al., 1999, quoted in Milne, 2009). In a similar way, through the constructivist framework, scholars from the area of peace studies have attempted to identify the relationship between cultural meaning and conflict. As stated by Lederach (1997):

> Social conflict emerges and develops on the basis of the meaning and interpretation people involved attach to action and events ... From this starting point, conflict is connected to meaning, meaning to knowledge, and knowledge is rooted in culture. (1997:8)

The most significant role of cultural analysis in the peace study is defining the importance of the power dimension of culture and the cultural construction of the power practice of politics (Duffey, 2000). In this perspective, the idea of politics is not restricted to a particular sphere (e.g., the state, political parties) nor is it a novel phenomenon. It is revealed in a critical notion of politics, happening 'everywhere' or, with respect to specific 'local' perspectives, in the impracticality of absolutely isolating the domain of the 'political' from other societal and cultural processes (Ellis, 1999).

All of these theoretical paradigms have shaped the notion of cultural violence in a new way, focusing on culture as a way of countering the power differences between, and among, the interveners and local inhabitants in conflict regions, as well as those noticed as being against the power effects of the discourse on culture itself. The recent paradigm of post-colonial studies has allowed us to negotiate or re-negotiate the many practical predicaments of studying the social dynamics of power at a more general level. The post-structuralist approach[18], in particular, reveals numerous important problems that can arise if transitions to a post-conflict era are not implemented with a holistic understanding of society. Adrian Little (2014), in looking at countries involved in conflict transformation, developed the idea of "enduring conflict", referring to both the enduring nature of political conflict and the endurance of

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[18] Scholars, such as Little (2014); Coulter (2009), are considered as representatives of the 'post-structuralist' or 'deconstructionist' position in peace studies. Although I am aware of the problems of homogenizing their positions, throughout the thesis, I shall treat these scholars as deconstructionist, as they deconstruct 'peace discourse'.

people in conflict-ridden societies. He challenged the idea that absence of conflict is the foundation and norm of a stable political environment. Little argued that political processes need to be understood within their social and cultural contexts. In this vein, Coulter (2010) challenged the dichotomous approach of peace versus conflict which has been used in mainstream peace studies for a long period of time. She raised at least three arguments: firstly, within the peace–conflict dichotomy, people either belong in peace or in conflict—anything in between does not fit into these two roles—a rigid scope that defines the roles of people in society. Secondly, the dichotomous approach relies on an assumption that with the arrival of a politically-determined end to conflict, so too comes an improvement in the lives of those affected by the conflict. Thirdly, the dichotomy raises the controversial question of whether participants' positions relative to society improve or worsen as a result of conflict. Rather than seeing conflict as a state of exception or a period of turmoil that can be contrasted with politics as usual, Coulter attempts to show how the social interactions that drive conflict, including forms of hierarchy, are deeply connected to pre-conflict and post-conflict social order. Coulter offered the initial assumption underlying her analysis: "War is not exempt from the social but creates its own social orders" (Coulter, 2009:9).

By tracing the genealogy of discourses on peace, MacKenzie (2011) showed that the experience of conflict can often appear as a list of numerical calculations: civilian casualties minus military casualties, cultural violence plus political violence, and/or internal displacements compared with refugee flows. These long lists of numbers tend to define the intensity of a conflict and are used to illustrate conflict as a period of exceptionality, in which so-called normal laws, behaviors, rules, and norms are displaced by disorder. What is lost in this emphasis on statistics and exception are the multiple ways in which war and violence

affect the everyday lives of individuals. The conventional study of conflict seems to be the antithesis of the study of everyday life. Thus, MacKenzie suggested dealing with the performativity in ordinary people's accounts, the reiteration and citation of existing discourses, as well as the new possibilities that emerge.

In line with the above discussion, I came to realize that the debate surrounding peace and culture is an ongoing process. Although it seems like a 'never-ending debate', these competing paradigms gave me a fruitful understanding of the framework regarding the notion of peace, conflict, and culture. The ongoing debate about the relationship between culture and conflict plays an important role in my research. The notion of cultural violence (founded by Galtung) is important in analyzing the sociocultural context of conflict. However, the recent scholarship (post-colonial or post-Cold War theory) re-conceptualizes this notion by interrelating with other phenomena, such as history, politics, and the everyday experiences of ordinary people. This transformation considers the cultural diversity which underlines the important influence of the global view, cultural values, and relationships among the people in a particular society. Grounded in these theoretical perspectives, I intended to examine the everyday circumstances of the grassroots people of the CHT in relation to the peace process.

2.2.4 Bipolar system of polity[19]

While most of the mainstream literature has focused on the political solution as a method of peace building, my argument is that the negotiation between political leaders creates little space for the local people. My current understandings of the critique of political organizations have been profoundly influenced by a variety of intellectual debates. In recent years, several attempts by social scientists have sought to question the role of political leaders in the social sectors. However, globally, it is not a new argument to point out that the "monopoly of state politics" is a consequence of the adverse role of political leaders. As noted by Weber: "[a] compulsory political organization with continuous operations will be called a 'state' insofar as its administrative staff successfully upholds the claim to the monopoly of the legitimate use of physical force in the enforcement of its order" (1978:54).

Drawing on Weber's idea, many academics have tended to analyze the state's institutional character as an organization or set of organizations, its functions especially regarding the making of rules, and its recourse to the coercion "monopoly of the legitimate use of physical force" (Migdal, 1994, cited in Islam, 2012). In this view, Reuschmeyer and Evans claimed "the state to be a set of organizations invested with authority to make binding decisions for people and organizations juridically located in a particular territory and to implement these decisions using, if necessary, force" (1985:46-47).

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[19] I borrowed this argument from Islam (2012) who draws on the case of Bangladesh. According to Islam, "the neopatrimonial Bangladesh state has a lack of administrative capacity, effective institutions and coherent ideology, and thus, is unable to carry out developmental as well as economic goals. In other words, as a consequence of loss of state capacity, the state's ability to define and pursue basic services has declined over the years and been rendered incapable or rarely capable to provide basic services to its citizens. Most importantly, the neopatrimonial regimes of Bangladesh survive based on patronage politics, where personalized exchanges are the mechanisms of the government. Thus, the neopatrimonial regime is the antithesis of good governance as well as the antithesis of development" (2012: 8).

Acemoglu and Robinson (2012) have provided a number of interesting examples which include North and South Korea. For instance, they claimed that Korea is one of the most homogeneous nations in the world, yet the people of South Korea are among the richest while the people of North Korea are among the poorest. It is political management that has created completely different institutions that promote development in South Korea. In the context of South Asia, social scientists have increasingly questioned the role of political leader in the social context. Particularly in Bangladesh, many key concepts have been used by scholars in explaining the polity, which include: criminalization of politics, confrontational politics, eroded governance, massive corruption, lack of accountability and transparency, and the absence of the rule of law (Islam, 2012). Sobhan's work can be seen as a contribution to a better understanding of the operations of political supremacy on the ordinary people (Sobhan, 2000). In this sense, he showed how political leaders, political parties, and political culture systematically criminalize politics in Bangladesh. He claimed that political activists now increasingly use *mastaans* or hoodlums as a political resource in their contention for party office and use state patronage to access public assets. Politically-patronized *mastaan* culture has institutionalized itself over successive regimes. This extra-legal activity is now turning into a basic part of the election system used in securing a support base in particular areas (Sobhan, 2000). The consequences of *mastaan* culture on Bangladesh society are live and substantial in manipulating and determining the functioning of the country's key political organizations as well as the behavior of the major actors. Successive governments have failed to execute the very basic functions of a polity, that is, ensuring law and order, establishing justice, and collecting revenue from citizens (Sobhan, 2004). Ordinary people, at present, are confused with the law of democratically elected governments and their shameless politicization of everything in the society and their incapability to govern. As a result, the state

is now caught in a large economic trap of corruption (Barakat, 2003; Siddiqi, 2011, as cited in Islam, 2012).

As in the national politics of Bangladesh, a strong bipolar system of polity exists in the Chittagong Hill Tracts (CHT). Since the Peace Accord in 1997, the almost equal strength of the two major political parties' duopoly has existed not only in the national political system, but also in the regional political structure (for the role of the UPDF and the PCJSS).[20] The ordinary Jumma people are now caught in a political trap of criminalization. In order to provide legal security to the local Jumma people, the state institutions need to be effective. In this study, by employing the framework of political bipolarity as presented in this section, I therefore particularly focus on the underlying limitations of the unregulated peace process in the CHT and the resultant need to protect the ordinary people.

2.3 Literature Review

The previous section reviewed the major existing theoretical approaches of peace discourse. It also described historical, political, economic, and sociocultural issues, which have proved the weakness of the existing paradigm, thus necessitating the shift to a new one. Regarding the root causes of conflict in the CHT, scholars, on the basis of political and economic analyses of the peace negotiation, have advanced three different views. Firstly, from the historical point of view, the conflict in the CHT is deeply rooted in the British colonialism process. Secondly, some believe that the crisis of the conflict is a consequence of the politics of Bengali nationalism which have drifted the region into conflict on a massive scale between the Jumma

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[20] In this thesis, I have termed the conflict between the UPDF and the PCJSS as "in-group feuds". However many of the ordinary people of Jumma society have termed the conflict as a "brotherhood conflict", as the conflict has arisen between the Jumma communities. I have discussed this situation in detail in Chapters 7 and 8, with ethnographic evidence.

people and the military or the Jumma people and Bengali settlers. These scholars further examined the Peace Accord when their focus was on political negotiation for building peace between different political parties (Zaman, 1984; Mohsin, 1997). Thirdly, others have argued that economic exploitation, for example, the land issue is one of the crucial causes of conflict in the hills region. Other literature on the CHT issue is discussed in the following subsections.

2.3.1 British colonial legacy as root cause of conflict

As with many other indigenous communities around the world, the history of the Jumma people of the CHT in Bangladesh has been addressed by many scholars. The study of the CHT began in the British colonial period when colonial administrators researched the Jumma people for their administrative purposes. The 19th century's colonial ethnography of the CHT adopted the European notion of tribalism, which was replicated in the works of Captain Lewin (1869)[21], Hutchinson (1906), and others. The colonial ethnographers founded the 'tribal' identity of the CHT people in various ways: "savages" for having primitive religious practices; "immoral" and "exotic" for their sexual practices; and "primitive" for their subsistence agriculture. Captain Lewin, a British administrator, classified them as a "wild race" of people. The colonial authorities projected the physical difference between 'tribe' and 'hill tribe' with the Jumma populations of the CHT portrayed as 'hill tribes'.

Moreover, identity formation continued to be carried out in the independent Bangladesh as part of the colonial legacy. The colonial authors' methods were complemented by several other representative works on the topic of the Chittagong Hill Tracts (CHT). Some Bengali scholars have continued to use this kind of colonial terminology to identify the people of the

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[21] Lewin has been considered as the first ethnographer of the CHT, having written *The Chittagong Hill Tracts and the People Dwelling Therein* in 1869 (quoted in Tripura, 1992).

Chittagong Hill Tracts (CHT). For instance, Abdus Sattar (1983), a government officer of Bangladesh, categorized the people of the CHT as "wild tribes, crude, primitive and aboriginal". He added that the attitude of the CHT people was "strange": they ate meat from all animals, and some were very "aggressive" and "ferocious". Surprisingly, some contemporary sociological studies on the CHT and its people have repeatedly recognized them as "aboriginals", "tribal", and "hill tribes" (Ahsan, 1995; Ali, 1993; Shelly, 1992).[22] As stated by van Schendel, this condition is described in the following way: "[n]ineteenth century British writers on the hill people described them as "primitive", "savages" and "wild hill tribes", terms that continued to be encountered frequently in contemporary writings in Bangladesh" (1995:128).

Conversely, since the 1990s, many anthropological studies (e.g., Tripura, 1992; van Schendel, 1995; Nasreen, 2002, Uddin, 2010) on CHT issues have been influenced by the work of post-colonial theories, especially the works of Edward Said and Michel Foucault. The discourse was considered by van Schendel (1992) as "tribalism" and was similar to Edward Said's idea of 'orientalism'. Van Schendel investigated how the legacy of colonialism was rooted in cultural superiority and changed the economic mode of life of the CHT people. The knowledge of tribalism in the CHT was embedded in the 'natural laws' of evolution. The construction of knowledge was confused with a positive view of the advanced evolution of societies towards a higher status of maturity, of nations with a long tradition in the West. However, this construction powerfully governed the development of identity and the livelihood policy of the Jumma people in the post-colonial period.

Tripura (1992) also analyzed the idea of "hill men" in the CHT, influenced by a British

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[22] Argued by Uddin (2010)

"imagination" in which they did not so much exist in real time and places. In the same way, Nasreen (2002) noticed that, although the colonial government declared the *Jhum* cultivation of the CHT people as "primitive", it did not understand the dynamics of the culture of the CHT people. Thus, Tripura further argued that "one must understand the dynamics of culture and identity of the people of the CHT (or of any other region for that matter) before one is to speak of development on their behalf" (2000:97). Following the period of British colonization, the Pakistan government (1947–1971) continued the colonial legacy toward the CHT through various development projects. Many of the Jumma people were forced to leave their lands and houses. The government of Pakistan adjusted the tribalism policy in various ways.

As shown in the above discussions, most of the recent anthropological literature has provided an interesting instance of genealogical inquiry into the colonial legacy of tribalism toward the people of the Chittagong Hill Tracts (CHT). By adopting both political and cultural approaches, the literature has critically investigated how the colonial category of tribalism was maintained not only by the colonial administrators, but also by the post-colonial governments, and even by the state authorities of the independent Bangladesh.

2.3.2 Politics of Bengali nationalism toward the CHT

Using the conventional political science approach, some scholars (Dewan, 1990; Ahmed, 1994; Mohsin, 1997; Mohammad, 1997; Rafi and Chowdhury, 2001; Adnan, 2004) have focused on the politics of Bengali–Bangladeshi nationalism, a core issue of the introduction of conflict into the CHT after the independence of Bangladesh. Although there is insufficient space to explore all of these studies, it is helpful to have a look at some of the leading ones as

representative of the rest. I have taken four examples to gain an understanding of how the conflict of the CHT has been problematized.

Amena Mohsin (1997) in her research, *The Politics of Nationalism*, referred to the 'problem' as majority Bengali domination. In her research, Mohsin used the term "military hegemony" and the "Bengali hegemony" for the same sequence. As Mohsin wrote:

> It is important to point out here that this divide along Bengali and Bangladeshi nationalism is in fact a contest for hegemony among mainstream political forces in Bangladesh. The Hill people, however, responded to the above hegemonic constructions through the construction of a nationalist discourse and a national identity for themselves, which again is hegemonic, divisive and alienating. (2000:80)

According to Mohsin, the element of Jumma nationalism is its emphasis on the separateness or distinctiveness of the Jumma people from the Bengalis. The *Jhum* cultivation system signifies the economic separateness of the Hill people from the Bengalis of the plains lands. As 90% of the land in the CHT is hilly, *Jhum* is still the dominant mode of cultivation among the Hill people. This production system is not only completely different from plough cultivation, which is practiced in the plains, but is also totally absent from anywhere else in the whole country. In regard to the political movement of the Jumma people, Mohsin argued that the PCJSS holds that not only are the Hill people set apart from Bengalis, but they have also created a common attitude toward life and its values. She goes on to say that the politics of nationalism, especially the differences between Jumma and Bengali nationalism, are key causes of the increasing conflict, with the military having been used as an instrument of the dominating Bengali nationalism in the Hill region.

Mohsin claimed that the "military hegemony" of the CHT does not mean only the military rule, but also the question of whether or not the entire Bengali nation shows this dominance. The word "dominance" could represent the dominance of the dominant class, not the dominance of the total community. However, Mohsin depicted the structure of the state in a very abstract way which had no specific character. She presented military rule without discussing the role of the state. The military role was also presented in an ahistorical way (Nasreen, 2002). It was difficult to find any investigation of the experiences of the local people.

Mohsin, in her other book (2003), titled *The Chittagong Hill Tracts, Bangladesh: On the Difficult Road to Peace*, considered the context, processes, and politics of peace building in the Chittagong Hill Tracts (CHT). Shedding light on the political and diplomatic trade-offs involved in negotiating and implementing the Peace Accord, she suggested interventions at the local, national, and international levels aimed at moving toward resolution of the conflict. Mohsin succinctly pointed out the political and ethnic dimensions that would inevitably be drawn in when any measures to restore the land rights of the Jumma people are attempted. She rightly drew attention to the difficulties in trying to "accommodate" both the Jumma people and the Bengali settlers.

Dewan (2001), in a study based on secondary data, explained historically the ethnic traditional administration as well as the colonial aristocracy in the Chittagong Hill Tracts (CHT). Pictographic presentation was an additional dimension of the study. Through pictures from the British period to the present time, he presented many interesting items such as the religions of the CHT, the destruction of nature, and the implementation of development on the Jumma people as well as the overview of the state regarding the Hill people. He argued that when the state started thinking of the area, it thought of timber, bamboo, hydroelectric power, rubber,

and oil. As the local ethnic people were of the "uncivilized" for whom development was necessary, "development" was a bundle of activities carried out in the Hills and legitimized rhetorically as beneficial to the Hills, but largely without participation, let alone leadership, by the Hill people. He also claimed that some observers considered the local ethnic people to be good material for a future wage labor force in forestry and industry. However, it is difficult to find any analysis regarding displacement in the Chittagong Hill Tracts (CHT).

Zaman's research (1984) also focused on the division of Bengali–Pahari nationalism as a key reason for CHT conflict. In presenting the various methods of conflict between the two communities, Zaman suggested that, in the present situation, the Bangladesh government has two options for the Chittagong Hill Tracts (CHT). It could either aim for a total submergence of tribal culture within the greater Bengali culture, or it could genuinely provide policies and conditions under which traditional tribal autonomy were possible. His point of view focused on the political discourse of the Chittagong Hill Tracts (CHT). Although his study concentrated on the political solution, it explained the cultural treatment in a minor way.

Panday and Jamil (2009) investigated the inherent flaws in the CHT Peace Accord that was signed in 1997 by both Jumma leaders and the state. They explored the failure of the Accord, violations of human rights in the post-Accord era, and the problems and barriers for implementation of the Accord.

The approaches explaining nationalism as the root cause of conflict in the CHT have clearly indicated the centering of the conflict around Bengali versus Jumma nationalism. The analytical approach of Bengali or Jumma nationalism has been produced by a number of leading political scientists who have focused their analysis based on two major points. Firstly,

since the time of British colonization, the Jumma people of the CHT have been continuously marginalized by policies of the different states. Secondly, conflict between the Jumma people and the military originated when the Jumma leaders protested the marginalization policy in the independent state of Bangladesh. As I have observed, three key concepts have been used by scholars in explaining the CHT conflict, namely: the dominance of Bengali nationalism, state-oriented marginalization policy, and the demands or protests of Jumma leaders. As the explanations have constructed a dichotomy between Bengali leaders and Jumma leaders within the state, it is not surprising that these debates have excluded the experiences of the masses of Jumma society. With the literature not taking local people's views into serious consideration, most studies have treated the ordinary Jumma people as passive recipients.

2.3.3 Land alienation process

In explaining the marginalization process of the Jumma people, a considerable number of studies have focused on the land alienation issues of the Chittagong Hill Tracts (CHT) (Adnan and Dastider, 2011; Tripura, 2008; Adnan, 2004; Roy, 2000). The main argument of these studies is that, as a result of the Bengali resettlement, the customary land rights system has remained fragile and unstable, the economy in disarray, with legal actions practically non-existent. For example, Adnan (2004) offered a detailed account of economic issues in the CHT region, such as population resettlement, land alienation, development intervention, globalization, and privatization. He identified the causes of poverty of the Hill peoples of the CHT, and showed the trend of eviction from the land and migration of the Hill people in the Chittagong Hill Tracts (CHT). On the other hand, Adnan analyzed the development issue of the CHT in political ways. According to him:

From [the] mid-1980s, there was a distinct shift in the counter-insurgency strategy toward 'softer' approaches aimed at co-option of Paharis, as well as weakening the social base of their resistance. This shift in emphasis within the counter-insurgency strategy was initiated by the Ershad regime, based on several critical considerations. (2004:31)

Adnan claimed that the Bangladesh government's handling of the development project helped to convince donor countries that the government was very concerned and attentive to human rights issues and dialogue with secessionist groups. In fact, the impact of the development project and resettlement issue was a cause of the eviction of many Jumma people from their homeland.

Roy (2000) investigated the politics of land rights in the CHT, focusing on issues such as land laws, and the role of selected international conventions and institutions. He considered that it was important to ensure that the people of the CHT—and especially the more marginalized sections of the CHT population—were able to build up their organizational skills and human development capacities, achieve educational and social progress, and build up awareness about socially, culturally, and economically disruptive development models, so that they did not have to suffer from imposed development ideas that give them little or no benefit. Roy examined how the Hill people were deprived of their land after the Bengali resettlement program. He analyzed how the settlement program broke the law of the CHT, and affected the fundamental freedom and discriminated against the Hill people on the grounds of their race, religion, or place of birth. According to Roy, the formal recognition of customary land ownership is important to establish sustainable peace in the CHT region. Otherwise, the problem of land rights of the dispossessed people will be unresolved. He proposed that human rights organizations and NGOs could help work out a negotiated settlement in this regard.

They would need to be dutiful with regard to the rights of the resettled people, and the rights of the settlers who have also been used merely as pawns during the internal conflict, and who are as poor and as marginalized as the people who they have displaced.

Similarly, Tripura (2008) focused on how the Jumma people have been displaced and have lost control of and their rights to their own land. Tripura identified the state policy, particularly Bengali settlement with state security support, as the main cause of the dislocation of the Jumma people. He argued that, although the myth of vacant land was established during the British colonial period, the Bangladesh state is still allied to the concept of vacant land. Moreover, behind the myth of vacant land, what is the state policy and how it affects the Jumma people have not been addressed. In this historical way, he presented the general picture of the root causes of the land alienation of the Jumma people and the conflict therein. In addition, his research focused on the changing trends of land ownership patterns and the hidden interests when shifting cultivation (*Jhum*) has been blamed from the time of colonial authority through to the nation-state of Bangladesh. The major findings of the current research are that the Jumma people's existence has been violated by the imposition of power for the extraction of the land and natural resources. In the current struggle for the Jumma people's land rights, it was found that their claim to land use and ownership rights in terms of its historical and legal validity and the local context is in fact recognized in the international legal instruments on indigenous peoples. In this case, the state has the responsibility and obligation, in accordance with the international legal instruments, to implement the rights of indigenous people at the national level. Tripura suggested that the Jumma people's rights to land use and ownership depend on the implementation of these legal instruments and on a mutual relationship and respect between the state and the Jumma people.

The literature on the land problem and its intended consequences in the CHT is devoted to political economic analysis with a strong focus on the marginalization of the Jumma people. The lives of the Jumma people are dependent on the customary system which is a holistic way of life that includes their social, political, economic, and cultural rights. These components in their entirety are equally important and interrelated. With the land rights of the Jumma people designated by customary laws, the land issue would not be problematized with due recognition of the traditional holistic system. The majority of studies have provided some information about land-based violence against Jumma communities. Moreover, the Jumma people have not only suffered as a consequence of their land-based system, but they have also been alienated from the traditional socio-political customary system. Without the literature taking into consideration the whole customary system, most studies have treated the land problem as a key issue of CHT conflict.

2.3.4 Crisis of development initiatives

Adopting the discourse analysis method, Tripura (2000) explained the notion of development of the Hill people. In this regard, he raised questions, such as the meaning of development to different individuals, groups, or institutions; the appropriate development approach needed for the people of the CHT; and how and by whom these development projects should be planned and implemented. While his study urged the importunacy of understanding the notion of development, he did not concentrate on development as an effect of the conflict.

Regarding the movement of the Jumma people, Levene (1999) has shown that a groundswell of political activism has been developing in the CHT since the 1950s, and that both the Pakistan and Bangladesh governments have fuelled these tendencies through foreign

aid-funded development projects. As Levene demonstrated:

> The efforts of a new nation-state to overcome its structural weaknesses by attempting a forced-pace consolidation and settlement of its one, allegedly, unoccupied resource-rich frontier region closely mirrors other state-building, developmental agendas which have been confronted with communal resistance. The ensuing crisis of state communal relations, however, cannot be viewed in national isolation. Bangladesh's drive to develop the CHT has not only been funded by Western aid but is closely linked to its efforts to integrate itself rapidly into a Western dominated and regulated international system. It is in these efforts 'to realise what is actually unrealisable' that the relationship between awed state power and genocide can be located. (1999:339)

Locating the development of the education sector in Bangladesh, Levene argued that, despite the creation of schools and technical colleges, and the extension of adult suffrage to the whole population, the constant exclusion of Jumma graduates from state office or employment has contributed to strong mobilization in various movements in the CHT, such as the CHT Student Association, the Hill Women's Federation, and the Rangamati Communist Party. Although these movements have been largely limited to student or professional circles, they have been indicative of a social and cultural shift in the Chittagong Hill Tracts (CHT) (Levene, 1999:357).

Haque (2000) looked at some of the development projects in the CHT which have turned into development disasters due to faulty planning and implementation. Focusing on the Bengali resettlement project, Haque argued that it has had a top-down approach; that is, it was often implemented with little or no grassroots-level Jumma participation. During the implementation of the "Upland Settlement Project" in the CHT, some Jumma people took up

horticulture and grew new cash crops, such as rubber, building upon their indigenous farming system. Finally, Haque argued that no attention has been paid to the traditional system and its relationship to the environment. Resistance by the Jumma people against eviction by the Forestry Department has met with limited success.

Although the above studies analyzed the political and economic aspects of the state's governing of the people of the CHT, no methodical investigation of the arena of cultural discourse was undertaken. On the other hand, some very recent anthropological studies have started to analyze tribalism policy and its cultural consequences in the CHT in the post-colonial regimes. Nasreen (2002) investigated the colonial policies and their sociocultural consequences on the post-colonial Chittagong Hill Tracts (CHT). As she argued:

> The state undertakes various programs (like tourism, media representations, documentation, etc.) in this way to transform the culture of ethnic communities as goods for exhibition … sold focusing on natural beauty, exotic people and symbol[s] of tradition. Tourists have an attraction to 'tribal' dance and their handicrafts, which show the simple and carefree life in the hill[s] …'tribal life in CHT' and these type of representation expresses the state intention over ethnic minorities … Without recognizing the culture of ethnic communities, the state spreads its paramount dominance on the communities using its nationalist character. (2002:105)

As observed in the above literature, each interpretation of the CHT conflict is closely linked with its own disciplinary framework, as developed by previous scholars. From the perspective of historical analysis, the discussions mostly focus on the role of the colonial ruler, state governance policies, and the marginalization process of the Jumma people. While there have been attempts by political scientists to analyze violence by focusing on nationalism, political

leaders, and larger-scale organizations, local participants are made to appear as mere tools. Similarly, when some arguments have increasingly focused on the issue of economic development and land rights, the everyday experiences of local people have been only briefly analyzed. While history, politics, and economic development have been largely debated in the previous literature, the interrelationship between all aspects has rarely been investigated. On the other hand, despite the fact that previous researchers have investigated nationalism, politics, and economic issues as separate entities, broadly speaking, they have a general similarity in their identification of Jumma communities as being largely powerless in the face of the state's dominance. Even when these scholars have considered the Jumma people's marginalization, instead of focusing on the diverse socio-political sphere of their lives, they have simply looked at their vulnerabilities. None of these research studies has recommended creating solidarity across culture, nationality, ethnicity, class, and the experience of ordinary people to overcome this oppression. My thesis adds knowledge in this field by considering the interconnected nature of conflict variables in the diverse area of the ordinary people's lives. My analysis is not dependent on recognizing the conflict. Rather, it has investigated the multiple survival strategies through which the local population has negotiated with the broader aspects of their different life experiences.

2.4 Conclusion

In this chapter, my aim was twofold. Firstly, I sought to sketch the theories regarding peace discourse so these theories could be employed throughout this thesis. Secondly, I critically examined the different approaches of the study among the people of the Chittagong Hill Tracts (CHT). In regard to the theoretical discussion of peace discourse, I have argued that the notion of peace is neither homogeneous nor static. Peace discourse has shifted its analytical structure

from state-centric macro-level analysis to micro-level sociocultural analysis. This approach offers a way in which to investigate the interrelationship between the political factors and local circumstances of a particular society. Within the interconnectedness of the different actors, I have aimed to locate the history of relationship, everyday negotiation, agency, and conflict dynamics of the Chittagong Hill Tracts (CHT). Based on this scholarship, I have suggested that a holistic approach is most appropriate for CHT peace studies.

On the other hand, the first of the major commonalities of previous research studies on the CHT is that most studies have tried to analyze ordinary people as forms of victimhood. Even when these research studies have considered the Jumma people's marginalization, instead of focusing on the diverse socio-political sphere of their lives, they have only looked at their vulnerabilities. Secondly, none of these research studies has focused on the intersectional relationships among ethnicity, class, gender, and forms of violence. Thirdly, none of these research studies has recommended creating solidarity across culture, nationality, ethnicity, class, and the experience of ordinary people to overcome this oppression. My research project adds knowledge in this field by considering the interconnected nature of conflict variables in diverse areas of the lives of ordinary people, such as their displacement from their ancestor's lands, political negotiation, participation in the peace process, their experiences of violence, and their recognized or unrecognized activism. My analysis is not dependent on any particular race or class group. Rather, it transcends the multiple ways of livelihood strategy in which the local population negotiated with the broader aspects of their different life experiences.

Chapter 3: Research Methodology and Fieldwork

3.1 Introduction

In this chapter, the core areas of the study are addressed: the research method, the fieldwork process, the selection of the field, and the description of the research sites. My initial focus was on investigating the participation of the local people in the CHT peace process: in particular, I was interested in the exchanges among the political and non-political actors. I conducted my fieldwork in three villages in the Khagrachari district in the Chittagong Hill Tracts (CHT). In addition, to explore the connection between the village people in a broader political setting, I visited many other places in Bangladesh. In that sense, my field locations are multisided. The 'multisided ethnography' approach matched my research objective as it offered a broader understanding of the field location, "linking macro- to intermediate- to micro-perspectives" (Marcus, 1998). In this approach, the research design and methods are tailored to the specific research questions. Whatever the realities of the study area, the researcher's own social position as an 'outsider' or an 'insider', and the level of trust between the researcher and the local population play a major part in the prospect and challenge of undertaking fieldwork. Trust building, maintaining informants' privacy, researchers' own social/ethnic backgrounds, and the social relationship between researchers and informants have always played a vital role in the whole research process. To explain how the research process for the current study evolved and how decisions about research methods were made in the different sections in this chapter, I first elaborate the theories that were essential in my methods and then recount my experience in the field. Next, I discuss the system used to conduct fieldwork, and the privacy policy with regard to the local people. After this, I introduce my field locations and finally present my conclusion.

3.2 Research Methodology

I began my research with a functionalist set of methods. As my fieldwork progressed and by applying intensive observation, I came to realize that, in order to answer my research questions, I might need a different approach to understand and investigate my field. Therefore, this study finally adopted the discourse analysis approach to analyze the field data. Discourse analysis employs a diverse set of research methods. As Jørgensen and Philips (2002) argued, action is never entirely free from attachment to context, and takes place within a framework of social and historical structures. It also changes the relationships between different actors. This statement of Jørgensen and Philips allows us to understand why different techniques of research methodology have been adopted. Different techniques of research allow us to obtain different types of insight. After the early-encounter period within my field, I realized that the methods and techniques used in discourse analysis would be essential for my research. With this broader understanding, I narrowed down to the key methodologies for my research, namely, participant observation, in-depth interviews, case studies, focus group discussions (FGDs), and the use of secondary data sources.

In the broader sense, I used two main research methods to achieve an understanding of the historical context and to navigate the path through which the peace discourse has developed in the local CHT society. Firstly, I reviewed an extensive range of literature from several disciplines to analyze the historical formation of social forces in the CHT that formed the framework within which 'political' and 'non-political' actors pursued peace. Secondly, and most importantly, various qualitative research methods were used. The methodology of research allows an explanation of why these techniques were adopted, with this discussed in the following section.

3.2.1 Use of secondary data

The analysis of secondary data assisted not only in formulating an appropriate questionnaire/checklist for the fieldwork by providing an idea regarding the conceptual gap, thus identifying what information was necessary, but also in integrating and synthesizing information, and making critical observations. In order to collect literature on the CHT, I explored the available sources of secondary information in Bangladesh. These included libraries, the national archives, daily newspapers, online newspapers, articles, magazines, and publications of various institutions, all of which focused on issues of the CHT, especially the peace process.

The available literature on the CHT issues has focused on the history, structure, politics, nationalism, economic development, etc. (Mohsin, 1997; Chowdhury, 2008, 2012), but anthropological research on the peace process in the CHT is very rare. The available Bengali literature by individual scholars has addressed the state of the conflict, and has provided general information about the CHT, as well as information on some of the Jumma people's cultural activities. This literature has also provided significant insights into an understanding of the current trends in the CHT in relation to the everyday life experiences of the Jumma people. The literature on the CHT helped me to contextualize and formulate the framework within which actors have operated the conflict, leading me to identify the types of respondents who I would interview. To conduct document analysis, I considered the following four issues rigorously: (a) logical search for relevant papers; (b) review of all collected documents; (c) examination of the rationality of documents; and (d) constant vicarious observation of documents.

In addition to academic papers, I explored other available research and reports conducted and written by various government and non-government institutions. These institutions included autonomous research organizations, policy-oriented think tanks, and national and international non-governmental organizations (NGOs), such as Kapaeeng Foundation, Amnesty International, the CHT Commission, and the United Nations Development Programme (UNDP). These reports provided valuable statistics on the number of government and non-government institutions, and religious institutions; on the issues of quality, access, and equity; and on the demographic and physical infrastructure of the CHT region.

3.2.2 Qualitative research methods

For qualitative research methods, I used participant observation, focus group discussions (FGDs), case studies, and in-depth interviews. These methods helped in gaining an understanding of the interpretations and experiences of the local people who were involved in the peace process in the CHT region. As these types of data collection explored numerical representation, desired rich responses from respondents, and were conducted with a relatively small sample base from which to select respondents, this meant that participant observation was deemed the most appropriate. From these qualitative data, insights were gained into the local understanding, prospects, and desires, as well as the way in which the local people dealt with these factors. Data from these methods led to the formulation of the majority of the research findings, especially in Chapters 4, 5, 6, and 7. The methods used during the study's fieldwork are discussed in the next section.

3.3 Fieldwork

3.3.1 Time duration of fieldwork

I spent a total of eight months in five phases of learning and accumulating data from the field. These were as follows:

1. September–October 2011

2. February–March 2013

3. August–September 2014

4. December–January 2015

5. March 2015.

Moreover, I designed a fieldwork strategy in which the fieldwork time periods were separated into different purposes. I divided my eight months of fieldwork into three major stages. The first stage (September–October 2011) was a formative period which was dedicated to gaining an insight into how to conduct meaningful interviews. In this stage, I had a series of informal discussions with a variety of participants including academics, experts, local people, local political leaders, administrative persons, etc. The assumptions, research questions, and hypotheses that I had developed through a literature review prior to delving into the fieldwork were sharpened and reinforced by these discussions. These meaningful discussions helped me to attain a richer, more nuanced understanding of the overall situation of the CHT peace process, or of where it was lacking in Bangladesh. In the second stage of the fieldwork, which lasted approximately two months (February–March 2013), I conducted interviews in villages

of the Khagrachari district. In the final stage, I transcribed interviews, analyzed data, and re-visited interviewees for further clarification. During these eight months of fieldwork, another method of data collection (document search), however, proved to be an arduous task.

3.3.2 Sampling

My field research was dependent upon purposive sampling and snowball sampling. *Purposeful/purposive sampling* bases its selection of respondents on knowledge of the population, the location, and the purpose of the study (Babbie, 2001:179). I had identified 10 organizations as sources before coming to Khagrachari; however, on arrival, I found that some of these organizations were defunct, some had become part of the government, and others were less significant than previously estimated. However, I met several new respondents during my time in the field through the snowball sampling method.

Snowball sampling is a method used to locate other respondents by asking initial respondents for information and recommendations (Babbie, 2001:180). This stage of the fieldwork involved contacting these respondents. Some were easy to contact while others were very difficult to find as they were either frequently away from Khagrachari or in remote areas that could not be reached by phone. At the conclusion of my fieldwork, I had completed 62 formal interviews among the local communities in Khagrachari: in addition, I had met many other respondents who agreed to talk to me, often at length, but would not consent to formal interviews. I conducted interviews with officials from NGOs, the Khagrachari Hill District Council (HDC), and other organizations who were actively involved in the CHT peace and conflict issues. I also interviewed some local political activists of the CHT region to analyze their demands.

In my research sample size, I tried to balance the numbers of Jumma–Bengali respondents. I also considered the Bengali–Jumma dichotomy in selecting respondents. In regard to their social and political backgrounds, the Bengalis are not homogeneous, with 'old Bengalis' and Bengali settlers having a different history of settlement in the CHT; therefore, I considered these Bengalis as two different categories. I realized that the modes of livelihood and the relationship with the Jumma people of these two groups of Bengalis were different. At the same time, the Jumma people were also politically divided. Although both PCJSS and UPDF activists belonged to Jumma communities, they differed in their political ideologies and activities. The Jumma villagers who identified themselves as 'non-political', or not involved in party politics, were recognized as a different group of respondents in my research.

I have argued many times in my research that the Bengali–Jumma dichotomy is problematic for understanding conflict. Many members of Bengali civil society and human rights workers, both being key actors in the CHT peace process, have taken a position in support of the establishment of the Jumma people's rights in the CHT region. In addition, the opinions of some of the 'old Bengalis' expressed a similar perspective. Thus, I selected my informants based not only on the Bengali–Jumma dichotomy but also on the different types of actors who were directly or indirectly involved in the CHT peace process.

The categories of stakeholders from which informants came and the sample population ratio of informants are provided below in Table 3.1.

Category of population	Number of sample population
Jumma villagers	22
Bengali settlers	15
Old Bengalis	5
PCJSS members	5
UPDF members	5
Government officials	3
NGOs/Civil society/HR activists	7
Total	62

Source: Fieldwork, 2011–2015

As mentioned earlier, my fieldwork consisted of five main activities: participant observation, in-depth interviews, case studies, FGDs, and analyzing secondary sources. These were not undertaken separately or in linear order. The priority was participant observation and interviews (both in-depth and case study). The time between these activities was spent on FGDs and analyzing data from secondary sources.

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[23] This sampling was used for selecting informants with whom to conduct the 62 case study interviews and 15 in-depth interviews.

3.3.3 Establishing rapport

Researchers who are outsiders without prior connection to the village level face challenges in gaining access to the field. With the villages of the CHT extremely sensitive to their conflict environment, I faced many difficulties especially in gaining access to my research sites. As a Bengali, a university teacher, and a student of a foreign university, it was difficult for me to gain easy access to the local level. Usually, mistrust and misunderstandings between the local people strongly persisted at the village level. Not only were misunderstandings visible between the Jumma and Bengali communities, but also among the Jumma political activists. In this context, many respondents in both communities were suspicious about my presence in their villages. Some Jumma villagers believed that I was trying to do something on behalf of the army or the Bengali settlers. On the other hand, Bengali settlers suspected that I was a human rights worker collecting information on behalf of the Jumma communities. It took me a while to build relationships and gain trust so that I could work with these communities. Key informants helped me to build relationships with the local villagers. Along with the help of key respondents, I also decided to explore other ways to gain access to the field. To understand how things were conducted on the ground, especially for those who do not necessarily have key respondent connections, this point is expanded in Section 3.4 in which research experiences are discussed.

3.3.4 Participant observation

In terms of participant observation, my role as a researcher afforded many opportunities to spend time in villages, markets, and other places within the study areas. As Marshall and Rossman highlighted, the degree of participation undertaken by the researcher varies between

the two extremes of full participant and complete observer (1995:60). During my time in Khagrachari, my status as an outsider meant that I had few opportunities to be a full participant in everyday life in the Jumma communities: I was clearly a Bengali and could not claim to be unnoticed when making observations. However, neither was I a complete observer in that I was not detached from events taking place in these locations. I spent time with local people, contacts, and interviewees, and engaged with life in Khagrachari through my associations with these people. Often my status as an outsider allowed me to access certain insights that may not have been granted to a local: similarly, there may have been certain things I was not told for the same reason.

I took as many opportunities as possible to go into rural areas and spend time in villages and forest areas for further participant observation. These villages were selected using a number of criteria. Firstly, many government officials invited me to accompany them to village areas where their office operated or where there were particularly notable instances of insecurity. Secondly, many NGOs were based in villages and rural towns; thus, in order to carry out interviews, I was required to travel to these areas. Due to the distances and poor infrastructure in rural Khagrachari, this often meant that I stayed in these areas for several days before and after the interviews, affording opportunities to observe interactions between Bengali settlers and the Jumma people, thus gaining a deeper understanding of the causes of conflict in different locations. Observation and *alapcharita* ("conversation in an informal setting") became important ways during my fieldwork to gain insightful information about the lives of the local people.

I passively participated in different activities and events in the Chittagong Hill Tracts (CHT). For example, as an observer, I went to various political meetings, press conferences, and

demonstrations in different places within the CHT and Dhaka city. I did not actively participate in those events; however, I used passive participation to build rapport with the participants and to gain an understanding of their various goals and motives.

3.3.5 Selecting key informants

For this research, I adopted the key informant technique which was particularly valuable in the early stage of my research. I managed to establish initial contact with the research sites and respondents, familiarizing myself with them. Through one respondent, Samujjal Dewan, I got to know other key respondents. However, after a little while, I realized that her friends all represented a certain political or ethnic category of the total CHT population. As the ethnic and political background of the people of the CHT was not homogeneous as I had envisioned, I also needed other key respondents from different backgrounds. Consequently, I went beyond a few key informants to interview other people from a variety of different social groups.

3.3.6 In-depth interviews

An important tool for collecting qualitative data is the in-depth interview, with this tool very useful for generating data from champions and other relevant individuals. In this study, I adopted this technique to generate information from different individuals. During the fieldwork, I interviewed some Jumma villagers, Bengali settlers, leaders, experts, administrators, activists, and teachers of the community. Beyond the three villages selected, I went to several villages for further investigations. I met villagers from Babuchara who were evicted from their homes as a consequence of the establishment of the new Border Guard Bangladesh (BGB) camp. Four of the evicted Jummas provided great support for me in conducting interviews. I even met several

Jummas in Dhaka city who were originally from the three researched villages, but had migrated to Dhaka for occupational purposes.

3.3.7 Case studies

In this research, it was considered possible to utilize the case study technique as the purpose of a case study of individual or institutional action processes is to ascertain how they participated in the peace processes or in the conflict. A case study is a strategy for conducting research which involves an empirical exploration of a particular phenomenon within its actual life context using multiple sources of evidence (Robson, 2002:178). A case study not only investigates the case of any person, but also focuses on specific examples of social entities such as organizations, groups, communities, and events. Case studies are longitudinal in fashion and involve the use of various data collection techniques (Hakim, 2000:59). Case studies have considerable ability to help generate answers to the 'why?' as well as the 'what?' and 'how?' questions (Saunders et al., 2007:139, cited in Islam, 2012). Given that my study was aimed at the 'how?' question, I selected the case study approach.

Moreover, most case studies are based on two or more methods of data collection (Gill and Johnson, 2002). Due to its flexibility in allowing the use of various methods, at the time of participant observation, I used case studies to gather information on how individuals, organizations, and institutions were experiencing conflict or were involved in the CHT peace process. I conducted 62 case studies in my research. At the organizational and institutional level, I collected case studies of the Khagrachari Hill District Council (HDC), Lamuchari Temple, the CHT Commission, and others. At the individual level, I collected cases from different individuals from different groups of people. Rather than use the case studies for

population validity, I sought to gain a better understanding of the problem at stake. Owing to the enormous variation in case study design, at times, I found it difficult to summarize their strengths and weaknesses. However, generally, much depends on the degree of fit between the questions to be addressed and the particular cases for the study. Some degree of prior knowledge can help in better selection of cases.

In my research, case studies and ethnography were both considered appropriate for investigating how conflict originated, how it affected the local people, and the way that it normally took place in everyday life. Both strategies potentially required access to local villages to observe live cases of the survival strategies of ordinary people. Due to the longitudinal time horizon of both strategies, they offered the chance to directly engage with different people who were involved throughout the peace process in order to understand their roles and periods of engagement. After finishing my fieldwork, I realized that the case studies were often limited in their capacity to be representative of whole populations. Here, however, the uniqueness and heterogeneity of village people were an advantage.

3.3.8 Focus group discussions (FGDs)

In utilizing focus group discussions (FGDs), I sought to obtain in-depth information on concepts, perceptions, and the ideas of the focus group. A FGD is intended to be more than a question–answer interaction with the idea being that group members discuss the topic among themselves (Cox, 1995). During my fieldwork, I conducted three FGDs in the CHT region. The categories of the groups were people from the Bengali settler organization, PCJSS members, and UPDF members. The size of each group varied from 10–12 members, with discussions conducted separately with each of these groups. The FGDs were conducted through the use of a checklist.

The checklist incorporated and reflected the issues that could arise in relation to the study's objectives. Another consideration in preparing the checklist was the time required to complete each discussion. The checklist provided a guide so the FGD could be conducted in an articulate way.

Although I utilized different methodologies, the research findings from each method are not presented as a separate section in the thesis: rather, the relevant data from the fieldwork have been woven into different chapters. It is noteworthy to mention that qualitative research is often criticized as being biased and subjective. To overcome this problem, I used some quantitative data which were collected from a questionnaire survey and secondary sources. However, when I conducted questionnaire interviews in the first stage, I found the approach to be very problematic in obtaining information about the local people's everyday experiences. In some cases, the combination of the two methods provided the opportunity to achieve a balance in the research process, with this resulting in more authentic and reliable research results.

3.4 Research Experiences[24]

Peace and conflict are sensitive issues. The study of peace and conflict is itself a significant challenge for academia worldwide. Many researchers have faced this challenge in the African and Middle East contexts. This was discussed at a recent roundtable[25], organized by the Collaborative Research Group (CRG) on Violent Conflict and titled 'Conducting Fieldwork in

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[24] Ahmed (2000), Anam (2014), and Henry (2009) gave me a strong anthropological theoretical insight into writing about my research experiences.

[25] 5th European Conference on African Studies "African dynamics in a multipolar world", June 28, 2013. For details, see:
http://matsutas.wordpress.com/2013/10/08/reflections-on-ecas-and-fieldwork-in-african-conflict-areas-by-marsha-henry/

African Conflict Areas: Methodological Questions on Proximity'. The roundtable comprised a diverse array of European scholars from the CRG who addressed several fieldwork 'challenges' including: the methodological challenges of conducting fieldwork in violent and unstable settings; the ethical challenges of researcher-led versus locally-led fieldwork during times of insecurity; and the ontological challenges of fieldwork conducted in the 'heat of the battle' or in the post-battle aftermath. This situation led me to formulate the research question: what are the possible challenges faced by a researcher working on a topic related to the Peace Accord and the militarization process in the CHT, where researching the conflict issue is highly restricted? In this section, I discuss my research experience during the fieldwork.

The debate on the self-reflexive role of the researcher owes some debt to anthropology, where questions of methodological and ethical angst have been the concern of researchers for some time now. However, it is not only anthropology that suffers from this epistemic baggage. Scholars in fields as diverse as geography, conflict studies, sociology, and, more recently, performance studies, have been struggling with issues of power relations, the politics of representation, and the home and abroad binary. As *Marsha Henry (2009)* argued, methodological discussions should reflect on the identities of the researchers when considering issues of proximity and distance. Her argument helped me to realize how the concepts of proximity and distance are not simple categories, but rather raise further questions. Who am I to do this research? What is my social position to do this research? What is of significance in any reflections on the challenges encountered in 'insecure' field sites?

I would like to start this discussion with a discussion of my own identity. My identity and social background resulted in a different relationship with my two groups of informants: Bengali settlers and the Jumma people. My Bengali identity and middle-class background, my

occupation as a university teacher, and my stay in Japan to undertake higher education created many dilemmas in my fieldwork.

My social background affected my relationship with government officers in the CHT region. The local administration did not welcome the presence of a researcher: instead, they tried to demotivate me and encouraged my exit from the area as soon as possible. At the start of my fieldwork, when I visited a district magistrate who I already knew, he advised me against conducting my research in the CHT owing to the militarization and conflict, as this could disrupt my social life and my security as well as my studies. It is noteworthy to mention that, during the time of my visits to the CHT, many human rights workers, academics, and NGO officials were physically assaulted by settlers, backed by the army. Thus, the officials discouraged me from working there owing to the extreme lack of security for outsiders in the Chittagong Hill Tracts (CHT).

My social background is similar to that of high-ranking government officers in Bangladesh. Some of my students and friends were posted to the CHT as government officers. They advised me against going to any remote area as an outsider was very much at risk in the region. Moreover, some also stated that: "*You should remember that you are a university teacher, studying abroad/in Japan. You should not go to the remote tribal area. I will bring tribal people to my office. You can conduct your interview at your place*". However, at the beginning of my research, I informed them that many anthropologists have been highly criticized due to their personal cooperation with administrators. Evans-Pritchard (1940) had a good relationship with administrators and he regularly updated the authorities about conditions in the field.

Evans-Pritchard found the native people to be reluctant to act as good informants.[26] They were scared by the way in which he tried to obtain quick results in his fieldwork. In my case, I tried to form good social relationships with the local people. I did not work on behalf of the government officials. However, the conversations with different government officers helped me to analyze their position in terms of perceptions toward the local Jumma people.

A common experience encountered by anthropologists is that the people being studied are suspicious of them (Ahmed, 2000). My research was no exception. Many respondents were highly suspicious about my project. It took me a while to build relationships and to gain the trust of respondents so I could work with them. I was warned that it was difficult to enter the CHT area for any non-native researchers. The Bengali settlers treated me as a spy acting on behalf of human rights organizations. I was frequently asked why I was spending time observing settlers' activities. The leaders of the Bengali settlers' organization explained the purpose of my stay in the village at a meeting. My identity as a Japanese researcher prompted people to believe I would go back to Japan to disclose their activities. However, my relations with settlers gradually eased because we discussed the problems and perspectives of Bengalis who had settled in the CHT region. I reassured them by saying that if my presence proved to be risky, I would leave the village. While at first they were suspicious about my presence, later they become more supportive and friendly.

On the other hand, creating trust in Jumma communities was most difficult, as outsiders are treated as part of the Bengali hegemony against which they have struggled for many decades. I

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[26] Evans-Pritchard (1940) cited in Anam (2014), "When Sexuality is in A Research Topic! The Methodological Challenges in Sexuality and Street Healing Research in Bangladesh", *The Oriental Anthropologist*, Vol. 14, No. 1, 2014, pp. 27-30, Oriental Institute of Cultural and Social Research (OICSR), Allahabad, India.

had entered the Jumma village with the help of a key informant. For the past few decades, the Jumma people have lived under the surveillance of the army; therefore, they deliberately avoided discussing the issue of the militarization process. They thought that if I disclosed our conversation, they would face more difficulties. Some Jummas also suspected me of being a spy for the army. Some Jumma people treated me as an urban academic and, therefore, as an outsider who could not represent them. I then followed a "dialogical process" (Page, 1988, cited by Ahmed, 2000) with the local people.

My encounter with the local Jumma political leaders threatened my research as they were entangled with the local power relations. The local leaders threatened me, directing that I should not ask villagers any sensitive questions regarding extortion, abduction, and, above all, about any issues in relation to local politics. My key informant reported to me several times that the local leaders were critical of my presence. During my fieldwork, he advised me to stop using my camera, recorder, pen, and pencil. However, I was fortunate that the ordinary people helped me to carry out my fieldwork.

3.5 Informants' Privacy

The American Anthropological Association (AAA) (2012)[27] and the Association of Social Anthropologists (ASA) (1987)[28] strongly guide researchers to maintain confidentiality in

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[27] The American Anthropological Association (AAA) is the world's largest organization of individuals interested in anthropology. Although there were several other American anthropological societies in existence at the turn of the 20th century, this new, national organization was formed "to promote the science of anthropology, to stimulate and coordinate the efforts of American anthropologists, to foster local and other societies devoted to anthropology, to serve as a bond among American anthropologists and anthropologic[al] organizations present and prospective, and to publish and encourage the publication of matter pertaining to anthropology."

[28] The Association of Social Anthropologists (ASA) was founded in 1946 to promote the study and teaching of social anthropology, to present the interests of social anthropology, and to maintain its professional status. Its aim is to assist in any way possible in planning research, to collate and publish

accordance with their agreements with informants. The Australian Anthropological Society has similar directions regarding the confidentiality of informants. Similarly, the AAA advises that "[a]nthropologists have an ethical obligation to consider the potential impact of both their research and the communication or dissemination of the results of their research' (AAA, 2012). The AAA and ASA advise that researchers must be careful about the possible risk of revealing an informant's identity. In this regard, in the introduction of my interviews and FGDs, I promised my respondents that their responses and all other findings would only be used for the purposes of my PhD thesis and that their names and identities would be kept secret. I talked to some PCJSS and UPDF leaders who requested that their names not be disclosed in writing, but permitted me to use the information that they provided. Some respondents shared experiences about the torture of the Jumma people by security forces, which they both directly experienced and heard about from the victims. One of the elderly Jumma people described how he had been tortured by the army. He also requested that his name not be mentioned anywhere. One Bengali settler shared experiences about his "*spoiled son*" who was in police custody for illegal activities. He also asked me not to disclose his name and address. To keep my promises, I have used only the date and location of the interviews and FGDs in the following section. Thus, most names in the text are pseudonyms.

3.6 Locations of Fieldwork: From Village Study to Multisided Ethnography

Although my research is mostly based in three villages in the Khagrachari district, this study is multisided in nature. To go beyond the traditional village studies ethnographic approach, I have visited different places to incorporate my findings from different aspects. Thus, I have identified my research as a "multisided ethnography". The notion "multisided ethnography"

information on social anthropology and to function as a register of social anthropologists.

originated from anthropologist George E. Marcus (1995). This approach matched my research questions as well as my multilevel analytical framework as it offered a broad understanding of peace processes, "linking macro- to intermediate- to micro-perspectives" (Marcus, 1998).

Why multisided ethnography?

Selecting the multisided field as the research locus was not only related to my research design, but also to my long-term fieldwork experience which led me to conduct the research in different locations. My initial plan was to conduct a village study. In accordance with this plan, I went to the Khagrachari district and located a multi-ethnic village named Mahajan Para in the district town in which to carry out my research. Although my accommodation was in Mahajan Para, I travelled to several villages to gather initial experiences of conflict in different places. Conflict could be located in certain places or in a specific socio-economic setting. However, the conflict is not in isolation from the greater CHT region, nor from the larger political context of Bangladesh. During the earlier stage of my research, some key realizations inspired me to conduct a multisided study rather than a village study.

Firstly, in the earlier stage of my fieldwork, I learnt about a massacre that occurred in February 2010 in Mahajan Para and which is now known as one of the largest confrontations between Bengali settlers and the Jumma people (explained in detail in Chapter 4). However, the cause of this massacre originated in the Sajek valley of the Rangamati Hill District in the Chittagong Hill Tracts (CHT). I then realized that a single village study would not be appropriate for my research. Although my objective was to investigate the 2010 massacre in the Khagrachari district, I visited Rangamati to trace the root causes of this incident.

Secondly, during my fieldwork in 2014 in Mahajan Para, I was informed that a conflict had

begun in regard to the establishment of the BGB camp in Babuchara village in Dighinala Upazila. Through the establishment of this camp, many Jumma people had been evicted from their lands: at this time, I saw that many people from Mahajan Para had organized demonstrations, and rally and protest activities to protect the Jumma people. Thus, I realized that incidents in a certain village in the CHT were not isolated from other areas. The protests in Mahajan Para influenced me to go to the Dighinala area. I then realized that, while the Peace Accord had announced the demilitarization process, establishing the BGB camp by evicting the Jumma people from their homes could be seen as a new form of para-militarization process in the Chittagong Hill Tracts (CHT) (the detailed case is presented in Chapters 5 and 6). Exploring in my field from a specific village to another place provided me with detailed information about this process. I obtained information about the Jumma people who were experiencing forceful eviction from their homeland in the post-Accord period.

Thirdly, when I was conducting fieldwork in Mahajan Para, I observed that many people from this village had migrated to Dhaka city. One elderly person told me that, when his son migrated to Dhaka city for a better job, his family had to pay additional extortion money to political activists. To check the accuracy of this information, I went to Dhaka city where I met several Jummas who are employed in Dhaka but continue to pay extortion money to political activists in their original locations.

Finally, while my study has examined the consequences of the Peace Accord at the village level, I have also traced the official procedure of the peace negotiations which were mostly conducted outside of the CHT region. In order to connect the Peace Accord and local people's participation in the peace process, I visited many NGOs and political offices situated in Dhaka

city. Thus, my fieldwork was not only conducted at the village level in the Khagrachari district, but also in many official settings in Dhaka city.

After finishing my fieldwork, I realized that, although my research was mostly conducted in three villages in the Khagrachari district, I had carried out my study in different locations to connect the experiences of local people in different contexts. I tried to interconnect the everyday context of local people over multiple locations. This situation reminded me of the basic differences between traditional and multisided ethnography: traditional ethnography typically situates a researcher in one field site for an extended period of time, whereas multisided ethnography follows a social problem through different field sites geographically and/or socially (Marcus, 1995).

3.7 Description of Main Research Areas

Initially, I conducted my fieldwork in three villages of the Khagrachari district. Khagrachari is one of the 64 districts of Bangladesh and is better known as a part of the Chittagong Hill Tracts (CHT). Situated in the south-eastern part of the country, this hill district is locally called Chengmi. As a town, Khagrachari was established in 1860. In fact, the district of the CHT was established in 1860 under the *Frontier Tribes Act 22 of 1860*. Following the *Chittagong Hill Tracts Regulation, 1900 (Act 1 of 1900)*, the Chittagong Hill Tracts (CHT) were divided into three subdivisions (included Khagrachari) in 1900.[29] In 1983, Khagrachari became a district. The Khagrachari Local Government Legislative Council was formed in 1989 (in accordance with the *Khagrachhari Hill Districts Council, Act 20*), which, on the basis of the historic CHT Peace Accord, was turned into Khagrachhari (also written as

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[29] This information about the Khagrachari district is sourced from Kabir (2009). For details, see: munin.uit.no/bitstream/handle/10037/2065/thesis.pdf.txt?sequence=3

Khagrachari) Hill District Council on December 2, 1997.
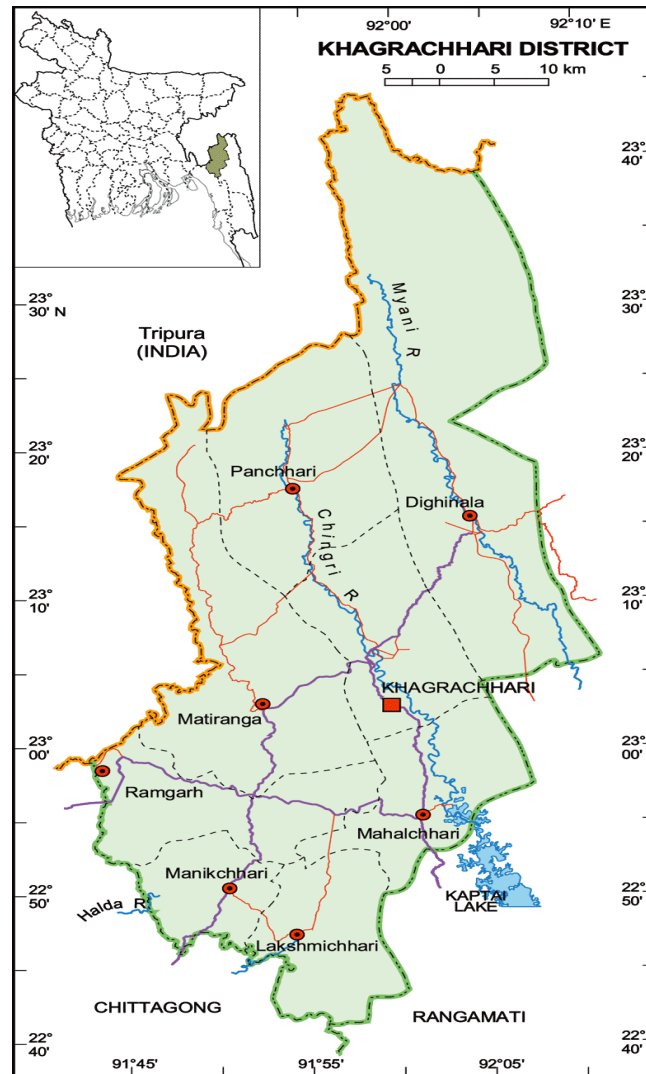
Figure 3.1: Khagrachari district

Administratively, the district consists of: eight *upazilas* (Dighinala, Khagarachari Sadar, Laksmichari, Mahalchari, Manikchari, Matiranga, Panchari, and Ramgarh); 34 union *parishads*; 123 *mouzas*; 953 villages; one municipality; nine wards; and 61 *mahallas*. This study included only one of the *upazilas* named Dighinala. The names of the selected researched villages are: Mahajan Para, Shalbon and Lamuchari. These villages were selected to enable the conflict in the CHT to be explored from different perspectives. These three

villages are different types in terms of their population characteristics and geographical locations. A brief description of these villages is given below:

1. Mahajan Para

Mahajan Para is located in the central Khagrachari district. The area of this village is about 112 acres. Although Mahajan Para is known as a multi-ethnic village, it is dominated by the Jumma population. The total population of this village includes 968 Jumma and 160 Bengali inhabitants.

Table 3.2: Population ratio of Mahajan Para

Population category	Number
Bengali	160
Jumma	978
Total	1138

Source: BBS (2011)

My three reasons for selecting Mahajan Para as a field site for my research were: firstly, at the beginning of my fieldwork, I was informed that a large communal massacre between Bengalis and Jummas had occurred in this village. While the village had been mostly dominated by Jummas, Bengali resettlement had severely changed this scenario. To examine conflict in the multi-ethnic urban area of the CHT region, I selected this village as my research area. Secondly, with Mahajan Para surrounded by the main army camp of the Khagrachari district, the impact of militarization on the Jumma people at the village level could also be investigated.

Thirdly, with regard to its urban setting, as Mahajan Para is a large commercial area in the Khagrachari district, the village is an important location for investigating the economic impact of Bengali resettlement and for examining the economics of conflict in the CHT region.

2. Shalbon village

Shalbon is a mostly Bengali-dominated area: it is known as the largest Bengali settlers' village in the CHT region. It is very close to Mahajan Para and was established with the full support of the army. The village is also situated in the Khagrachari town. Before the 1980s, Shalbon was a fully forested area. After the resettlement project, Bengali people started to live there. The leading Bengali organizations, including *Sama Adhikar Andolon* ("Equal Rights Movement"), originated from the people of Shalbon.

Table 3.3: Population ratio of Shalbon village

Population category	Number
Bengali	5081
Jumma	448
Total	5529

Source: District Commissioner's office, Khagrachari

Study Area: Mahajan Para, Shalbon and Lamuchari
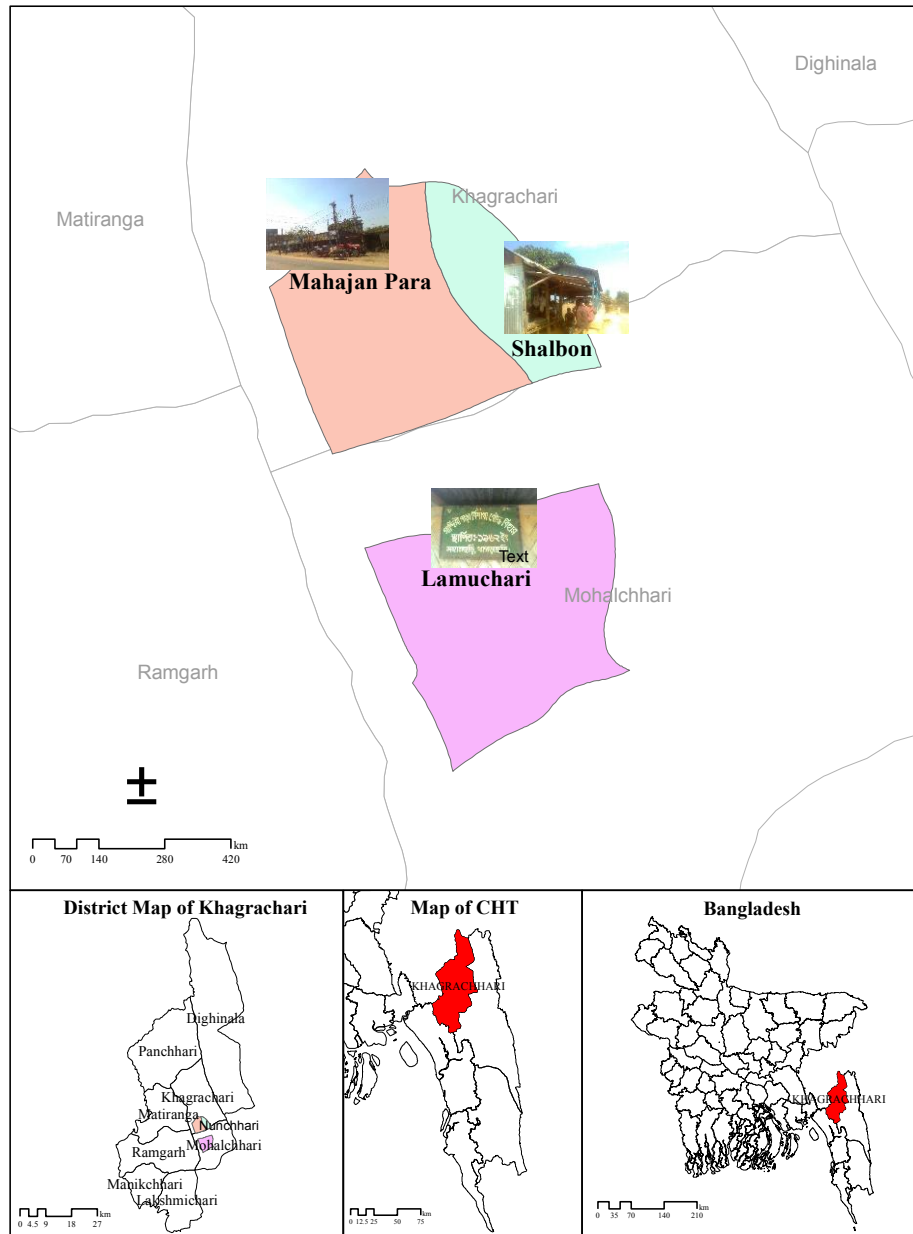
Figure 3.2: Three villages in Khagrachari district selected for research

3. Lamuchari village

When visiting several places in the Khagrachari district, I realized that the local people's experiences of conflict varied in different geographical locations. As much more *khas* ("unused land") or common agricultural land existed at the rural level rather than in urban areas, Bengali people found it a suitable place for resettling. Thus, conflict had different manifestations in different locations, for example, rural and urban. I selected this geographical location because it contained different and diversified dynamics of the CHT conflict. Lamuchari village in the Mahalchari Upazila is a remote village in the Khagrachari district. It is in a remote location and, at the same time, is peripheral in respect to peace and development interventions. The total number of inhabitants in the village is 11,200. Before the 1980s, this village was fully inhabited by the Jumma people. However after the resettlement project, Bengali people started to live there. The people of Lamuchari experienced a massive communal riot in 2003. As reported by the villagers, the livelihood of the ordinary people has been ruthlessly affected by the Bengali resettlement project. To learn about the everyday experiences of conflict in a rural setting, I selected Lamuchari village as one of my key research locations.

Table 3.4: Population ratio of Lamuchari village

Population category	Percentages of population
Jumma	52.35%
Bengali	47.65%
Total	100%

Source: BBS (2011)

The Khagrachari district is a well-known area of conflict in the Chittagong Hill Tracts (CHT). On April 17, 2011, Bengali settlers with the direct support of security forces carried out massive communal arson attacks on five indigenous Jumma villages of the Hafchari union in Ramgarh Upazila and on two villages in Manikchari Upazila in the Khagrachari district of the CHT region. In this attack, around 200 houses belonging to indigenous Jumma villagers as well as two Buddhist temples were completely burnt to ashes. At least 20 Jumma people, including three women, were injured, and at least half a dozen Jumma people are still missing.

However, my fieldwork was not limited to these three villages. At times, I needed to travel to Dhaka city for interviews, because many Jumma people are now staying in Dhaka. Owing to their treatment by the military, many Jumma political activists no longer stay in the Chittagong Hill Tracts (CHT). Similarly, some NGOs and human rights activists/workers are also staying in Dhaka. Thus, I met them outside of the CHT region. For this reason, even geographically, my fieldwork was not limited to the CHT region. As my study was based on the CHT Peace Accord and conflict issues, I conducted my fieldwork at different sites in Bangladesh.

3.8 Conclusion

In this chapter, I have discussed my methodology with the intention of meticulously showing how this research project was conducted. I collected data from secondary and primary sources. For primary data collection, I adopted both qualitative and quantitative techniques. I selected groups through purposive sampling from the three researched villages. This was done to understand the detailed nature of the economic, social, and cultural contexts of the CHT populations. Taking the time and resources available for this research project into consideration, the utilization of purposive sampling appeared to be an important and the most feasible method by which to gather certain types of data. The selection criteria were determined in the light of the research questions. The goals were to understand informants' socio-economic conditions; their previous experiences of conflict in the pre/post-Accord period; their recent experiences; their future life goals; and their mode of participation in the peace process. I adopted qualitative techniques to gather data from the respondents. I carried out an ethnographic approach in studying the three villages, which enabled me to grasp the dynamics of conflict. However, my research field was "multisided" in nature. To go beyond the traditional village studies ethnographic approach, I carried out my field research in different locations to interconnect the experiences of local people in different contexts.

In addition to ethnographic insights, I adopted particular qualitative techniques to gather data. Mostly, I relied on participant observation, in-depth interviews, FGDs, and case studies. These research techniques appeared to be very useful for gathering certain types of data. My research was mostly conducted in three villages of the Khagrachari district in the Chittagong Hill Tracts (CHT). In this chapter, I have also highlighted my experience in fieldwork. I have attempted to provide other experiences in conducting fieldwork: this has helped me to understand the

opportunity and challenges of doing fieldwork in contemporary society. These realities of working in the field, and my interaction and negotiation with this process, have made me think about the importance of the flexible nature of research techniques in conducting modern-day ethnography.

Chapter 4: Colonial Legacy and the State Policy of Tribalism toward the Chittagong Hill Tracts

4.1 Introduction

This chapter provides the historical context to substantiate the theoretical framework of the colonial legacy which was developed in the previous chapter. As has been argued, colonial legacies in contemporary society are not simply 'handed down from the ancestor'; they are often claimed and negotiated, also repudiated, selectively accepted, fabricated, or confronted. Viewed from this perspective, this chapter investigates the relationship between colonial discourses and post-colonial state policies regarding tribalism in the CHT region. It is concerned with the creation of the tribalism policy in the CHT throughout the colonial era, the institutionalization of these policies in the Pakistan period, and the way that regulations have empowered certain actors in contemporary Bangladesh. The tribalism policy of the British colonial government was not only the formation of an identity; rather, it was a set of directions by which the government ruled the colonized people under their regime. Thus, I aim to investigate how the cause of the conflict in the CHT was rooted in the British tribalism policy which was then extended through the new forms of power in the post-colonial period. I argue that the colonial construction of tribalism has powerfully governed the development of the identity and livelihood policy of the CHT people in the post-colonial period.

Throughout this chapter, I investigate the kinds of tribalism policies that were developed during the colonial era, the institutionalization of these policies in the post-colonial Pakistan era, and the way that these policies have empowered certain actors in the independent state of Bangladesh. By examining these changes, this chapter provides the contextual framework

within which state policy can be critically examined in the following chapters. To achieve this, the chapter is divided into five sections. Section 4.2 deals with the context of the CHT in the pre-colonial period. Section 4.3 discusses the creation of the categories of "tribe" and "Hill tribe" in colonial India. After describing the characteristics attributed by these categories, I discuss the rationale for their creation, focusing on political subjugation, economic domination, and formation of laws. Section 4.4 analyzes the persistence of these colonial categories in the post-colonial Pakistan regime by exploring the debates over the development program in the decades immediately after partition. In Section 4.5, I examine the Bangladesh state policy toward the Chittagong Hill Tracts (CHT). I discuss how the state authorities of Bangladesh relocated these colonial policies through the country's constitutional laws, militarization process, and the Bengali resettlement project. Finally, in the conclusion (Section 4.6), I argue that these state policies have had a lasting impact upon the local Jumma people and on the politicization of certain causes of the conflict, with this becoming evident in the following chapters.

4.2 Pre-Colonial Chittagong Hill Tracts (CHT)

With the Jumma people themselves relying largely on oral history, it is difficult to find the history of the CHT in the pre-colonial period. The first written accounts of the CHT are found in the revenue documents of the Mughals. The British colonial administrators of the region later provided a detailed account of these people (Mohsin, 2002). Thus, researchers and academics have usually attempted to historicize the CHT of the pre-Mughal period based on social customs, language, and racial characteristics. However, the findings of this kind of history are often doubtful, as argued by Shelley:

The history of the CHT is either incomplete or mostly inaccurate. Nevertheless, in the recent past, attempts have been made, albeit scattered and piecemeal, to reconstruct the history of the CHT people. The information thus gleaned is comprehensive. (1992:26)

Throughout the 6th and 7th centuries, the entire hilly region was ruled by the Kingdom of Arakan. After the Arakanese dynasty, the CHT were ruled by different kingdoms in the pre-Mughal period. Bira Raja founded the dynasty of the Hills Tripura Kingdom in 590 AD. In the 8th century, the CHT were governed by Dharmapala of the Pala Empire for a short time (reigning from 770–810). In 953 AD, the Kingdom of Arakan, led by King Tsula-Taing Tsandra (951–957), occupied the Chittagong. However, in 1240 AD, the King of Tripura recaptured the Chittagong region. In 1340 AD, Sultan Fakhruddin Mubarak Shah occupied Chittagong, perhaps including parts of the Chittagong Hill Tracts (CHT). Sultan Fakhruddin Mubarak Shah, a Sultan of Sonargaon (1338–1349), established the first dynasty of the Sultanate of Bengal. The Ilyas Shahi Sultan, Rukunddin Barak Shah (1459–1474) re-established the Sultan's authority in the region towards the end of his rule. During the rule of Alauddin Hussain Shah (1493–1519), the King of Arakan recovered the territory for a short time. Accordingly, Rajmala Dhanya Manikya re-established the power of the Tripura dynasty in the Chittagong region and also conquered Arakan by 1515 AD. Arakanese Mugh King Minyaza re-captured some regions in 1518 AD (Ishaq, 1971:25-27, cited in Rahman, 2011).

The CHT peoples successively conquered and ruled the coastal plains of Chittagong and its hinterland until the Mughals annexed Chittagong in 1666. Before the Mughal conquest, Chittagong had neither an administrative set-up nor any fixed boundaries. The southern part of Sungo and Mathmuhuri River was under Arakanese rule, while the northern part of the district was often controlled by the Kings of Tripura or the Sultans of Bengal, even when the city of

Chittagong and the port passed into the hands of the Arakanese (Government of Bangladesh [GoB], 1975:1)

During the Mughal conquest of Chittagong in the 17th century, Muslim governors played key roles in controlling the CHT peoples (Ishaq, 1971:28). The renowned Emperor Aurangzeb Alamgir, who was headquartered in Delhi, conquered the Chittagong Hill Tracts (CHT). Shaista Khan was the Mughal Governor of Bengal under Emperor Aurangzeb. The name of Chatgaon was changed to Islamabad by order of Emperor Aurangzeb.

In the 15th century, the Chakma, Marma (Mughs), and other ethnic groups of people moved into the Chittagong region and settled in different areas. According to a Committee of Revenue report (1874), most of the ethnic people moved into the region from what is now Myanmar (Burma) from the 15th to the mid-19th centuries. The report stated that the Kukis were the earliest settlers in the region, followed, after a long interval, by the Chakma. However, the Chakma were disappointed with life under the Mughal emperor's rule, and tried to deny Muslim supremacy. This led to the first rebellion in the CHT history in the form of armed resistance against the Mughal in the 17th century. Eventually, the people of different ethnic groups agreed to pay tax to the Mughal emperor, in return for the preservation of their geographical territory and group identity (Azad, 2004:17, cited in Rahman, 2011). Moreover, to keep Mughal power at bay, some Chakma Chiefs started to adopt Muslim names themselves. The names of chiefs like Tattan Khan (1673), Jalal Khan (1715–1725), Shermust Khan (1737–1758), and others are significant evidence of this practice. However, there is no clear evidence to suggest whether they were converted to the Islamic religious faith, or whether Muslim preachers had made any serious attempts to convert them (Nasreen, 2004). With most daily necessities, for example, fish, chicken, tobacco, and spices not available in

the CHT, the Chakma Chiefs (especially during the regime of Jalal Khan) requested permission from the Mughal administrator of Chittagong to allow Bengali merchants to trade with the ethnic peoples. Since 1725, the Chakma Chiefs had offered cotton as a tribute to the Mughal provincial government in Chittagong, in exchange for trade by barter with the inhabitants of the plains lands of Chittagong. The place where tribute was paid to the Mughal government was known as Karpas Mahal.

4.3 Creation of Tribal Identity in the Colonial CHT (1760–1947)

The region currently known as the CHT was part of a wider territory yielded to the British East India Company in 1760. The British East India Company employed several strategies to govern the CHT people. As economic benefit was one of the company's main targets, revenue in cash or kind was regularly collected. In the beginning, the company's aim was only to acquire wealth, but it gradually began to control the whole political economy which was considered to interfere with the company's profit-making enterprise. The British policy in the CHT was mainly to protect the political, economic, and military interests of the British, as well as keeping the indigenous people separate from the Bengalis. Thus, the Hill people, and more specifically their chiefs, came to regard the British as their protectors, which permitted the British to rule the area with relatively less effort (Mohsin, 2002:27).

It was the British colonial ruler who first implemented a tribalism policy in relation to the people of the Chittagong Hill Tracts (CHT). The policy was extensively employed to create a 'divide and rule' policy to govern the colonized people. The "tribal" and "non-tribal" categories were used to distinguish between the colonized people. The notion of "tribal" was used not only to create an identity for the Jumma people in the CHT, but also to dominate the

whole political economy in the region. The colonial ethnographers and administrators established the tribalism policy among the CHT people in various ways. Three main characteristics of the tribalism policy are examined here: firstly, the construction of ethnic differences between "tribe" and "Hill tribe"; secondly, representation of the "tribal" as a primitive culture; and, finally, implementation of legislation and development programs.

4.3.1 Ethnic differences between "tribe" and "Hill tribe"

The British colonial administrators divided the ethnic people of Bengal into nine categories. These classifications formed the basis for identity and ethno-nationalist politics in the region at the time and also in the succeeding eras. The names of the nine ethnic groups of Bengal were: Monipuri, Khasia, Garo, Koach, Tripura, Orao, Santal, Munda, and the ethnic group in the Chittagong Hill Tracts (CHT) (Dalton, 1827). Moreover, the tribal people of Bengal were divided into two broad categories: "Hill tribes" and "tribes". The CHT people were treated as "Hill tribes" and considered different from the plains "tribes" of Bengal. In the British understanding of the CHT areas, the savagery and impulsive violence of the Hill tribes were highlighted. Henry Spry, a medical officer in Bengal, remarked in 1837 that the "hill tribe" was comprised of the "most savage savages in the tribal population." According to him, members of the "hill tribal group" were dispersed across the hilly areas, survived in trees, were cannibals, and held "no similarity … even to the most degraded beings of the human race" (Spry, 1837:17, cited in Marriott, 2003:147). Godwin-Austen, a Deputy Superintendent of the British government, also remarked that the Garos, now living in the current Mymensingh and Tangail districts of Bangladesh, experienced human sacrifice, ate all manner of wildlife, and wore little clothing (Godwin-Austen, 1873:394-5). Godwin-Austen did not rely on any empirical facts, relying on reports from a member of the British army that was working to

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subjugate the area. The CHT tribes were represented as the "most savage of the savages in the tribal population" for their cultural variation from the "tribes" on the plains. Colonial administrators documented several aspects of savagery, for example: having primitive religious beliefs, such as "animism" and "heathenism" (Marriott, 2003:146; Xaxa, 2005); having ape-like physical features (Jahoda, 1999:227-8; Marriott, 1999); and engaging in sexual practices of an immoral and exotic nature (van Schendel, 2002).

The way in which several colonial administrators constituted the differences between "tribes" and "hill tribes" in the Bengal region was based on secondary data and assumptions. The CHT people were observed in a framework constructed from biological determinism and moral–political caution. The framework only reproduced Darwin's laws of civilization, and was not based on visits to those areas. It was a process which institutionalized race and difference within a society, thus legitimizing deprivation and the continuance of colonial rule: it was what some post-colonial authors have called the "racialization" of a colonized society (e.g., Marriot, 2003:144). The overall purpose was to increase the power of British colonial rule. As Tripura highlighted:

> The idea of [a] wild race was no doubt a colonial fantasy. Such a category of people ought to have existed, so they might as well be invented. Thus the Chakmas, the Marmas, the Tripuras and others turned into [a] 'wild race' though they were hardly worthy of such a romantic designation. (1992:9)

The early ethnographers were not at all concerned about the distinction between 'caste' and 'tribe' in India. The synonymous use of the notions 'tribe' and 'caste' can be found in 19th century writings. In his writings in *The Tribes and Castes of Bengal*, Risley (1893) avoided the question of social hierarchy by listing the castes and tribes alphabetically. The

1901 census of Bengal, done under Risley's direction, brought together the question of caste hierarchy and race. He confirmed his hypothesis that social hierarchy was based on a scale of racial purity. Although this assumption was, to a large extent, true, many reservations and qualifications were required. Risley himself had a theoretical axe to grind in this and his later publications, which was that race sentiment was the basis of the caste system (Duncan, 2007). On the first page of *The Tribes and Castes of Bengal*, Risley (1893) wrote about a stone panel from Sanchi which portrayed three "aboriginal women" and a troop of monkeys praying at a small shrine (cited in Cohn, 1987). In his interpretation of this scene, Risley wrote that it showed a higher race keenly conscious of their differences but on friendly terms with a lower race.

The relationships between "tribals" and "non-tribals" in pre-colonial India involved oppression and subjugation. Moreover, the colonial ethnography added new components to existing identities, "thus obscuring the nature of contact between tribes and "civilization" that had existed in Indian society before colonial intrusion" (Parasher-Sen, 2004a:44). To control the hilly frontier, colonial ethnography built on these existing relationships and depictions of tribal people, placing a major emphasis on savagery (Dirks, 2006:240-1).

To exert political control over the newly-colonized peoples of the hilly areas, colonial consultants used anthropology, ethnography, and racism to justify exploitation, displacement, and violence. Colonial ethnography constructed "hierarchies of power … created and reinforced through knowledge systems" (Mayaram, 2003:129). This "had the effect of redirecting important indigenous practices in new directions, by putting different weights and values on existing conceptions of group identity, bodily distinctions and agrarian productivity" (Appadurai, 1993:316, cited in Duncan, 2007). Surveys, censuses, ethnographies, and

gazetteers were created in order to divide groups into classifications of "those who were pliable and those who were resistant" (Mayaram, 2003:129). Appadurai linked the classification of tribes and castes to enumeration through the colonial census, stating that the production of census data created categories and a "sense of a controllable indigenous reality" (1993:317). These categories led to the "tribalization", "racialization" (Marriot, 2003:144) and "ethnicization" of diverse and fluid groups and societies into singular identities that could be classified. The institutionalization of race and difference within society legitimized deprivation, uneven development, and the continuance of British colonial rule in the CHT region. This tribalism process in the Indian subcontinent was not a homogeneous project, as it was undertaken in different ways in different parts of the Empire. However, the overall purpose was to increase the dominance of British colonial rule.

4.3.2 Primitive culture

The population of the CHT—the people living on the ridge-tops as well as those living in the valleys—had developed systems of their own, including an economic system, which were in harmony with their ecological and social environment (Mohsin, 1997). The *Jhum* ("shifting") method of cultivation was their mode of production; common property was a characteristic of their economic system (van Schendel, 1992). They had a vast amount of land for *Jhum* cultivation, and no marked disruptions or changes occurred in the CHT environment during the pre-colonial period. In addition to *Jhum* cultivation, the lives of the Jumma people were supported by secondary production activities, such as hunting, gathering, fishing, and trapping. However, the economic system of the Jumma people was different from that of a market economy and, thus, would rarely have provided a market for British finished products. As stated by Nasreen:

The British asserted that '*Jhum*' which was the characteristic form of agriculture in the CHT, was a 'primitive' method of agriculture; it entailed long fallow periods, which were considered to be a waste of resources by the British. They attempted to replace it by plough cultivation because it is economically more profitable and is considered to be technologically superior as well. (2002:102)

Similarly, the CHT communication system with its inflated carrying cost could not make this area profitable for the growth of British production (Huq, 1992:56). Thus, the British ethnographers and administrators portrayed Jumma culture as primitive, with that stereotype persisting into the post-colonial era. For instance, Hutchion, a colonial administrator, described the Jumma people's agricultural practice as "primitive" and "backward" (1906). In addition, Lewin (1889) was a British colonial ruler who focused on the cultural atmosphere of the Hill people in the Chittagong Hill Tracts (CHT). The bonded labor system among the valley groups of Chakma and Marma was portrayed as a "system of slavery". According to Lewin (1869),

Anyone who is without father, mother or any other relation, and who is not connected with any Zaminder or other in the revenue of cultivation of the country, who is destitute of the necessaries of life, and should his owners ever fall destitute, and be in want of the money for which he agrees, becomes a slave, and should his owners ever fall destitute, and be in want of the necessaries of life, they may sell him or her, or them to whom so ever they please, and the purchaser is from that time considered as the master of the slaves. The children, grandchildren, and so many generations, become the slaves for their parent's masters, and they must do whatever is ordered, whatever to cultivate, build or any sort of drudgery.

Consequently, the British colonial government abolished the pre-existing practice of debt-bondage. However, this made the CHT people dependent upon Bengali money lenders who charged high interest rates. This system brought them into a capitalist world. When the British colonial government destroyed the system of direct slavery, the Jumma people drifted into a new form of dependency structure. In addition, the British colonial government actively sought to bring about a transition from *Jhum* ("shifting") cultivation to settled agriculture: with that change, the government gained clear control of the commodification of land. The building of infrastructure was a priority in order to link the CHT economy to colonial markets which aimed to achieve the transformation of pre-capitalist economies (Nasreen and Togawa, 2002). The people of the CHT came into contact with a different kind of political economy which, for the first time, influenced changes in their own culture and society. Their traditional society began breaking down through being touched by colonialism.

4.3.3 Legislation and development programs

From 1787 to 1860, the British colonial government followed a non-interventionist policy in the Chittagong Hill Tracts (CHT). However, from 1860 to 1900, the government administered the CHT through a set of rules promulgated from time to time. The colonial rulers vested enormous power in government officers to dominate the CHT population and to strategically ensure that they lived isolated lives to restrict their economic and social mobility. Moreover, the *Chittagong Hill Tracts Regulation, 1900 (Act 1 of 1900)* prevented undesirable persons from residing in the CHT region. The CHT Regulation came into effect on May 17, 1900, and it was better known to the CHT people as the CHT manual. This manual provided special administrative status to the Chittagong Hill Tracts (CHT) (Arens, 1997). It introduced a judicial system, prohibited the "in-migration" of the Bengalis, and restricted the system of

land transfer from the Jumma people to Bengalis from the plains lands. The act of controlling Bengali migration into the CHT, at least in the minds of the CHT people, secured their autonomy. As noted in this report on the CHT:

> The 1900 CHT regulations have played a crucial role in the contemporary debate over the CHT. Hill people constantly invoke the CHT regulations as a source of rights and as a challenge to the legality of the presence of the Bengali settlers who are now in the CHT … There is a strong analogy between the 1900 Regulations and other historic documents dealing with tribal peoples, such as, the Royal Proclamation of 1763 (in Canada), the treaties with tribes in North America, the 1840 Treaty of Waitangi in New Zealand, the Lapp Codicial of 1753 in Norway and Sweden, the writings of Las Casas in Latin America and the Marshall judgments in the United States. (CHT Commission, 1991)

The customary laws and local administrative system were to be maintained for the convenience of the CHT people. However, at the same time, provision was made to increase the power of the civil administration. The District Commissioner (DC) in the CHT was even more powerful than the other District Commissioners (DCs) within Bengal. The CHT was divided into three major administrative subdivisions: Rangamati, Ramgarh, and Bandarban. Each sub-division was administratively headed by a Sub-divisional Officer (Article 38(a) of Chapter IV, cited in Mohsin, 2002:33). Several sub-districts or *Thana* were established, with these having the power to maintain legal order and collect revenue as in other parts of Bengal. The District Commissioner (DC) had the power to govern the entire CHT region at that time. The CHT Regulation of 1900 declared that the traditional institutions of the Circle Chiefs, Headmen, and *Karbaris* would be maintained. However, in practice, all powers—executive and judiciary— as well as monetary activities were assigned to the District Commissioner

(DC) (Mohsin, 2002:33).

The customary rights of the CHT's Jumma people were recognized in the British colonial government's CHT Regulation of 1900. However, their major customary rights were largely quashed through the implementation of the Forest Act in the same era. In 1871, almost all forest areas were designated "Government Forest". Some years later, an additional five forest reserves were created where cultivation was not allowed. These reserves covered an area of 3,500 km^2 (26% of the total CHT region which covers 13,000 km^2) (van Schendel, 1992:112). In 1875, government-owned forests were divided into two categories: "Reserved Forests (RF)" and "District Forests" (now known as "Unclassified State Forests [USF]"). By 1882–1883, nearly one-quarter of the total area of the CHT was "enclosed" as "Reserved Forests" (Adnan, 2004:21). Implementation of the Forest Act occupied the major portion of forest lands in the Chittagong Hill Tracts (CHT). Consequently, the forest lands designated as "Reserved Forests" were placed exclusively under the Forest Department's management which took over direct management of almost one-quarter of the CHT region that consisted of dense forest lands. This action effectively banned anyone other than the government's Forest Department from rights of access and use of forest resources (Nasreen, 2002). With the implementation of the Forest Act, the Jumma communities no longer had any rights in the Reserved Forests; however, before this Act, these forest lands belonged to them. On the other hand, the forest lands designated as "District Forests" were set under the direct control of a Deputy District Commissioner. In District Forests, *Jhum* farming and the use of forest products for domestic purposes were permitted with certain restrictions which the Deputy District Commissioner could impose from time to time. The state also gave high-quality land to European entrepreneurs for plantations. The state's forest policy was thus informed by its profit motive.

The Forest Act continued into the post-colonial state of Pakistan and the independent state of Bangladesh.

The British colonial administrator subsequently declared that *Jhum* cultivation was a "primitive" method of agriculture: it entailed long fallow periods which were considered to be a waste of resources by the British (Mohsin, 1997). As *Jhum* was a shifting method of cultivation, it was difficult to collect revenue from cultivators who transferred from place to place. Thus, the British colonial ruler attempted to replace *Jhum* cultivation with plough cultivation which was considered economically more profitable and technologically superior. This was expected to increase land revenue for the British colonial government. At the same time, it would make it easier to collect revenue from the Jumma people, who would stay permanently in one place once they gave up the *Jhum* method of agriculture (Nasreen, 2002).

Similarly, the British colonial government set up district and divisional headquarters at important junctures of the river and road communications networks. The construction of inland and water communication in the CHT established stable connection with the outside world, thus breaking down the relative physical isolation of the Hills from the plains. This was viewed as the process to bring the Jumma people into the market economy. This system created conditions in which money could be demanded for the payment of land revenue taxes and other levies, for meeting the need for expenditure of various kinds, and for buying and selling commodities and other necessities. This led to the penetration of market forces into the subsistence economy of the CHT people. As a result, some Jumma people took commodity production on a limited scale. The emergence of this new mode of production in the CHT created a new relationship between the ethnic Jumma people and a new class of people coming from the plains lands (Dewan, 1990). It was also the way in which the British colonial

ruler gained economic benefit and political dominance over the CHT people.

In this context, the Jumma people who had strongly resisted incursion by the British colonial administration were to be pacified with the opportunity to serve as a buffer against the other "wild races" (Dewan, 1990) on the frontiers of the British empire. A 25-year guerrilla conflict was initiated, lasting from 1760–1785. Historical documents reveal the resistance by the CHT people against the British colonial administration. In 1777, the Kuki indigenous group of the CHT peoples instigated a failed revolution against the British colonial government. Documents from this period show that the rebellion created tension amongst the British rulers. As Ishaq explained:

> The Company's chief [in] Chittagong wrote in April 1777 to Warren Hastings, the Governor-General, that a mountaineer named Rona Khan had committed great violence on the landholders of the Company by exacting various taxes and imposing several claims on them. Rona Khan called to his aid large bodies of Kukimen, who lived far in the interior parts of the hills, who had not known the use of firearms and who remained unclothed. (Ishaq, 1971, cited in Rahman, 2011)

However, the role and participation of the CHT people were not properly taken into account; thus, their voices were ignored and their demands remained uninvestigated. The colonial CHT Regulation was not an approval of autonomy. Instead, it was an administrative, legal, and judicial framework, which had the effect of depriving the local CHT people of access to the free and modern world of surplus production. This was a political arrangement which brought all the CHT people under an easy-to-rule authority.

As shown by the above evidence, colonization dramatically altered the production methods

and production relationships, affecting the political economy, ecology, and power relationships between and among the groups in the Chittagong Hill Tracts (CHT). The category of "Hill tribes" has usually been taken as the starting point for an analysis of the CHT which has proven to be problematic. The classification of "tribal" was used to justify the exclusion of marginalized people from this hierarchy. The assumption that the "Hill tribal" group is a distinct ethnically- and linguistically-bound community, with a predetermined set of attitudes towards the majority Bengali population, has contributed to the political practices, identity and power relationships within and between ethnic groups in the region.

4.4 Pakistan Period

The partition of India in 1947 not only had significant effects in the CHT region but also subsequently influenced the whole India–Pakistan subcontinent in deeper layers. The Muslim presence, which led to the birth of both East and West Pakistan, was dominant in the east Bengal region due to its Muslim majority population. In the CHT region, although 95% of the population was non-Muslim, the region became part of East Pakistan. The Boundary Commission chairman, Sir Cyril Redcliffe, arbitrarily awarded the CHT to East Pakistan, with no clarifications provided. When the province of East Bengal was formed under the new state of Pakistan and constituted as East Pakistan, the CHT was placed under Pakistan's central government, rather than the provincial government of East Bengal (Adnan, 2004:23). The new political boundaries meant that the CHT region was joined to East Pakistan by a narrow tract of land between India and Myanmar (Burma). Thus, the CHT people found themselves in the sensitive border area between East Pakistan and India: the means by which they demonstrated their loyalty to preserve these borders became a subject of widespread debate. As van Schendel argued, the political climate of the early post-partition period was fiercely nationalist

(2005:87). The politicians of East Pakistan routinely questioned the loyalties of the CHT people, especially in the context of the Liberation War before the independence of Bangladesh. In this regard, the following explanation by Uddin is very important:

> During these years, the identity of the CHT shifted from 'excluded area' to 'tribal area' and the 'hill-men' were widely designated as 'tribal people'. 'Tribal' as a word was used in a very derogatory sense, as the ethnic minorities living in [the] CHT were apparently very different from other people of Pakistan at the time. (2010:288)

In 1955, the central government of Pakistan initiated the abolition of the special status of the CHT region which had been assured in the CHT Regulation of 1900 during British colonial rule. However, due to the strong objections of the CHT people, this repeal was postponed. These moves stabilized the CHT for some time; however, within a few years, the old problems re-emerged. In 1962, President Ayub Khan declared the change of status of the CHT from "excluded area" to "tribal area". One year after that declaration, he fully withdrew the special status of the CHT through a constitutional amendment, which came into effect in 1964 (Shelley, 1992). Thus, the CHT Regulation of 1900 was effectively set aside.

Crucially, development of the CHT resulted in several contradictory approaches being adopted by the Pakistan government. The development policy mostly exploited the natural resources of the region, and exhibited little concern about the impacts on the CHT's local inhabitants. This policy was typically justified by invoking the discourse of development. Many development projects resulted in forceful evictions of the Jumma people from their own land. For instance, in 1953, the Pakistan government built a paper mill in the Marma-inhabited area of Chandraghona, which is known as the Chandraghona paper mill of the Chittagong Hill Tracts (CHT). However, many Marma people lost their land as it was acquired by the Pakistan

government to construct the mill. The evicted Marmas were dispossessed from this area without any consideration. On the other hand, the mill created more than 10,000 jobs but only 10–20 Jumma people were employed in the mill in positions as lower-class workers. Most employees were Bengalis who migrated to this area after the paper mill was set up (Chowdhury et al., 1979).

Similar occurrences were found in the construction of a hydroelectric power plant that was built at Kaptai village in Rangamati district in 1960. This project displaced about 100,000 people, who were mostly Chakmas, and who accounted for more than one-quarter of the total population of the CHT: more than 54,000 acres or 40% of the best plough lands of the CHT were inundated (Nasreen, 2002). Most people migrated to the neighboring state of India, while many were internally displaced. In my fieldwork, I met one man who was displaced who had migrated to Mahajan Para ("village") in the Khagrachari district. According to him:

> *Our original home was in the place where [the] Kaptai project was built. Our home was acquired by [the] Pakistan government for hydroelectric development plans. This project occupied many Jummas' home and agricultural lands including ours. It has destroyed some religious temples. We had nothing to do. Then some of the evicted people like us have migrated to the different areas. I migrated [to] Mahajan Para of Khagrachari town.*

Another development project, an earth satellite center, was established at Betbunia in the CHT region. The Pakistan government started the construction of this project with a donation from the Canadian government. The satellite center was built on the lands of the Marma community and was the cause of the evictions of many Marmas from their own land. In this way, the Pakistan government started controlling the Jumma communities directly under the banner of various development projects. All of these development projects were the cause of forceful

evictions of many Jumma people from their land.

The Pakistan government established a new category of "Protected Forests" in the Chittagong Hill Tracts (CHT). The government's plan was to establish a "softwood working circle" and a "fruit tree working circle" (Adnan 2004:23). Under this categorization, the East Pakistan Forest Industries Development Corporation (EPFIDC) implemented the mechanical logging project in the forests of the Chittagong Hill Tracts (CHT). According to official documents, the project logged trees up to 200 feet in height with a girth of over 18 feet. The project aimed to harvest about 2.5 million cubic feet of timber per annum. Based on the existing forest resources in the CHT region, the Eastern Pakistan Timber and Plywood Industries, the Sterling Plywood Products Ltd., the Satter Match Factory, and the Royal Textile Mills all collected raw material from the CHT forest area (Ishaq, 1971:156-57).

As had occurred with the British colonial regime, the Pakistan government banned *Jhum* cultivation within the areas designated as "Protected Forests". In 1967, the Pakistan government adopted a pilot scheme in order to restrict *Jhum* ("shifting") cultivation in the Chittagong Hill Tracts (CHT). Approximately 14,165 hectares of land were designated as protected areas where some displaced families were granted the opportunity to establish fruit gardening instead of *Jhum* ("shifting") cultivation. Another step towards the transformation from *Jhum* ("shifting") cultivation to fruit gardening came into being when a horticulture development program was implemented in the mid-1960s in the *Jhum* ("shifting") cultivable lands in the Rangamati district. In this project, Jumma families was allotted 2.42 hectares to plant bananas, pineapples, nuts, and other fruits in place of using *Jhum* ("shifting") cultivation.

These development initiatives and the transition from *Jhum* ("shifting") cultivation to settled agriculture created new opportunities for Bengali migrants. The Pakistan government had plans to turn the non-Muslim Hill Tracts area into a Muslim-dominated area. In this regard, the land was an obvious attraction, with both the introduction of settled cultivation and the withdrawal of the CHT's special regional status. The horticulture and fruit gardening program created considerable scope for settling Bengali people from the plains lands. The migration of the Bengali people increased from 9% in 1951 to 41% in 1981. On the other hand, development initiatives in the CHT region not only displaced the CHT people but created a sense of alienation among them. The displaced people who did not flee were resettled, but inappropriately. This displacement, disruption, and poverty created disaffection but, at the same time, gave rise to a sense of commonality among the different Jumma groups. However, this sense had not flourished into creating a political platform from which to oppose the state.

4.5 Bangladesh State Policy toward the CHT

Since the independence of Bangladesh in 1971, the tribalism policy has been applied in the CHT in a continuous process which can be traced in various ways. Many policies have been implemented by the state authorities and donor agencies: these have been similar to the colonial discourse that established one of the most fundamental conditions of power over the CHT's Jumma people. As Mohsin (2003:21) argued,

> The process of alienation and identity formation for the hill people of Bangladesh [was] root[ed] in the political and economic policies adopted by the state. While constitutional and political measures taken in the name of Bengali/Bangladeshi nationalism eroded the civil rights of the hill [people], economic and development policies violated their traditional rights and alienated [them] from resources they considered to be their community property.

In fact, after the independence of Bangladesh, the Jumma people demanded the formation of self-identity and constitutional recognition. However, the state policy of Bangladesh repeatedly denied their demands and tried to merge them into the Bengali nationalization process (Mey, 1984). The successive 'democratic' governments of Bangladesh have reproduced the 'colonial categories' (e.g., tribal identity and tribal policy) through several discursive practices. Three aspects of the reproduction of these colonial categories that shaped the contemporary CHT after the independence of Bangladesh are identified in this study as follows: (i) Constitution and laws; (ii) militarization, and (iii) the Bengali resettlement project.[30]

4.5.1 Laws and administrative practices

In 1971, Bangladesh was declared as a People's Republic. The national Constitution emphasized secularism as one of the basic principles of state policy. However, the secularism policy did not recognize the identity of the CHT's Jumma people: as stated in Article 6(2) of the Bangladesh Constitution: "[t]he people of Bangladesh shall be known as Bengalis as a nation and the citizens of Bangladesh shall be known as Bangladeshis". Article 28 of the Bangladesh Constitution outlawed discrimination based on "religion, race, caste, sex or place of birth" and further required the state to make "special provisions" to protect "backward sections of citizens." Though the term "backward" was introduced by the British colonial government, the national Constitution of Bangladesh has continued to use the same category. Similarly, Article 23A stated: "[t]he state shall take steps to protect and develop the unique

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[30] To maintain coherence in my thesis chapters, it should be noted that this chapter only discusses how the causes of conflict were rooted in these stated policies of implementing laws, militarization, and Bengali resettlement. Detailed ethnographic evidence of the impact of militarization and Bengali resettlement is provided in Chapters 5, 6, 7, and 8.

local culture and tradition of the **tribes [upajati], minor races [khudro jatishaotta], ethnic sects** and communities [nrigoshthioshomprodai]" (researcher's emphasis in bold font).

As a result, the issue of the formation of the self-identity of the Jumma people was not recognized in the Constitution of Bangladesh. Moreover, the colonial 'tribalism' process was further institutionalized through the constitutional recognition of "tribe". Consequently, a delegation of the CHT people demanded autonomy including their identity rights with their own legislature. However, the Prime Minister rejected the Jumma people, advising them "to forget their ethnic identities" and to merge with "Bengali nationalism" (Al-Ahsan and Chakma, 1989:967). The Jumma people of the CHT found themselves in an identity crisis as they were mostly non-Bengali (Mohsin, 1997). The notion of Bengali nationalism began to dominate the mindset of the Jumma people. Within Bengali nationalism, their Jumma names, dress code, and culture were considered to belong to a minority culture and, at that time, made them targets of discrimination. However, the Jumma people rejected the 'tribalism' policy which positioned them as a subordinate minority within the independent state, and have constantly fought for their right to be identified as a distinct people with their own culture and traditions. Manabendra Narayan Larma, a leader of the Jumma people, has protested against the domination of Bengali nationalism, arguing in national parliament: "[y]ou cannot impose your national identity on others. I am a Chakma, not a Bengali. I am a citizen of Bangladesh, Bangladeshi. You are also Bangladeshi but your national identity is Bengali … the [Hill people] can never [be] Bengali.[31]

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[31] Cited in Al-Ahsan and Chakma (1989)

Mr. Larma was the lone representative of the CHT region in the inaugural national legislature of Bangladesh. He opposed the drafted national Constitution of Bangladesh, which officially established the primacy of Bengali domination and did not recognize the non-Bengali ethnic groups living in Bangladesh. However, Mr. Larma's demands were rejected by the state. He has continued to fight for the rights of the Jumma people and is quoted as saying:

> Under no definition or logic can a Chakma be a Bengali or a Bengali be a Chakma. A Bengali living in Pakistan cannot become or be called a Punjabi, Pathanor Sindhi and any of them living in Bangladesh cannot be called a Bengali. As citizens of Bangladesh, we are all Bangladeshis but we also have a separate ethnic identity, which unfortunately the leaders of the ruling party do not want to understand.

However, neither the argument of Manabendra Narayan Larma nor that of Shantu Larma made any impact on the state policy makers. Consequently, in March 1972, the Jumma people formed a political party named the Parbatya Chattagram Jana Sanghati Samiti (PCJSS, or the "United People's Party of the Chittagong Hill Tracts"). In January 1973, they added the "Peace Force", a military wing, well-known as Shanti Bahini ("peace bridge") in the CHT region.

Furthermore, the development policy toward the CHT region has affected the lives of the Jumma people in various ways. The declaration of three types of "Reserved Forest" in the CHT was most significant in this regard. According to a 1976 Forest Department report, the forest areas of the CHT are categorized as 24% "Reserved Forest", 1% "Protected Forest", and 75% "Unclassified State Forest" (Nasreen, 2002). Previously, these forests were a major area of focus and resources for the Jumma people. However, after the declaration of the expansion of areas designated as "Reserved Forest", the Jumma people were no longer allowed to access the forest resources. The act of designating the land as "Reserved Forest" effectively displaced

many Jumma people. However, the Bangladesh government did not provide alternative areas of land to this displaced population. The Jumma people's alienation from land and forest was more visible in the militarization process, with many discriminatory factors observed. Militarization was a counter-insurgency strategy to control the Jumma insurgent group, Shanti Bahini. However, at the same time, the strategy was also used to govern the people of the Chittagong Hill Tracts (CHT). The major characteristics of militarization are next discussed in the following subsection.

4.5.2 Militarization

On August 15, 1975, Sheikh Mujibur Rahman, the Prime Minister of Bangladesh was assassinated by a group of "dissatisfied" army officers. A new government came into power through a military coup. From 1975–1991, Bangladesh was under military and quasi-military (Mohsin 2003) regimes, the latter in which military generals became civilians. In the context of the CHT, the military government introduced full-phased militarization as a counter-insurgency strategy against Shanti Bahini, the Jumma insurgent group. The 24th Infantry Division of the Bangladesh army was placed in charge of the CHT region. Four brigade headquarters were set up for the army in the CHT region: at Rangamati, Khagrachari, and Dighinala in the north, and at Bandarban in the south. Army base camps were also established in each *upazila* (sub-district)'s headquarters in the CHT as well as in various villages (CHT Commission, 1991). During my fieldwork, I saw that, in some village areas, the camps were not called 'base camps' but were simply named 'camps'. According to a CHT Commission report (1997), over 230 army camps, more than 100 Bangladesh Rifles (BDR) camps, and over 80 police camps were established in the Chittagong Hill Tracts (CHT). In the north, there were over 200 army camps, more than 90 BDR camps, and over 40 police camps:

in the south (Bandarban district), more than 30 army camps, over 40 police camps, and nine

BDR camps were established. These figures have not included camps for Bangladesh Ansar or

the Village Defense Party (VDP). The following chart shows the amount of land allocated in

different sectors by the Bangladesh government, or that it planned to allocate, without

consulting the Regional Council.

Table 4.1: Different sectors and their amount of land in the CHT

Different sectors	Land (in acres)
Establishment of Ruma Armed Forces Garrison	9,560
Expansion of Bandarban Brigade Headquarters	183
Establishment of Artillery Training Center	30,446
Establishment of Air Force Training Center	26,000
Reserved Forestation	72,000
Lease by District Commissioner	18,333
Total	*156,552*

Source: CHT Commission report (1997)

Thus, the colonial land acquisition policy has been reproduced in the establishment of bases

for security forces in the CHT region.

It should be noted that, while the British colonial government used the Forest Act, and its

designation of "Reserved Forests", as the most efficient way to manage the forest lands of the

CHT, the strategy has been fundamentally continued in the contemporary context of

Bangladesh. In the period 1984–1985, the Bangladesh government declared a large part of the

forest lands of the CHT as "Reserved Forest". Consequently, between 1990 and 1998, 217,790 acres of land from 83 *mouzas*[32] in the three districts of the CHT were earmarked as "Reserved Forest". Of this land, 140,341 acres were formally declared as "Reserved Forest" with entry restricted for any civilian of the CHT region (Halim and Roy, 2004). The declared "Reserved Forest" lands have mainly been used for the establishment of camps for security forces in the CHT region. The establishment of Border Guard Bangladesh (BGB) camps in many places in the CHT region has been the most recent evidence of the Bangladesh government's land acquisition policy. For instance, the Khagrachari district administration has taken initiatives to acquire 31.63 acres of land belonging to indigenous villagers of three villages of the Dighinala union in the Dighinala Upazila in the Khagrachari district for the establishment of the BGB battalion headquarters. Land occupation has been continuing by security forces in the name of managing "Reserved Forest" in the Chittagong Hill Tracts (CHT).

On the other hand, the armed conflict between Shanti Bahini and the Bangladesh army was the most debated issue in terms of militarization in the CHT region. From 1976–1997, an internal armed conflict between Bangladesh's armed forces and the Jumma insurgent group, Shanti Bahini, afflicted the region. During this period, hundreds of thousands of the Jumma people were forced to flee to the Tripura state of India, or became internally displaced as a result of the armed conflict (Jenneke, 1997; Barua, 2001). Around 8,000 people were killed from both communities, including members of the security forces.[33] More significantly, the military

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[32] *Mouza* is the lowest revenue collection unit and is synonymous with the village. During the Mughal period, the term was extensively used in the sense of a revenue collection unit in a *pargana* or revenue district. In the CHT, it is a revenue collection and social unit.

[33] On July 18, 1996, the Bangladesh government declared that about 8,000 Jumma, army personnel and civilians had been killed in the CHT to date. However, the PCJSS has challenged the above figures claiming the number is much higher than declared. Moreover, during the period of insurgency, 11 major massacres of Hill people have taken place, whereas the Bengalis have accused the PCJSS of killing 30,000 Bengalis in

forces directly and indirectly resisted, using Bengali settlers as human shields to carry out its operation against the Jumma insurgents, and supporting different anti-Jumma political organizations to polarize the local community, thus creating communal tension. The relationship and collaboration between Bengali settlers and the army was most significant in this regard.

4.5.3 Bengali resettlement

During the counter-insurgency, the Bangladesh government initiated the resettlement of 400,000 landless Bengali people from the plains lands area to the Chittagong Hill Tracts (CHT). Consequently, indigenous organizations as well as national and international human rights bodies systematically documented and raised attention at both national and international levels to the Bengali settlers' presence and the ensuing human rights violations perpetrated against the Jumma people of the Chittagong Hill Tracts (CHT). Many argued that the army had used Bengali settlers as human shields to carry out its operation against the Jumma people (Chowdhury, 2012). However, before discussing the Bengali–army relationship, the historical existence of the Bengalis in the CHT region is very briefly described in the following paragraph.

As has been seen, the CHT Regulation of 1900 was introduced to provide special administrative status to the colonial Chittagong Hill Tracts (CHT). In addition, it prohibited the "in-migration" of the Bengalis and restricted the system of transferring land from the Jumma people to the Bengalis from the plains. However, in fact, since the colonial period, the economic activities of the CHT region have been dominated by the non-tribal population. The

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the Chittagong Hill Tracts (CHT) (PCJSS, 2005).

Bengalis have arrived in the CHT for business and administrative purposes. As I was informed through my fieldwork in Mahajan Para, a commercial part of Khagrachari town, most shops and transport businesses of that area are operated by Bengali people. This began in the colonial period. Although the Regulation of 1900 prohibited the "in-migration" of the Bengalis, it did not take any action to prevent the entry of Bengali people for business purposes. The statistical evidence of changes in the CHT demography is important in this regard. The first census after the independence of Bangladesh was conducted in 1974, in which it was estimated that about 26% of the population of the CHT was Bengali. This statistical information is significant when discussing the Bengali presence in the CHT before the Bengali resettlement program in the region. The Bengalis who came prior to the resettlement program for business or commercial purposes are not known as 'settlers': some identify themselves as 'permanent' inhabitants of the area. According to the Jumma informants of the Mahajan Para area, no clashes have been arisen between permanent Bengalis and the Jumma people.

On the other hand, the Bangladesh government-sponsored Bengali resettlement project dramatically changed the composition of the population, with the percentage of Bengalis in the CHT increasing from 26% in 1974 to 47% in 1991 (BBS, 1991). The government's argument was that Bangladesh was an overpopulated country and there was plenty of uninhabited land in the CHT region. The Bengali settlers could use this land for more productive agricultural purposes than 'slash and burn' cultivation. However, the experience of the Jumma people was different to the argument put forward by the government. Their experience was that the Bengali resettlement project was a discriminative practice by the government against the Jumma people. The Bengali resettlement project was seen by the Jumma people as another state policy toward the CHT that would diminish their constitutional demands. In fact, by the

end of the 1980s, officially only 400,000 Bengali people had resettled in the Chittagong Hill Tracts (CHT). Now, they have increased in number to 700,000. Many Bengali settlers migrated to the CHT without the proper consent of government.

The land taken by the authorities as *khas* ("unused land"), in fact, was regarded by the Jumma people as their communal property, based on custom and usage. New settlers with the help of previous settlers have forcefully occupied the Jummas' agricultural lands. Although the customary common property rights have been recognized since the colonial regime, the traditional administrative system could not protect the Jummas' agricultural lands from the Bengali settlers. While the government has provided documents of land ownership to Bengali settlers, many Bengalis have settled on land left behind by the CHT people when they took refuge in India (Mohsin, 2003). Competition for control over lands and the political economy of the CHT people has often created conflict between the two groups of people.

Incidents of communal massacre have also occurred in different places in the Chittagong Hill Tracts (CHT) (see Chapter 5). No exact figures are available; however, it is estimated that more than a dozen attacks have taken place in the whole CHT region from 1971–1993 (PCJSS, 2005; Chakma, 2010b). The main objective of these attacks could be seen as being to deny the sense of ethics of the Jumma society or to assert the domination by the superior clergy respected in "tribalism" (Mohsin, 1997). The role of the military during the time of conflict has been very controversial. The military have been very supportive of Bengali resettlement in the CHT region. The military has taken advantage of the Bengali–Jumma relationship by mobilizing political support for Bengali settlers. The army's patronage of Bengali settlement has been an important strategy to create conflict between settlers and Jumma people, enabling the army to extend their term of occupation through the excuse of needing to maintain law and

order.[34] These influential factors have created an insecure policy environment, thus leading to continued militarization in the CHT region.

4.6 Conclusion

In this chapter, the state policy of "tribalism" toward the people of the CHT has been analyzed in its historical context. I have discussed how the British colonial government categorized the ethnic community as "tribal" and a "backward class", thus justifying its intervention through the CHT Regulation of 1900, the Forest Act, and several development policies. The "ownership" assumption by the British colonial government has been "crucial to the history" of the changing land and customary rights in the Chittagong Hill Tracts (CHT). The CHT region was declared to be "Reserved Forests". This denied all cultivators access to what the Hill people had always considered as common land. Their mode of production, cultural practices, and everyday lives were perceived as immoral, exotic, and primitive in colonial eyes: for this reason, colonial rulers forced them to change their existing economic arrangements. In this chapter, I have argued that although this tribalism policy has persisted in post-colonial regimes, the nature of the ways in which the state has dealt with ethnic communities has changed from time to time. All of the new arrangements were actually made in order to collect revenue from the people of the CHT region. This was the way in which the British colonial government gained its own economic benefits and political dominance over the CHT people.

The nature of the state's domination shifted during the Pakistan period. The government

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[34] The relationship between the army and Bengali settlers is discussed several times in this thesis. These detailed discussions are found in Chapters 5, 6, and 8.

started to directly control the Jumma communities under the banner of development projects. Along with various government projects, the state permitted donor agencies to undertake their development activities. The initiation of the hydroelectric power project, the paper mill, and the earth satellite center caused the forceful evictions of many Jumma people from their lands. Many migrated to the neighboring state of India while many others were internally displaced. After the independence of Bangladesh in 1971, the Jumma people demanded constitutional recognition. However, the government rejected this demand and reproduced the "tribalism" policy through the laws, the militarization process, and the Bengali resettlement project.

One Jumma political party, the PCJSS, turned to armed resistance against the state policy. The armed conflict between the Jumma people and state military forces make the CHT region a conflict zone. The Bengali resettlement project in the CHT region added a new dimension to the sufferings of the Jumma communities. The effects of the intensity of their sufferings are easily observed in the decreasing trend in the number of ethnic people in the Chittagong Hill Tracts (CHT). Moreover, several institutions of the Bangladesh government have exercised power over the CHT's ethnic communities through development programs. These programs have indirectly influenced the lives of the people of these communities, attempting to compel them to merge with the dominant culture of the Bengali people. The Jumma people have been trying to protect their rights through their own initiatives. This has escalated the conflict between the Bengali settlers and the Jumma people. Overall, the evidence has suggested that the post-colonial state policy toward the people of the CHT has played a role in continuing the legacy of colonialism and has helped to reinforce the policy of tribalism in the independent state of Bangladesh. To undertake an in-depth analysis of the background of the CHT Peace Accord 1997 in the Bangladesh period, close attention must be given to the ways in which

identity, power, state policies, and inequalities have manifested in the local sphere. In doing so, Chapter 5 of this thesis uses empirical case studies of local people of the CHT at the village level.

Chapter 5: Dimensions of Conflict: Militarization and the Bengali Resettlement Project in the CHT

5.1 Introduction

This chapter addresses the interconnectedness between the different actors and events surrounding the CHT Peace Accord, in particular, the conflict in regard to militarization and the Bengali resettlement project. To answer the questions of why and how the conflict in the CHT has arisen, I argue that, although the Bangladesh state became independent in 1971, the Jumma people of the CHT have continued to be the victims of conflict situations through different governmental policies. Militarization and the Bengali resettlement project are seen as key instruments in this regard. Even though the government has continued to justify the militarization project as a security strategy and Bengali resettlement as a major opportunity to resettle landless Bengalis from the plains, both policies have dramatically increased conflict in the Hill region.

Much of the peace literature has analyzed the conflict between Shanti Bahini ("Peace Force") and the army from only the political perspective. However, my aim in this chapter is not only to examine armed conflict between the army and Shanti Bahini, but also to investigate the way of life of the villagers who have experienced the militarization and Bengali resettlement process at the grassroots level. In order to explore the consequences of militarization at the village level, this chapter examines the experiences of ordinary people. Furthermore, in recent decades, heated debates have erupted over Bengali resettlement policies in the Chittagong Hill Tracts (CHT). Moving beyond the demographic impact, such debates have also focused on the social, cultural, political, and economic contexts. From the dominant understanding of Bengali resettlement issues in the CHT, three general areas have been developed: (a) historical legacies

of ethnicity and practicing dominant Bengali nationalism (Mohsin, 2003); (b) causes of conflict between Bengalis and the indigenous population (Chowdhury, 2012); and (c) the land grab related to the economic exploitation of the Jumma people (Dewan, 1990). Although the politics of Bengali nationalism are central to CHT studies, until quite recently there has been a general failure to consider the interaction of the historical, social, and cultural processes that have contributed to making this region a conflict zone. Thus, in a holistic way, I intend to explore these multifaceted dimensions of ground-level realities which typically remain uninvestigated. This chapter is broadly divided into two sections. The first section seeks to examine the impact of the militarization project on the local people, while the second section deals with the Bengali resettlement policy. The analysis not only discusses the circumstances of conflict between the army and insurgents or between Bengali settlers and the Jumma people, but also investigates the survival strategies of local people in the conflict arena.

5.2 Militarization Policy

Over the decades, military influences over political, economic, and social affairs have played a significant role in the Chittagong Hill Tracts (CHT). The history of the militarization policy in the CHT began just after the independence of Bangladesh. The role of the military in the Hill region is complex in its several discursive practices. While the military forces were deployed to halt the actions of the Jumma insurgent group, their gradual engagement in administration, development, and economic activities has had severe impact on the lives of the ordinary people of the Hill region. The ethnic and religious connections of the army personnel also need to be noted. Almost 100% of the security personnel in the CHT are ethnically Bengali, and the majority of them are believers of the state religion, Islam: similar proportions prevail among Bengali settlers in the CHT region. In comparison, the Jumma people religiously are

non-Islamic, practicing Buddhism, Hinduism, Christianity, and traditional faiths: they belong to ethnic and linguistic groups that are different from the Bengalis. Although a small number of the Jumma people have joined the army, the Border Guard Bangladesh (BGB), the police and Ansar (an internal security and law enforcement force), rarely have any of them been posted to the Chittagong Hill Tracts (CHT) (IWGIA, 2012). This leads to prejudiced and discriminatory conduct among these forces, and security personnel who often sympathize and act in favor of the Bengali settlers, and against the Jumma people.

During the militarization, Shanti Bahini members and their initiatives were portrayed as "anti-state activities" and "a conspiracy against Bangladesh sovereignty" (Levene, 1999). However, members of Shanti Bahini do not consider that they or their insurgency were fighting against the state but to establish their rights. In this context, a former Shanti Bahini activist explained:

> *From the colonial period, our loyalties always have been suspected. Thus, [the] British ruler identified us as 'tribal' and 'savage'. Similarly, Pakistani rulers suspected us as [being] Indian supporters. In [the] independent state, Bengalis think that our movement could diminish the sovereignty of state. It [is] the way in which state authorities have separated us from the mainstream. Our identity rights and demand [for] autonomy always had been rejected. But we are not terrorists, just want to establish our rights and protect ourselves.*

Like the state authorities, the state security forces also believed that the 'tribal' people were very dangerous and were trying to break up the country (Ahmed, 2010). I heard similar views from the Bengali people throughout my CHT fieldwork. A Bengali schoolteacher in Khagrachari expressed his opinion this way: "*[t]he tribal [people] are extremists and criminals. They [are] fighting against Bangladesh and kidnapped our Bengalis.*"

On the other hand, the Jumma people, even the armed Jumma activists, considered that their demands were very rational. During my fieldwork, most respondents were unsure about the reason why the army and the government did not trust the Jumma people. Even they did not believe their activities to be dangerous to Bangladesh in any sense. Interesting information was provided by a former member of the Jana Sanghati Samiti (JSS) (People's Solidarity Association) who had been involved in the armed movement in the Chittagong Hill Tracts (CHT). He explained through one example, denying that they were anti-sovereignty activists:

> *In the time of armed movements, we had established many schools in the remote hilly area. If you check there you will be find out [the] Bangladesh national anthem was always sung in those schools under the national flag of Bangladesh. So how can they portray us [to be] terrorist and anti-Bangladeshi?*

The Jumma people believe that militarization was a strategy to make them a minority in the Chittagong Hill Tracts (CHT). Such an 'anti-state' categorization assisted in the process of controlling the region through the use of the national armed forces. On the other hand, not only was the army involved in controlling Shanti Bahini insurgents, but it was also involved in governing the everyday lives of the ordinary Jumma villagers. (This was in a unique way that can only be understood by examining the particular contex, as is explained later in the thesis.) Human rights organizations have frequently reported army violence against the Jumma people. For example, Amnesty International (2002) has mentioned numerous instances of unlawful killing of the Jumma people by Bangladeshi armed forces and Bengali settlers in the Chittagong Hill Tracts (CHT). With the support of the army, many organizations were set up to counter the Jumma people's movement. In addition, interviewees stated that in the recent massive-scale Khagrachari communal attacks, discussed in detail in the following section, the

Jumma villagers were executed by Bengali settlers with the help of military forces in the Chittagong Hill Tracts (CHT). The army has often stood by to back-up the Bengali settlers when they initiated communal attacks or tried to grab land. The ordinary Jumma villagers were under army surveillance which created a circle of fear at the village level.

5.2.1 Local experiences of militarization policy

The Jumma villagers indicated that, after the independence of Bangladesh, they frequently experienced events of serious armed conflict. Successive governments therefore adopted several discursive policies to 'develop' the area, some of which had direct impact on the rights of the Jumma people. Two specific government policies, firstly, militarization and, secondly, the Bengali resettlement project, had the most effect on the Jumma people, changing their lives dramatically. During my fieldwork, I faced many difficulties in collecting information about villagers' experiences of militarization and insurgencies. Not only were the Jumma people afraid to disclose army activities, but also the insurgencies of Shanti Bahini. As stated by one informant from the Chakma people:

> *We are always living under the threat of [the] army. We had passed hazardous moments in our life. But I do not want to remember the past. If anybody informs them that I am talking about the army to an outsider, I will be in great trouble. I only can say that, the way to live under the army rule, is to live in [your] homeland and to live in prison is the same.*

However, some members of the PCJSS talked frequently about army activities, and especially torture of the Jumma people by army personnel. As one member of the PCJSS mentioned:

> *Many tortures were also meted out to the Jumma villagers during hunts for Shanti Bahini members; they were rounded up from their homes and a few of them, often the young men,*

were picked out and tortured in front of the assembled villagers.

During the 1970s and, in particular, the mid-1970s, the villages of the Khagrachari district were surrounded by temporary army camps. Of those living in the Khagrachari district, the people of the Matiranga village suffered the most from the militarization project, with the ordinary villagers suffering from these circumstances in various ways.

Firstly, during the period of armed conflict, the army frequently searched and arrested villagers, assuming them to be members of the Shanti Bahini insurgency. Mass tortures were also meted out to Jumma villagers during the hunts for Shanti Bahini members. Many Jumma informants claimed that since the beginning of militarization, the Jumma people had frequently been tortured by the army. The situation was often unbearable for many of the Jumma people. One of the informants, Kashi Tripura of Lamuchari village, described the situation in the following way:

> *The decade of the 1980s was the worst time of our life. We were frequently searched by the army. My elder son was a victim; he was viciously tortured by [the] army. One day, I cannot remember the particular date, in the morning a group of army [soldiers] from Mahalchari zone raided my home and asked my elder son whether he had seen any "Shanti Bahini terrorists" in his area. When he answered negatively, the soldiers beat him with thick sticks. My son was severely injured. He was admitted in the hospital for nine days. We were constantly living under the threat of [the] arm[y]. Nobody was allowed to open their mouth against the army activities. To live under the army rule is similar to living in jail.*

Secondly, the army's "road protection camps" were another source of threat to the Jumma villagers. The road protection camps were established to prevent Shanti Bahini attacks in the daytime, and the ordinary villagers suffered. From evening to the next morning, all roads in the

CHT were closed to any movement, and especially to vehicles. The Jumma people could not move freely in their lands. At the rural level, local people had to finish their entire daily chores before evening. As stated by one of the interviewees:

> *We couldn't move freely in our lands. There were road protection camps [at] almost every hilltop along with the main roads in the village. We had to finish all our outside tasks before evening time. We had become isolated at night and could not move anywhere. The army searches all roads for explosives before opening them in the morning. We were in very much suffering [from] such kinds of army activities.*

Thirdly, the people whose relatives or family members had joined Shanti Bahini or the PCJSS were in a more vulnerable position. Relatives of Shanti Bahini members were picked out and tortured in front of the assembled villagers. When security forces were searching the villages, many villagers escaped into the jungle away from their localities. As stated by Binoy Chakma (62), a villager of Pathachara in Matiranga:

> *During the arm[ed] conflict, many of the relatives of Shanti Bahini members were arrested and tortured by [the] army. [The] army raided many Shanti Bahini members' houses in our village several times. The relatives of Shanti Bahini members went into [the] jungle to avoid such kinds of torture and arrest. I [had] a similar experience in February 1986. When the army [were] informed that my younger brother [was] a member of the PCJSS, they decided to search our home. I, along with my wife and two kids, fled into the humid jungle beyond our village. Many villagers had the same experiences. For about seven days, we stayed there with minimum food, just struggling to save our lives in the deep forest. Like my kids, other babies from other families who also took refuge, were crying because they were hungry. Whereas surviving in the forest was itself a challenge, we were extremely worried that [the] army might find us and we could be tortured.*

Gradually, the army has become involved in economic and development activities in the Chittagong Hill Tracts (CHT), with the military budget showing an increasing trend in recent years. Thus, militarization should not be treated only as a security mission, but also as a large economic project while the army is inseparably involved in development and monetary activities in the Chittagong Hill Tracts (CHT).

5.2.2 Militarization: a big economic project

Over the decades, military officers who had been posted in the CHT have provided many examples of the private ownership of land, including of hills, or of other businesses. Although some income-generating activities are conducted legally and officially, with the involvement of several individuals, the illicit nature of other activities can be identified. The army's involvement in income-generating activities is criticized in various ways by human rights organizations:

Firstly, the army in the CHT has gradually become involved in leasing *khas* ("unused land") in hilly areas for the development of privately owned tourism centers, NGO offices, and other institutions. In the Bandarban district of the CHT, 1,871 leases, distributed in 25-acre plots totaling 46,775 acres of *khas* ("unused land"), were issued prior to the Peace Accord, mostly to elite Bengali non-resident industrialists, companies, as well as to civil and military officials.[35] As noted by the International Work Group for Indigenous Affairs (IWGIA, 2012), the cases of illegal leasing of land are common. In terms of the lessees, most land leases have been granted to leading retired army officers who have had good connections with the government. For instance, retired Colonel and Communication Minister of the Bangladesh

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[35] *Daily Samakal*, September 10, 2009

Nationalist Party (BNP) government, Oli Ahmed, was granted the lease to 150 acres of land in No. 303 Daluicharimouza in Soroi Union of the Lama sub-district, Bandarban district, which had been used for agricultural purposes by the Jumma people.[36]

Secondly, the Bangladeshi army has been operating many institutions with a business scope in the CHT region. One among them is the famous resort, Nilgiri Resort. The resort was constructed by destroying an orchard of the local Mro people, as well as shops and a school on the road nearby.[37]

Thirdly, the army has become extensively involved in different roles generally carried out by civilian agencies, such as development projects or the supervision of NGO activities: many retired army officers and their family members have joined these kinds of organizations as employees. It is worth mentioning that many micro-finance NGOs run their projects in the CHT region. However, the Jumma people have rarely benefitted from the income-generating activities of these NGOs. As stated by Shantu Larma:

> *The concept of the NGO, in the CHT region, was introduced to dominate the indigenous people. Before the Accord, there were no NGOs, and we had no idea about NGO activities. They came after the Accord and started their domination in the name of development. More importantly, the NGO activities are neither contributing to the social and cultural aspects of the CHT area nor [are] they promot[ing] any development of the CHT area or the indigenous people. Rather, the NGO activities [are] causing negative impact on the CHT's social, cultural, economic, and political issues.[38]*

During my fieldwork, I was informed that many retired army personnel have been actively

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[36] *Daily Samakal*, September 1, 2009
[37] Bhattacharjee (2010:18-21, cited in IWGIA report, 2012)
[38] *Dhaka Tribune*, August 18, 2014

involved in government and NGO development activities. As stated by one Jumma person stated:

> *While [the] arm[y] [is] dominating in the land leasing policies, many Bengali and retired army officers [are] receiving land in the name of NGOs. NGOs are becoming [a] new type of land grabber in the CHT. Many lands are allotted for NGOs especially for micro-finance institutions and social forestation programs. Though they are operating micro-finance activities, the benefit of the Jumma people [is] very small. Most of the employees of these NGOs are Bengalis. They do not respect our culture. Moreover, they try to provoke us to get involved in those kinds of activities which are extensively contradictory with our cultural and religious values. Micro-credit [is] not granted for our Jhum cultivation. By introducing the plough cultivation to the Jumma communities, the micro-credit NGOs are trying to change the livelihood of Hill people.*

The plough cultivation process is actually based on modern technologies which require intensive capital for irrigation. However, most Jumma people do not have the economic ability to invest this amount of money. As indicated by the villagers, the retired army personnel and their family members are gradually becoming investors and a new type of social elite is arising. Not only are they taking land through the land leases, but they are also investing money in the agricultural technological sector. The Jumma people are taking out loans or renting technological machinery from the new local elites. Although other previous research studies have emphasized only the co-relation between Bengali settlers and the military, these studies have often failed to recognize the complexity between these and other crucial actors, for example, Bengali settler, NGOs, retired army officer, and the Jumma people. The following sections describe the intensive investigation of this multidimensional resettlement relationship.

5.3 Bengali Resettlement Project

After the independence of Bangladesh, the government realized that the CHT was a major opportunity to resettle landless Bengalis from the plains. About 400,000 Bengalis moved into the CHT region between 1977 and 1987. This resettlement project has dramatically changed the demography. The percentage of Bengalis in the CHT rose from 26% in 1974 to 48% in 2011.

Table 5.1: Bengali Resettlement Project

Year	Jumma	%	Bengali	%	Total
1872	61,957	98	1,097	2	63,054
1901	116,000	93	8,762	7	124,762
1951	261,538	91	26,150	9	287,688
1981	441,776	59	304,873	41	746,649
1991	501,144	51	473,301	49	974,445
2011	845,541	53	752,690	47	1,598,231

Sources: Bangladesh District Gazetter (1975); Population Census of Bangladesh (1974, 1981, 1991, 2001, 2011)

Table 5.1 provides the 100-year population transition of the Jumma and Bengali communities in East Bengal, East Pakistan, and Bangladesh as per the census results. The 1901 census, compiled when the British outlined the partition of India and Pakistan, indicates that the Jumma population formed more than 90% of the total population of the Chittagong Hill Tracts (CHT). The CHT was under a colonial regime when the British administration enacted the *Chittagong Hill Tracts Regulation, 1900*, decreeing the CHT to be a "special tribal dominated area" and restricting permanent settlement and acquisition of land by outsiders. This provision

of the "special status" of the CHT was further highlighted by the *Government of India Act 1935* that designated the district as a "Totally Excluded Area". This was intended to be a formal recognition for the region and its indigenous populations, providing them with the right to specific legal provisions as their safeguard, including restriction on the settlement of Bengalis from outside the CHT region. At this time, the proportion of Bengali people in the region was only 9.61%. However, the Pakistan government changed to a new law in 1964, abolishing the "special status" of the CHT and opening up the region to outsiders. The new law of the Pakistan government has encouraged many Bengalis to come to the CHT region. Bengali people started to migrate to the region for business purposes. After the independence of Bangladesh in 1971, the CHT scenario dramatically changed due to different government strategies. The Bengali resettlement project was the most important factor in this demographic change. The percentage of Bengalis in the CHT rose from 9% in 1951 to 41% in 1981. In 1991, the total Jumma population of the CHT had increased in number, but had decreased as a percentage to 51.43% of the total population of the area. The declining trend of the Jumma population, in terms of its ratio, is due to Bengali resettlement. As argued by Adnan:

> The present ethnic composition of the CHT is strikingly different from what it had been around a century earlier. In 1872, the CHT population was almost entirely Pahari (98 percent). In comparison, the non-Pahari (mostly Bengali) accounted for a minuscule minority (2 percent). Even up to 1951-56, the various Pahari groups together accounted for 90 percent of the CHT population, with Bengalis comprising most of the remainder. However, by 1991, the share of all the Hill peoples declined drastically to around half (51.4 percent) of the CHT population. Correlatively, the share of Bengalis rose dramatically from around 9 percent in 1951-56 to 48.5 percent in 1991. (2004:11)

Thus, the Jumma people started to realize that they would soon become a minority in their own region. Officially, Bengali resettlement of the CHT was presented as an exclusive policy to resettle landless Bengalis from the plains or as an initiative to achieve a demographic balance between the plains and the Chittagong Hill Tracts (CHT). However, the ethnographic study of the three villages shows many complex scenarios extending beyond these factors. The rights of the Jumma people actually originated under a separate legal regime, in which they considered themselves to be a distinct group with their own identity, separate from those of the rest of the country. Their rights and interests were regulated and administered by traditional institutions according to customary law (Roy 2000:54). The meaning of "customary system" in the CHT did not refer only to land rights or the land management issue: rather, it designated the way in which the Jumma people led their lives, including the social, political, and religious contexts. This system was for a traditional way of life. However, the increasingly legal trends of the post-colonial state affected the customary rights of the Jumma people. In particular, the Bengali resettlement project, with its multiple layers of intrusion, enormously affected the everyday lives of the Jumma people. This project destroyed the existing modes of production, affecting the traditional administration body, community organizations and networks, and threatening the cultural identity of ethnic minorities, with the worst sufferers often departing from the agricultural land. The following ethnographic pictures of the Khagrachari district allow the investigation of this scenario.

5.3.1 Economics of Bengali resettlement in relation to the sociocultural aspects

Generally, the economics of resettlement are perceived through the land management issue, the creation of employment opportunities, the mode of grants to the resettled people, etc. Although all of the policies were deeply aligned with the economic development of the

resettled people in the CHT, these policies drifted into many other sociocultural consequences in the region. Control over the lands and domination in economic sectors can create large-scale inequality and differentiation which may turn into sectarian conflicts between two groups of people.

The land issue

The overwhelming dispute surrounding land management was the most fundamental impact of the Bengali resettlement project, creating numerous complexities between the resettled people and the Jumma inhabitants in these localities. The Jumma people practiced a traditional customary land management system which did not require any legal documents or registrations with government offices. However, the Bangladesh government neither officially recognized the customary land rights nor had any formal land management policy for the CHT's Jumma people. The lands of the CHT were known as state land, and with this designation, the Bangladesh Forestry Department could characterize these lands as "Unclassified State Forests". Thus, prior to the population transfer program in the CHT, a serious disagreement had arisen between the Jumma people and the government. The government declared in favor of resettlement based on the argument that the Bengalis had been resettled on *khas* or "unused land", which was considered to be government-owned property as it was deemed to be state land. On the other hand, as the Jumma people claimed, *khas* in deep jungle areas did not always mean "unused land". The Jumma people considered this land to be their community property. The land in deep jungle areas was inseparably related to their livelihood. This land was essentially the same land as that termed by the Jumma people to be *Jhum* land or forest land, used for shifting cultivation and other collective purposes. Until the Bengali resettlement period, the Jumma people rarely had any sense of

private ownership of land; however, the Bangladesh government argued that they would not offer any private land for resettlement except *Khas* or "unused land".

Although the Jumma people opposed the resettlement of Bengalis in the CHT, the Bangladesh government initiated the resettlement project as a policy to achieve demographic balance in the country. In the first phase, about 125,000 acres of 'hilly lands', 100,000 acres of 'mixed lands', and 62,500 acres of 'paddy lands' in the CHT region were allocated to the Bengali resettlement project. About 25,000 families, compensated in both cash and land, were apparently brought into the CHT from the plains districts in the 1980s. Each family received five acres of 'hilly land', four acres of 'mixed land', and 2.5 acres of 'paddy land'. In addition to the compensation, the government supported resettled people with other types of assistance, including cash money to the value of Bangladeshi taka (BDT) 3,600 and food supplies from a free rationing program (CHT Commission, 2000; Nasreen, 2002). Settlers have been entitled to cash money and free rations for the past two decades.

In the first phase of the resettlement project in the 1980s, no cluster villages were created for the settlers. In Khagrachari district, most Bengalis were resettled in the remote jungle areas of Panchari, Matiranga, and other similarly remote areas. When the insurgency of the Jumma people began, settlers were tortured by Shanti Bahini and had to transfer from this land. At that time, the Bangladesh government formed many cluster villages as a way to save the settlers who were mostly Bengali. One example of these cluster villages is Shalbon village of Khagrachari town. A settler of Shalbon village named Ramiz Ali provided the following information:

> *I [was] brought up in Noakhali; however, I didn't manage any permanent work for [my]*

livelihood. It was tough to maintain my family. I could not even manage food for my children regularly. In 1978, some people offered me to resettle in the hilly area. They offered land and also [a] monthly scheme. They took me with my family by truck [to] Matiranga village, about 30 kilometers, far from Khagrachari town. Almost 20 families came with us. The time was very critical: Shanti Bahini was carrying out their insurgency, and armed conflict was going on between [the] army and Shanti Bahini. Shanti Bahini threated us in various ways and many settlers were abducted by them. [The] army took us [to] Khagrachari town. In April 1988, Shalbon cluster village was built to further resettle. Then we shifted to Shalbon from Matiranga. About 100 Bengali settler families came to this area from different areas of [the] CHT to live, along with the help of [the] army. But the number is gradually increasing. Now about 1,000 families are living in the village. Though many of them are not entitled [to] government ration[s], they resettled here by their kin[ship] networks. There are many new cluster villages also, built in the town and the village areas. But every family who resettled in the early stages is entitled by schemes. I have received five acres land in Shalbon village to make my home. After one month, I have received another five acres land in the hilly forest area for agricultural work. Still now I have been collecting [the] monthly scheme for my livelihood. This is enough to maintain my family.

On the other hand, while the resettlement policy offered land and cash incentives, it never created permanent employment opportunities for Bengali settlers. In fact, the Bengali resettlement project has adversely affected the unemployment situation in two ways. In the first place, Bengali settlers originated from the plains where they practiced plough cultivation and used open areas for planting. It is noteworthy that only 3% of the total land of the CHT is suitable for plough cultivation (Asia Indigenous Peoples Pact [AIPP], 2007). Although the Bengali settlers received hilly or forest agricultural lands, they were not habituated to the *Jhum* ("shifting cultivation") system used on hilly land. Secondly; the growth of the population

directly encouraged unemployment by creating a large addition to the labor force. This was because the rate of job expansion could never be as high as that of population growth. It is true that the increasing labor force has required the creation of new job opportunities at an increasing rate. However, in actual practice, owing to the hilly mountain region with the CHT not suitable for industrial development; employment expansion has not been sufficient to match the growth of the labor force, and to reduce the rate of unemployment. This has led to increased unemployment for the people of the Chittagong Hill Tracts (CHT). During my fieldwork, I observed that, in the Shalbon cluster village, the settlers came from the plains areas of Chittagong, Noakhali, Sylhet, and Comilla districts. They had little expertise in upland cultivation. Without knowledge of the hilly cultivation process, many are living without any occupation, depending only on the government rationing system. The livelihoods of those who settled without proper consent from the resettlement authority and who were not entitled to any government rations have been affected by these unemployment conditions. Their scarce financial resources and abundant vacant time, due to unemployment, have encouraged their involvement in illegal or violent activities, for example, the illegal timber business, hijacking, theft, abductions, or eve-teasing (public sexual harassment or molestation). As stated by a settler of Shalbon village named Salim Miah (59):

> *[The] government brought us to live here but they do not provide us any scope for work. Though government gives us hilly lands, we cannot utilize them. We just depend on government rations. Most of our younger generations are jobless. The abundant vacant time inspired them to [be] involve[d] in illegal activities. We cannot do anything.*

Moreover, the Bengalis who resettled in the village through kinship networks or through their own initiative were not entitled to receive government rations. In some cases (as I observed in

the villages of Lamuchari and Shalbon), new settlers were not only settling on the forest land but they also took the agricultural land which was previously cultivated by the Jumma people. After moving to the land, they made it their residential area. Among the Bengali communities, these newer settlers have the weakest livelihoods. The Bangladesh government does not have any employment policy for them nor does it provide any rationing system. The government has not even undertaken any legal measures to stop these new arrivals settling in the CHT villages. Thus, land grabbing and these types of illegal incidents have continued to occur.

More importantly, after Bengali resettlement, the common lands of the Jumma people have been treated as an object of violation by Bengali settlers. The Lamuchari village is one instance of such encroachments. The people of Lamuchari village indicated that this occurs in the following ways:

> *Twenty years ago, before the place was occupied by Bengali settlers, the village of the Muslim Para [meaning "village"] was covered with lush green natural forest, a source of livelihood for the nearby Jumma inhabitants, who had preserved this forest land for centuries. It is located in the greater Lamuchari village, one of the biggest villages under the Mahalchari Upazila in Khagrachari district. But Bengali settlers, who use their connection with the army and the local civil administration to occupy [the] Jummas' land, grabbed the common lands of this area. The inhabitants of the greater Lamuchari village faced eviction from their traditional habitat. In order to occupy more lands for resettlement, the settlers colluded with the government officials including [the] army and local administration. This has resulted in an increase in repression against Jumma villagers, who do not know where they should go for the reparation of their complaints.*

As shown in the case of Lamuchari village, Bengali resettlement has raised critical issues

about the loss of the traditional land management system. Jumma societies have a land-based economy: their occupation and sociocultural context are deeply connected to the land. The case of Shalbon village is almost similar to that of Lamuchari village or other Bengali resettlement areas:

> *The Shalbon village is known as the biggest Bengali resettlement area in the Khagrachari district. Before the 1980s, it was a Shal tree forest managed by a rich Indigenous person named ChilaPru Chowdhury. According to his name, this area was known as 'ChilaPru Chowdhury Tila'. Some people called this as 'Bazar Chowdhury Tila'. This area is now fully occupied by Bengali people and they renamed it as 'Shalbon'. A Jumma person, Shunil Chakma (47), argued, "Previously this forest was a source of occupation for some Jumma people but it is now destroyed by settlers. By changing the name of [the] forest, they also changed Jumma culture. [The] new name has been introduced as a means of establishment of Bengali settlers [on] the Jumma land".*

The systematic processes of land alienation were found to be extensive in the above cases. While the resettlement projects are mostly implemented in the forest land, the Jumma people claim that the forest land has been used for their traditional livelihood opportunities. The Jumma people do not usually cut the trees for timber trade while the settlers, including local entrepreneurs, destroy the forest to make money. However, the forest and hill-based livelihood activities of Jumma communities (i.e., *Jhum* ("shifting cultivation"), forest wood collection, etc.) have been portrayed as the causes of 'environmental disaster'. As a 53-year-old Jumma woman of Lamuchari village claimed:

> *We also cut the trees and use forest assets, but we preserve it as well. We lost many deep forests which Bengalis once possessed. They do not have any natural attachment to hill and*

forest lives. It is our homeland and we preserve this land: we love to live and preserve forests and jungles. However, after resettlement, Bengali settlers always prefer economic benefits that can easily be gained from cutting down trees and destroying forest assets. But we think several times before cutting a tree from [the] forests. They cannot feel like us. They rather prefer financial gains and benefits from timber trades. Instead, the Jummas preserve the hills and forests, as part of our lives. Jummas have been in this region since long back; we have a long history with forest. But the history of Bengali settlers in CHT started from [the] 1980s, only three decades. Till now new Bengalis are settling in the forest land by cutting trees through the kin network of previous settlers. Instead of finding any new job, they are getting involved in the timber business.

The impacts of Bengali resettlement on the employment of the Jumma people have also been significant. The ever-decreasing forest land is a crucial issue which is the root cause of joblessness and is challenging the everyday lives of many Jumma people. An elderly Jumma woman of Lamuchari village expressed her frustration in the following way:

We have nothing to do. We do not voice our thoughts. However, Bengali settlers are doing so and they have power and influence. The government allows and supports them to do so. We are helpless. We are just the bystanders as we can't say or do anything about it. Once whole places were deep forests but now it is empty in some places. They are destroying the environment and changing our economy. What can we do?

The massive-scale resettlement is the major reason of unemployment which today exists in both communities. There are also some economic reasons related to the everyday forms of violence. As we have seen, the massive-scale resettlement has created significant unemployment. The abundant vacant time and economic insecurity have encouraged many settlers to become involved in illegal activities. As stated by a villager of Lamuchari:

Until 1979, before the Bengali resettlement period, occurrences like theft, hijack, or robbery were rare in our village. Use of door locks [was] unnecessary; even our domestic animals and household equipment were left open beside our living room. Now the situation is just the opposite. We cannot protect our assets even by using [a] strong key lock. We cannot go outside even by taking protective measures. A group of young settlers always follow us when we go out or when our homes are empty. We cannot protect our domestic animals from the settlers. If they find any scope, they steal our animals like goats, cows, or poultries. They even try to rob our valuables from bedrooms. During the time of drying agricultural products in the open places outside the home, the Bengalis always try to steal the crops. Life has become painful for coexistence.

The consequences of the land dispute are multifaceted, affecting the lives of the Jumma people in various ways. Although the issues of decreasing forest and unemployment are most important with regard to Bengali resettlement in the CHT lands, the land dispute has severely disrupted the daily life of the CHT people. The land issue is being manifested in new dimensions of daily conflict, such as insecurity, conflict situations, cultural shifts, and, above all, forceful eviction from their homes. Bengalis have been inspired to establish their domination in economic sectors by the increasing number of settlers on the CHT land.

The rise of the Bengali-dominated economy

Since the resettlement period, the local economic system has been significantly altered. It is noteworthy that Bengalis are different from the Jumma people in terms of language, occupation, eating habits, dress codes, and religious ways of life. Massive-scale Bengali resettlement has dramatically increased the demand for consumer goods to which Bengalis are accustomed. While the settlers are not sufficiently economically solvent to invest in business,

business-oriented Bengalis are still migrating to the CHT area for their commercial interests. The migration of Bengali businessmen has also drastically increased since the resettlement period. They have completely dominated the CHT business sector. For instance, although the Mahajan *Para* village area is not the major commercial area, different kinds of shops, a transport business, and hotel businesses have been established. Statistically, only nine of the 34 shops are owned by the Jumma people in the Mahajan *Para* area of Khagrachari town. Because the Bengali-owned shops sell products that suit their own tastes and habits, the majority of consumers are also Bengali, including settlers, government and NGO officials, and security officers residing in Khagrachari.

On the other hand, as Khagrachari is one of the leading tourist spots in Bangladesh, people come there from many parts of the country to enjoy their vacation. There is high demand from tourists for the products of indigenous people. However, indigenous items (dresses and foods) are also being sold in Bengali shops. Owing to tourism, the hotel and transport businesses are very profitable in this area. Bengali-owned hotels and resorts are now available in Khagrachari town. In addition to the government-owned tourist resorts, about a dozen hotels have been established by Bengali businessmen.

It is, however, important to note that the Bengali people of the CHT are not homogeneous, especially in terms of status and economic conditions. Beginning from the British colonial period, Bengalis have had a long history of business activities in the CHT region. While the social relationship between Bengali settlers and the Jumma people is one of conflict, good neighbor relationships have existed between Bengali businessmen (locally known as *adi Bengali*) and the Jumma people. Although the *adi Bengali* migrated from the plains, their socio-economic status is different from that of the landless peasants who have settled in the

cluster villages. Accommodation for the migrated Bengali businessmen was not included in the resettlement areas. Many are living in Jumma areas like neighbors. Good social relationships have been found between the Jumma people and the migrated Bengali businessmen. However, the context has also significantly changed. Compared to the resettlement period, the commercial activities of Bengalis in the region were diminutive. Although new migrated businessmen also have had a separate identity, many have started to live in the cluster villages. This new group has had good social relationships with the settlers rather than with the Jumma people. While they have capital, they have been trying to expand their economic dominance in the CHT region. This group has invited many tourism companies and corporate chain shops into the Hill region. This context has dramatically changed the political economy of the CHT, with the local economy of the Jumma people marginalized by the dominant Bengali establishment.

The huge population growth has also raised the demand for different kinds of transport businesses in the CHT region. Although many kinds of highway buses are operating, it is difficult to find a Jumma owner. The well-known bus companies of the country started their transport services in the CHT region. Some new bus routes were established after the Bengali resettlement. For instance, it was found that the Bengali settlers of Shalbon and Lamuchari villages had migrated from Noakhali, Comilla, and other south-eastern parts of Bangladesh. Settlers have often used the new route to travel to their place of origin to meet with relatives. A few dominant business groups have specialized in transportation businesses. It should be noted that in recent years, the development of new routes has also increased. Bengali dominance is also evident here. Therefore, my point is that, in comparison to the Bengali economic expansion, the Jumma people are marginalized. Furthermore, rickshaws, auto rickshaws and

electric rickshaws are very popular as local transportation. All these developments have occurred after Bengali resettlement in the region. In this context, only a few local transport businesses are owned by the Jumma people. The Bengali dominance in economic sectors also helps to establish their dominant identity.

5.3.2 Sociocultural perspective

Bengali resettlement has affected the sociocultural lives of the Jumma people in various ways. These include changes to the original names of Jumma localities, attacking the religious institutions of the Jumma people, and disobeying the traditional political system, all of which are causes for communal conflict between the Jumma people and Bengali settlers.

Changes to the original names of localities

Changes to the names of localities are one of the most important examples of Bengali cultural dominance in the CHT region. Settlers have changed the names of localities which were originally in Jumma languages. In most cases, the settlers have imposed a new Bengali name as a symbol of their settlement and claim over the Jumma region (Nasreen, 2002). This is illustrated by the case of Palashpur village:

> Palashpur village is located in the Matiranga Upazila of Khagrachari Hill District. The village is surrounded by Kheda Chhara to the North, Hatiapara village to the East, Matiranga Sadar to the South and bordering Ajodhya state of India to the West. Prior to the Bengali resettlement in 1979, the place was a forest land and living area of [the] Jumma people. Then the forest was named by the Jummas as Kheda Chhara bon, meaning the people of Kheda Chhara village use this forest land as their source of livelihood. The land was owned by customary common property rights of some Jumma people. After the Bengali resettlement

during [the] 1980s, a Bengali businessman named Mr. Haider Ali Talukder came as [the] first Bengali person in the place. He cleared about 3 square kilometers of forest area in order to establish a village. He rehabilitated more than 300 Bengali people in the place from the districts of Comilla, Noakhali and Chittagong. He named this village as "Palashpur" reflecting the name of his second son Mohammad Kamruzzaman Palash. Accordingly, Mr. Haider established a school namely "Palashpur Primary School", a mosque named "Palashpur Jame Masjid" and an Islamic religious school named "Palashpur Madrasha". There was also a road constructed from Palashpur village to Alutila Bazar of Khagrachari town. The road is well known as "Haider Road".

Cases of changing the original names of localities are often found in the Khagrachari Hill District as well as in the whole CHT region. Although the changes were not initiated by any administrative body, these new names have generally been used by the local administration and Union Councils (Nasreen, 2002).

Table 5.2: Changed names of localities

Original Name	New Name
Majan *Para*	Mohajan *Para*
Kedachara Bon	Palashpur
Chilla Pro Chowdhury Tilla	Shalbon
Lamuchari	East Lamuchari, West Lamuchari, Boro *Para*, Muslim *Para* and others

Source: Fieldwork, 2011–2014

The new names for some localities have reinforced the dominance of the Bengali language and

Muslim religious values. In the case of Lamuchari village, I have observed that, while it was one of the largest villages of the Mahalchari Upazilla of Khagrachari district, Bengali resettlement has divided the village into several sections which have been renamed as: Boro *Para* (central Lamuchari), East Lamuchari, West Lamuchari, Muslim Para, and others. The Muslim *Para* was established by Bengali Muslim settlers: the name itself represents the domination of the religion of the majority population in the village. While Buddhist and Animist beliefs are historically inhabited, the changing of the names of villages by means of Islamic ideology has severely violated the traditional religious beliefs of the Jumma people. Although the place called Muslim *Para* was previously known as *Khas* ("unused land"), it was used for agricultural purposes by many Jumma people. After the construction of many new houses, the Bengalis have converted the place into a residential area. As a symbol of their claimed land and settlement in a region which they took over very easily, the settlers have imposed a new Bengali name. In a similar way, through establishing an Islamic name, the settlers have denied the existence and religions of the indigenous people. As stated by an elderly Jumma person:

> *Though the place of Muslim Para was previously known as Khas (unused lands), it was used for the agricultural purposes of Jumma people. After the construction of many new houses, the Bengalis turned the place into a residential area. The settlers imposed a new name in Bengali as a symbol of their settlement, as they claim[ed] the region very easily. By enacting an Islamic name 'Muslim Para', they denied our existence and religions. It is an aggressive journey of the Bengalis, a way of abolishing the Jumma culture from the region. These attitudes not only demolished our economy but also marginalized our religious values.*

As shown in the above case, the vast scale of the demographic change has not only changed the names but has also transformed the geographical location of many villages. The new naming of localities has also violated the traditional religious values of the Jumma people as the new names are, in most cases, inspired by the majority of the population, and used as a means of establishing Bengali and Muslim religious dominance. However, the attacking and destroying of traditional temples of the Jumma people is another way to establish Bengali domination in the CHT region. The ethnographic evidence of the following section is significant in realizing this situation.

5.3.3 Conflict regarding religious differences

In recent decades, increasing numbers of particular religious institutions have become highly visible in the CHT region. While Bengali resettlement has dramatically increased the population count, it has also changed the total religious scenario of the CHT region.

Table 5.3: Growth of mosques and *madrashas* in the CHT

Year	Number of Mosques	Number of *Madrashas*
1961	40	2
1974	200	20
1981	592	35

Source: Mohsin (1999)

The number of Islamic religious institutions has drastically increased after Bengali resettlement. The number of mosques in the CHT rose from 200 in 1974 to 592 in 1981. Similarly the number of Islamic religious schools (locally known as *madrashas*) has also

increased to 35 in 1981. The increasing number of mosques and Islamic religious schools can be understood as the establishment of Bengali Muslim domination in the CHT region (Mohsin, 2003).

The most alarming context of the religious domination by Bengali settlers is their attacking of the religious festivals and temples of the Jumma people. During my fieldwork, I was informed that several new mosques were built in Khagrachari district after the Bengali resettlement project was initiated; however, many temples were destroyed in the same period. The religious festivals of the Jumma communities were also vandalized. There are common and frequent cases of harassment of the religious leaders of the Jumma communities. In the context of Shalbon, Lamuchari, Babupara, and Mahajan *Para* villages, approximately 10 mosques and *madrashas* (Islamic religious schools) have been newly built since the Bengali resettlement was initiated. On the other hand, although five temples were built by different religious groups of Jumma communities, at least four temples were destroyed by communal attacks of Bengali settlers between 1979 and 2012. As claimed by a Jumma person:

> *Many mosques and madrashas were built in Khagrachari district; however, temples were destroyed and many of our religious programs were attacked by the settlers. Their separate Islamic religious schooling systems are now in a strong position but our children have little scope to study in our own language.*

The Jumma people claim that their religious values and practices are in danger. In my fieldwork, I collected the following case of a massive attack of the Jumma religious program by settlers in 2011:

> *The traditional Shongkranti or Bizu festival is the main religious festival of the CHT*

Jumma people. The festival usually continues for three days. Though different communities celebrate the same festival at the same time, the name of the celebration is different, such as, Chakmas call it Bizu, Tanchangyas call it Bishu, Tripuras call it Boishu, and Marmas call it Sanghraing. However, all are rooted in 'Bishubo Shongkranti', the gathering centering on 'Bishubo', indicating the end of a year and the beginning of a calendar. However, [at] the time of [the] Bizu festival between April 14 and 17, 2011, there was a communal conflict arising [on a] massive scale at Khagrachari district. The tension first intensified on April 14, when a group of settlers tried to plant banana saplings on the lands of some Marma people in Khagrachari district. On the same day, most of the Jumma people were observing the Bizu festival. The Bengalis termed the land as 'disputed'; in which case, they tried to capture the land from the Marmas. On the other hand, the Marmas resisted the plantation and Bengalis went ahead to break the order. The Bengalis set [a] fire; as a result, many agricultural crops of the Marmas burnt. The conflict spread out in the whole Khagrachari district. At Jaliapara village of Kharachari district, the Bengali settlers were supposedly stopping every vehicle and looking for the Jumma people. The Jumma passengers were taken off a bus and severely beaten up. The houses of Jaliapara village were looted and burnt. The Jumma people lodged [a] protest but the settlers did not care [about] them. In this context, the Jumma people attacked the settlers when they were sitting idle after lunch. Five of the Bengali settlers were precariously injured: among them. three died on the way to [the] clinic. At the evening time, settlers brought out a procession at Manikchari bazaar shouting slogans against the "killer" of the tribal people along with the dead body of a Bengali settler. As soon as the procession was over, the settlers set fire to some Jumma houses in different villages of Manikchari sub-district. The Jummas could not properly conclude their biggest festival.

The above case clearly shows the interconnectedness of several disputes, for example, land, religion, etc. The attack by the Bengali settlers was initiated at a time when the Jumma people were busy with their main festival. A land dispute at the time of a religious festival turned into a massive-scale conflict between the two communities of people. No exact figure was available; however, it was estimated that dozens of attacks took place in the whole CHT region from 1971 to 1993 (PCJSS, 2005; Chakma, 2010b). The main objective of these attacks was to deny the ethical grounds of the Jumma society or to assert domination by superior clergy respected in 'tribalism'. Prior to the Peace Accord, involvement of the state, security forces, and non-government religious organizations (i.e., Islamic missionary organizations) was found to be marginalizing the religious values of the Jumma people in Khagrachari district. Since the establishment of Islamic missionary organizations in the 1980s, conversion to Islam has become one of the most debated issues in the CHT region. For instance, the Islamic missionary organization named Al Rabita, financed from Saudi Arabia and Kuwait, has been working since 1980 to convert the Jumma people from their traditional religious practices. As estimated by the CHT Commission, 17 Marma were converted to Islam in the village of Alikadam in Rangamati district (CHT Commission, 1991:73).

During the time of the counter-insurgency, celebrations of religious festivals in rural areas were highly controlled by state security forces. Villagers required permission from the authorities to celebrate any religious function. As stated by an elderly Jumma:

> *[The] army makes us subject to obtaining prior permission from them for the construction of our temples and any arrangements of our religious functions and festivals. They checked our every footstep, every move; from one village to another village. [The] army instructed*

our elder villagers to report to them if any stranger comes to our villages. They also said to

let go any anti-social elements of our society; even if it is against our village elders or

leaders who protest or try to protest the activities of this order.

Thus, in the pre-Accord period, the religious rights of the Jumma people of the CHT were mistreated in at least three ways: (i) vandalizing traditional religious festivals and institutions; (ii) being converted to the dominant religion; and (iii) introducing massive communal massacres. Army surveillance and the dominance of the Bengali Muslim religion have disrupted the celebration or practice of any religious function by the Jumma people at the village level. Thus, the Jumma people have survived by fighting the dominant Muslim Bengali settlers to enable the survival of their religious values.

Targeting Jumma women[39]

The overall status and conditions of women in Bangladesh are very different to those of men. Due to the patriarchal structure of the society, women have faced discrimination in domestic and public spheres (Naher and Tripura, 2009). The Jumma women have suffered at least twice as much in comparison to Bengali women. While Bengali women are discriminated against by the existing patriarchy and class structure, Jumma women face multiple forms of discrimination in terms of ethnicity, religion, economy, militarization, and gender (Chakraborty, 2004).

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[39] Although the CHT region is populated by only 1% of the population of the whole country, around 10% of total sexual violence happens in the region. For instance, officially about 805 cases of sexual violence were reported in 2012; of these incidents, 75 occurred against indigenous women. The cases of everyday violence are also different for the people of the two communities, religious status, and social class. While the women of Bengali Hindu families experienced everyday forms of violence by Muslims, the Jumma women experienced more violence due to the difference of languages and tribalism (Kapaeeng Foundation, 2012).

The mainstream Bengali Muslim culture does not allow women to work as agricultural workers in the open field. The general notion of Bengalis, with regard to the division of labor at the household level, is that the male member of the household would engage in outside work for all kinds of income activities, while women would be always busy with their domestic work. Unlike women's role in the Bengali Muslim culture, Jumma women are accustomed to working in agricultural fields or selling their products in rural village markets. While the Jumma people are essentially dependent on the forest for their fuel wood and food (such as, hill potatoes, bamboo shoots, etc.), the mostly female members of the household are responsible for collecting the forest resources from their nearest jungle. The values of Jumma society are contradictory to Muslim cultural notions. Settlers often try to interrupt Jumma women when they trade their products or work in the open field. In some cases, the Jumma women have left their agricultural work to avoid verbal abuse from the settlers. As Anindita Chakma (60), an elderly Jumma woman of Lamuchari, says, "*If we go to the forest to collect something, the Bengalis disturb us; the situation is getting worse day by day*." This situation also contributes to livelihood insecurity for many Jumma families.

The Jumma women often move freely and are not bound by the same religious obligations that constrain choices of movement among Bengali Muslim women. Each ethnic group of the Jumma community has its own set of clothes. However, all of them are decorated with colorful traditional designs. At times, the designs come with a variety of necklaces, bracelets, anklets, rings, and other ornaments. However, the Bengali Muslim values do not permit women to wear any kind of "exposing" dress. The dress codes of the Jumma people are mostly treated as "unveiled" by Muslim Bengalis. The cultural differences of the two communities have also affected the everyday lives of Jumma women. The Jumma women and their dresses have

become a romantic sexual entity for young Bengali people (Guhathakurata 2003). When a Jumma girl or woman walks around their local area or on the way to school or the market, she is not safe. In most cases, she becomes a target of verbal abuse or, in many cases, sexual harassment. Many Jumma women mentioned this fear in different ways, but the most typical manner was as follows: "*When we go outside like [to the] office, market or school, we become worried about the Bengalis. The women of Jumma communities rarely receive a good comment from the Bengalis. We cannot avoid receiving some immoral comments which are often heartbreaking for us*".

The above statement was made by a woman of Lamuchari village named Tinku Chakma (43) who is the mother of three young daughters. Being the mother of young daughters, she has been passing her every moment in great fear. According to her, many Jumma women and girls are adopting Bengali dresses in public places where the Bengalis are dominant. It is a strategy to avoid such bad comments from Bengali people.

Prior to the Peace Accord, the women of the CHT were facing several challenges. Discrimination occurred in policies in which the army used violence and physical torture against women as a counter-insurgency technique. A secret message was circulated among security personnel suggesting that they should "marry women in the CHT" (IGWIA, 2012). Such policies inspired the army and the settlers to initiate many incidents of abusing women which were used "systematically as a weapon against women in the CHT" (CHT Commission, 1991). The formation of Jumma women's organizations acted as one of the most organized forums in which to raise women's voices. In particular, the members of the Hill Women's Federation were always active in initiating the movement to raise the voices of Jumma women in the pre-Accord period. Some women fought as combatants in Shanti Bahini (Guhathakurata,

2004) as they thought it was the way to ensure their dignity. However, it was difficult to resist the domination when security forces themselves were involved in the process.

In recent times, the villagers of the CHT have witnessed a number of cases of conflicts around the sexual harassment of the Jumma women. When some Jumma men have come to resist or to save the women, the situation has turned into a bigger clash. Although people are well informed about the perpetrators or the fault of the specific Bengali person, the whole Bengali community shelters that person from the effects of their violence toward the Jumma women. Thus, the increasing Bengali domination in the CHT has made Jumma girls and women more vulnerable to sexual abuse by the settlers.

The above reality has helped me to conclude that the women of the Jumma communities are not only discriminated against by their own patriarchal structure. Rather, the ongoing militarization project, the impact of Bengali resettlement, and poor economic conditions have make their lives even more vulnerable than those of Bengali women. While the women of the Jumma communities have resisted the dominance, it is difficult to establish their rights when the state mechanism has always fueled the nationalist patriarchy by keeping them under male gaze and surveillance.

5.3.4 Effects on traditional laws

The Jumma people have their own traditional political system which is completely different from that in other parts of the country. Traditionally, local law and order of the Jumma villages have been maintained by a Jumma leader called *Karbari*. The position is deeply rooted in the customary system. However, under the British colonial regime, the CHT region was divided into three revenue circles, each headed by a hereditary chief. These circles were

subdivided into *mauzas* ("revenue districts"), each headed by a headman. In addition to functions related to administering land and revenue, the chiefs and headmen also resolved public disputes following the customary practices of local communities. These communities were usually structured on the basis of kinship and, as stated above, had an officially recognized leader called the *Karbari* (Tripura, 1998).

In this political system, the chief is at the top and below him is a headman for each *mouza*, which is composed of several villages or *Para*. The headman is the link between a *mouza* and the chief. The headman is selected by the chief and endorsed by the Deputy Commissioner, who never vetoes the chief's selection. The post of headman is hereditary. He collects land revenue and tax for *Jhum* farming from the people of his area. Along with the *Jhum* tax, he deposits the entire amount of land revenue with the chief who, in turn, deposits it with the district administration. The headman is the deputy of the chief, executing the chief's orders and maintaining peace and discipline in his *mouza*. He performs some judicial functions in minor cases. The lowest position in the hierarchy of tribal administration is the *Karbari*, also a hereditary post, with the *Karbari* undertaking the role as leader of the village or *Para*. The *Karbari* maintains peace and order in the locality and represents his *Para* to his superiors.

As the traditional laws are oral, there are no written forms of these laws anywhere. The verdicts vary from headman to headman, place to place, and context to context. The traditional justice system did not require 'eyewitnesses' for crimes. However, different types of crimes and social diseases came with the Bengali settlers. This brought the possibility of misuse or abuse of laws because they were not in written form. While the Bengali way of life was different to that of the traditional Jumma system, the customary system of the Jumma people has been denied by the settlers for its "anti-Islamic values". As stated by the *Karbari* of

Lamuchari village:

> *Legally, I am the authorized person to maintain law and order of the village but my powers*
> *have been decreasing day by day. Bengali settlers don't know the traditional administration*
> *system. Some of the settlers believe that the Karbari is part of a traditional religious system.*
> *Some of them treat me as an anti-Islamic leader. Bengali settlers ignore us. In the cases of*
> *settlers–Jummas disputes, the military has always imposed the taking of the decision of*
> *justice. I cannot continue my leadership in the village. I am losing my power day by day.*
> *Our salary is about BDT 200/-, similar to US$3 dollar per month. With this little*
> *remuneration, I cannot maintain my family expenditure. For this situation, I am losing my*
> *interest to continue my job.*

Equally, the salary of headman is also very poor, equivalent to US$7 per month. On the other hand, in recent times, headmen are being appointed by the District Commissioner (DC), not by the Jumma people. The District Commissioner (DC) can appoint anybody according to his will. With the District Commissioner (DC) appointing the headman, the loyalty of the village leader is more to the district administration bodies than to the welfare of the Jumma people. The duties of headman are officially concise, including distributing the *Jhum* land and certifying the membership of the *Mouja*.

During my fieldwork, I saw that the *Karbari* and headman are playing important roles in the Jumma-dominated areas. However, they have been playing a minimal role in the Bengali-dominated areas. The increasing domination of leaders of the national political parties is evident. The leaders of the ruling government party and the opposition are actively involved in establishing their own domination in villages. For instance, the leaders of the ruling Awami League and the opposition Bangladesh Nationalist Party (BNP) are not only members from

Bengali communities, but many Jumma people are also actively participating in the national party politics. They are actively involved in the conflict-resolving issue. The Jumma leaders who are involved in party politics also place emphasis on their party's interests rather than on benefit for the Jumma community. The *Karbari* does not raise his voice against these political leaders. Although political leaders do not have defined roles in the traditional administration system, most participate in the process. The intrusion of political leaders in the village area is also a reason for the decreasing power of the traditional leaders.

Cases of physical attacks against *Karbaris* by opposition political parties are noticeable. During my fieldwork, I was informed that the *Karbari* of Moidachara village of Matiranga Upazila in Khagrachari district, named Mr. Sunil Bikash Tripura (45), was kidnapped on January 14, 2013. On the same day, a headman of Bamagumti mouza, Mr. Manu Lal Tripura (35), was kidnapped from his house in Bamagumti mouza under Matiranga Upazila in Khagrachari district.

In this context, the power of traditional administrators has been decreasing through at least three interrelated factors: (1) the increasing domination of Bengali settlers and the political leader; (2) low salary for traditional administrators; and (3) the influence of district administrators and the army regarding resolution meetings on different disputes. The surveillance of the state administrator, the dominance of the Bengali Muslim religion, and intrusion of political leaders at the village level, have all disrupted the ability of the traditional administrator in continuing to carry out their role in maintaining law and order.

5.4 Conclusion

In accordance with the preceding arguments surrounding the root causes of conflict in the

CHT, it is clear that the causes for increasing violence in the CHT are multifaceted and linked with land, customary rights, religion, militarization, Bengali resettlement, and cultural antagonism. From my experience and field observation, I understand that these components continue to play the same role in different conditions. Although the militarization policy and Bengali resettlement are seen as separate at the policy level, the ground-level realities have shown that both state policies often mutually intervene in the lives of the Jumma people. The military have continued its operations in the CHT, and also continue to provide support to Bengali settlers. However, this 'support' also has complexities of its own. The rights of the Jumma people have continuously been compromised by improper administrative operations. While the armed conflict was initiated between Jumma political activists and the army, the ordinary villagers have adopted many strategies to save their lives and to continue their livelihood. The agency and experience of grassroots people have at times helped them to escape conflict or have pushed them to participate in further conflict in the CHT region.

This chapter has shown the different impacts of Bengali resettlement on Jumma society: these impacts are closely connected with land rights, religious practices, traditional administration, militarization, and people's livelihoods. The violation of customary rights by Bengali settlers has continued to grow. The sociocultural differences surrounding the development of the Bengali resettlement have also played an important role in ethnic conflict. In this context, in their everyday lives, the ordinary Jumma people have also struggled with the dominant Bengali ideology. However, it is not impossible to reduce the conflict if a holistic approach is taken. This perspective requires the establishment of the customary rights, including the social, cultural, political, and economic rights, of the Jumma people.

Chapter 6: The Peace Process: The Role of Political Parties and NGOs in the Chittagong Hill Tracts Peace Accord

6.1 Introduction

As I have argued in this thesis, the peace process is in fact a compilation of political, social, economic, and cultural discourses: in this chapter, I shed light on the diverse experiences of the Jumma people and also provide structural political manifestations surrounding the CHT Peace Accord. My aim is to present the different real-life experiences historically. Through this, I seek to show that, despite what the determining political dialogue has tried to establish, the whole phenomenon is neither homogeneous nor historically the same. Thus, I aim to establish that, amidst development/political/governmental intervention, the real story of grassroots people is often different and demands multiple layers of understanding and realization.

Politically and historically, the Jumma people's struggle for self-determination and regional autonomy goes back to the early 1970s, and involves a series of political histories and armed conflicts. The struggle in the CHT region has had a long history of conflict and fighting from 1973 to December 1997 (24 years or almost a quarter of a century), comprising the insurgencies of Shanti Bahini ("Peace Force"), counter-insurgent measures by militarization, the Bengali resettlement project, massive human rights violations, bloodshed, loss of thousands of lives, etc. Although many national and international community organizations were among the key actors in the negotiation process, in the formal setting, no civil society organizations were officially involved in the signing process. However, since the signing of the Peace Accord in 1997, many national and international organizations have been playing

significant roles in the CHT peace process, contributing to the Accord's implementation. In this respect, the main objective of this chapter is to examine how the political parties and non-political actors have been involved in the CHT peace process. Consequently, the main clauses of the Peace Accord will be discussed. When asked why their sons were involved in different political parties, one key informant answered that, "*through our process of survival, [the] party does not matter. Rather, safety and earning for my family is my highest priority.*" Although the existing political bipolarity appears to resemble religious beliefs on the surface, some very interesting deviations can be noticed in practice. From my experience, I realized that the inclusion of these realities was an essential element in gaining an understanding of the holistic nature of the ground-level situation.

6.2 Political Bipolarity Regarding the CHT Peace Process

The CHT peace process is very much related to the national politics of Bangladesh. In this section, I explore the nature of the peace process by examining different strategies of the Bangladesh government under different political regimes. The national politics of Bangladesh are not homogeneous: political parties govern with their different ideologies. In addition, they have different policies for ruling and dealing with the Chittagong Hill Tracts (CHT). Initially, until the early 1980s, the Bangladesh government took a hardline policy approach by terming the CHT issue as a "secessionist movement". However, after a decade of military operations, the government perceived that the problem required a political solution. While the Peace Accord was signed between the ruling Awami League government and the PCJSS in 1997, the process was opposed by the other national and local political parties. Even when many Accord policies were carried out by the Awami League government after the Accord signing, the single-sided understanding and lack of a positive attitude affected the implementation process

which escalated further conflict within the CHT region. With the key manifestation by the 'pro-secular' Awami League seemingly in favor of the Peace Accord, and with outright opposition from the Bangladesh Nationalist Party (BNP) and Islamic wings, the positional bipolarity existed at the national and local political levels.

However, it should be remembered that the cycle of suppression toward the Jumma people put into play the same old discourse in a different manner. Therefore, on one hand, a position of severe political bipolarity could be seen in the manifestations of the two leading political parties, while, on the other hand, similarity was found in their oppression toward the Jumma people. In brief, the manifested political agendas often used surveillance as a tool of control, with this argument persisting in both the ruling parties. In my research, I wanted to highlight these seemingly contradictory realities. In this context, it is important to, firstly, introduce the political ideologies of the different ruling political parties and, next, their policies toward the CHT region.

6.2.1 Ground-level scenario of major political parties in Bangladesh

Although constitutionally Bangladesh is known as a country governed by a parliamentary democracy, democracy as an institution is still in the "process of making" (Hasanuzzaman, 1998). In the four decades since Bangladesh's independence, the country has experienced several political interruptions including the assassinations of two presidents, two major army coups, and several political movements that have caused the downfall of political regimes. However, official democratic government came into power in 1991. In this context, it is mainly two political parties that are important for policy making for the Chittagong Hill Tracts (CHT). The first of these parties is the Awami League, a secular political party, which led Bangladesh's

war of liberation. By winning the general elections of 1996, 2008, and 2014, the party came into state power three times. The Awami League also acted as the main opposition party in 1991 and 2001, when another political party was in the ruling position.

The second of these parties is the Bangladesh Nationalist Party (BNP) which was founded by an army general, Ziaur Rahman. He came into power after a military coup in 1975, following which he formed this political party. After the general election of 1978, the BNP came into state power, and Ziaur Rahman became the president of Bangladesh. President Ziaur Rahman (Zia) was assassinated in Chittagong in 1981, and another military regime was introduced by General Ershad. After the assassination of Zia, his wife, Begum Khaleda Zia, emerged as the chairperson of the BNP and took power after the democratic parliamentary general elections in 1991 and 2001. Through forming the Jatiyo Party, General Ershad ruled the country until 1981. Throughout the time of the Ershad regime, with Bangladesh governed by a non-parliamentary presidential system, severe protests were made by the BNP and the Awami League. A huge movement was arranged by the opposition seeking the return of the parliamentary democratic system. The BNP acted as the main opposition party in the Bangladesh parliament after the general elections of 1996 and 2001.

Both the BNP and the Awami League have implemented several policies in relation to the CHT; however, the policies were not same. A long political negotiation process, initiated by the different governments of the period, led to the signing of the CHT Peace Accord in 1997. The policies undertaken for the CHT peace process by the different political regimes in Bangladesh are next discussed.

Bangladesh Nationalist Party (BNP) regime led by President Ziaur Rahman (Zia) (1975–1981)

After a series of military coups, Major General Ziaur Rahman (Zia) came to power in 1975. In 1977, by creating a tribal convention, he made the first attempt to bring Shanti Bahini to the negotiation table. President Ziaur Rahman is cited in *The Guardian* (London) as saying:

> We are doing something wrong there. We are being unfair to the tribes. It is a political problem that is being dealt with by police and army action. Yet it can be settled politically very easily. We have no basis for taking over these lands and pushing these people into a corner. We should at least call a meeting of these tribal leaders and ask them their demands.[40]

Zia's initiative was appreciated by some of the local Jumma leaders who were also trying to bring Shanti Bahini into the negotiation process. Four rounds of talks were held between the PCJSS and the Bangladesh government; however, the negotiations failed to bring peace owing to a basic disagreement between the PCJSS and the government. For the government, the CHT problem was identified by Zia not as a crisis of identity but as a lack of economic development. On the other hand, for the Jumma people, the main question was their identity, not economic development alone. The attempts by Zia's government were seen as a bureaucratic–military approach. Although a development institution named the Chittagong Hill Tracts Development Board (CHTDB) was established as a result of the attempted peace negotiation, this failed under Zia's regime. On May 30, 1981, President Zia was assassinated in a coup led by a Major General Manjur of the Bangladesh army. For a limited time, President Sattar held state power. Although a group of Jumma representatives led by Subimol Dewan met with President Sattar,

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[40] Cited in Mohaiemen (2010)

under the Sattar regime, only a few educational and occupational quotas for the Jumma people were created.

Regime of President Ershad (1982–1991)

Lieutenant General Hussain Md. Ershad took over state power in 1981. In addition, he founded a political party (the Jatiyo Party) and participated in the national elections: he continues to be active in Bangladesh politics. President Ershad reopened the peacemaking process in the Chittagong Hill Tracts (CHT), stating that the CHT problem should be solved by political means. In 1984, a three-member Liaison Committee was formed headed by Upendra Lal Chakma, a Member of Parliament (MP). The Ershad government organized six rounds of talks with the PCJSS; however, almost all negotiations were undertaken by high-ranking military officers. For the first time since the outbreak of armed movements, the PCJSS put forward to the government their five-point manifesto comprising: (1) constitutional recognition of self-determination and regional autonomy of the CHT; (2) removal of Bengali settlers who had settled in the Pakistan period; (3) demilitarization; (4) retention of the CHT manual; and (5) deployment of a UN peacemaking force.[41] The sixth assembly with the PCJSS broke down over negotiations that sought to alter the terminology from "regional" to "local" autonomy. The government argued that the demands lay outside the structure of the

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[41] The Bangladesh Armed Forces and the Bangladesh Police have been actively involved in a number of United Nations Peace Support Operations (UNPSO) since its formation in the 1970s. Their first deployments came in 1988, when they participated in two operations, the United Nations Iran–Iraq Military Observer Group (UNIIMOG) in Iraq and the United Nations Transition Assistance Group (UNTAG) in Namibia. Later, as part of the United Nations Iraq–Kuwait Observation Mission (UNIKOM) force deployed to Kuwait and Saudi Arabia following the Gulf War, the Bangladesh Army sent a mechanized infantry brigade (approx. 2,193 personnel). Since then, the Bangladesh Army has been involved in up to 30 different UN Peacekeeping Operations (UNPKOs) covering as many as 25 countries. However, the indigenous Jumma people continue to endure violence and conflicts over land in the militarized spaces of the Chittagong Hill Tracts.

Bangladesh Constitution.

The major outcome of the negotiation process was that many refugees started to return home. However, subsequent to the breakdown of negotiations between the Bangladesh government and Jumma representatives, the refugee return process was suppressed. The peace talks did not achieve any fruitful results to stop the conflict. When President Ershad was in power, he was mainly dependent on the armed forces. Later, he established the Jatiyo Party, a separate political party. Even though he never fully withdrew the military from the CHT, he used softer methods of counter-insurgency. While both generals (Zia and Ershad) felt that the CHT problem should be solved by political means, in practice, they handled the CHT issue in ways that benefitted the army and strengthened their own political positions.

Caretaker government (December 1990–March 1991)

The year 1990 was marked by an escalation in anti-government demonstrations in Bangladesh. The Ershad regime fell from power as a result of this widespread and popular political revolt. The new caretaker government dissolved the district councils, with the exception of those in the three districts of the CHT region. A group of Jumma students formed the Pahari Chatra Parishad (PCP) ("Hill Students' Council") and persevered in pressing their demands for the dissolution of the CHT region's local government councils, restructuring of the voter list of the three hill districts, and postponement of the proposed parliamentary election until the homecoming of all refugees from India. The caretaker government formed a six-member liaison committee to open a dialogue between the PCJSS and the government. On the other hand, the PCJSS fixed three preconditions for the dialogue: (1) form a parliamentary committee for the dialogue; (2) place a minister at the head of the delegation; and (3)

announce the names of the members of the delegation beforehand. [42] However, the government failed to set up these preconditions.

Bangladesh Nationalist Party (BNP) government headed by Khaleda Zia (1991–1996)

Through the national parliamentary election held in 1991, the BNP, headed by Khaleda Zia, was elected to form a new government. Khaleda tried to re-open the dialogue. While visiting the CHT on August 25, 1992, she made a public speech to the people of the CHT region in which she said: "[a]rms and terrorism cannot bring solution[s] to any problem; we want a political solution to the problem. It is a democratic government in the country now, which wishes to resolve all problems politically."[43]

This speech brought new hope to the Jumma people. The government declared rewards for surrendering Shanti Bahini guerrillas: five acres of land and 45 pounds of foodstuff a week for a year. Financial recompense of Tk. 30,000 (US$800) was offered for each light machine gun give up to the army. As a result, about 60 Shanti Bahini insurgents were reported to have surrendered by the end of the year. In addition, the government initiated provision for the return of thousands of refugees from India. Of an estimated 50,000 refugees, 6,000 returned home since February under an agreement between Bangladesh and India.

The government formed a committee headed by Oli Ahmed, the Communications Minister, to resolve the insurgency problem. Leaders of the Jumma people urged the government to include an MP from the CHT on the government committee. Thus, the government included Mr Kalparanjan Chakma, the MP from the Khagrachari Hill District, on the committee from

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[42] Cited in UNDP Working Paper (2005)
[43] For further details, see *The Daily Star*, August 26, 1992

mid-August 1992. In addition, a subcommittee was formed headed by Rashed Khan Menon, leader of the Workers Party of Bangladesh.

In August 1992, a unilateral ceasefire was declared by the PCJSS for three months. By this declaration, the PCJSS once again expressed its willingness to negotiate to reach a political settlement. The ceasefire was consistently extended every three months, about 35 times, until December 1997. Although some Jumma refugees and insurgents (including a top-level Shanti Bahini leader named Nishit Dewan) had surrendered and been rehabilitated by the government, most insurgents were awaiting the practical solution. On the question of surrendering arms, there was also the intra-insurgent conflict situation that had arisen among Shanti Bahini members. On October 11, 1994, army sources reported that more than 40 people were injured when Shanti Bahini insurgents fought each other in a dispute over the PCJSS leadership. One member of Shanti Bahini was killed and an army soldier wounded in an armed encounter in the Chittagong Hill Tracts (CHT). Under the negotiation process, through to 1995, the government committees arranged a total of 20 meetings, seven times at the committee level and 13 times at the subcommittee level. However, no substantial progress could be made toward peace, as the government refused to accede to insurgent demands that comprised the withdrawal of the army from the CHT, the exclusion of the Bengali settlers, and the creation by the Jumma people of an independent police force.

Awami League government headed by Sheikh Hasina (1996–2001)

Bangladesh's Awami League, led by Sheikh Hasina, came to state power in 1996. After the 1996 parliamentary election in Bangladesh, in which it won all three parliamentary seats in the CHT region, it renewed the negotiation process to initiate a political solution. The Awami

League government estimated that, to that point, about 8,000 Jumma people, soldiers and civilians had been killed. To end the killing and the attacks, the 12-member National Committee of CHT Affairs was formed. After seven rounds of negotiations, the Peace Accord was signed between the PCJSS and the government. The provisions of the Peace Accord included:

1) The region will be governed by a 22-member Regional Council with two-thirds of its members to be tribal. It will be led by a tribal chairperson who will have the status of a Minister of State. The Regional Council will be responsible for public administration, law and order, and promoting the region's development;

2) The Shanti Bahini rebels will surrender their arms under a general amnesty. They will receive financial assistance to return to normal life;

3) Bengali settlers will not be expelled from the region;

4) The government will withdraw security outposts manned by the army and paramilitary forces;

5) Laws will be developed to ban the sale of tribal lands to non-tribal settlers unless the regional council gives its permission.

Although the Peace Accord was signed to build a lasting peace, the consequences of this process have been enormous and multifaceted. Firstly, while the Peace Accord was signed between the Awami League government and the PCJSS, many national and local political organizations opposed the agreement from their own viewpoints. Secondly, many clauses of the Peace Accord are legally and organizationally included at the policy level. However, the

practices of organizational/institutional bodies affected the implementation of the Peace Accord process in the CHT region. The discussion about the organizational practices of the Peace Accord implementation is included later in this chapter. However, for the sake of the argument and the flow of the text, it is more logical at this point to gain an understanding of the political consequences of the Peace Accord.

6.3 Political Consequences of the Peace Accord

The opposition within Bangladesh's national parliament, with its radical Islamic parties such as Jamat-e-Islam, opposed the Peace Accord when it was signed. Immediately after the signing of the Peace Accord, when the Awami League and PCJSS activists held a march in Khagrachari district to celebrate the signing ceremony, the BNP and seven other opposition parties held four days of protests and strikes. The perceptions of the BNP leadership had been shaped by the past experience of its predecessor, President Zia, who was persuaded that militarization of the CHT was needed to solve the problem of insurgency. The BNP, while in opposition, vehemently opposed the Accord, terming it a "black agreement" and declaring that it would amend some of the provisions on assuming power. The BNP claimed that, as per the Peace Accord, one-tenth of Bangladesh had been surrendered to the 'tribal' leadership of the Regional Council, which was against the unitary nature of the state and would encourage secessionist movements in other parts of the country.

After coming to power in 2001, the new BNP government kept silent about the Peace Accord; in addition, it ordered the cessation of all developmental initiatives undertaken by the previous Sheikh Hasina government in the Chittagong Hill Tracts (CHT). Consequently, the Jumma people were very much in doubt about the policy and program of the new government toward

the Peace Accord. For the entire duration of its regime (its five-year rule from 2001–2006), the BNP government did not hold any meetings of the Peace Accord advisory committee. As stated by Nurunnabi Chowdhury, Peace Accord advisory committee member and former president of the Awami League in the Khagrachhari district:

> We will raise implementation of the Peace Accord and several vital issues discussed in earlier meetings. The government did not clear its position on the Peace Accord. It has however filled up some vacant positions as per the Accord, but violated some of its clauses. Some of its steps also cut [the] facilities of Hill people.[44]

The BNP government did not appoint a fully-fledged Minister to the CHT Affairs portfolio, with Moni Sawpon Dewan appointed as state minister, but not as cabinet minister. The BNP government also violated many provisions of the Accord, including: giving permanent resident status to 26,000 Bengali settler families (i.e., more than 0.1 million [10,000]) living in the CHT cluster villages; appointing the chairmen of the HDC based on political considerations; acquiring land without consulting the Regional Council; and delaying the framing of rules and regulations, etc., thus indicating its lack of positive attitude towards the Accord.

In the political context of the CHT, when the chair of the PCJSS signed on behalf of the Jumma people, other local political parties such as the Hill People's Federation, Hill Students' Federation, and Hill Women's Federation refuted the treaty by arguing that it had failed to endorse many of the Hill people's important demands. They established an organization called the United People's Democratic Front (UPDF), declaring the formation of a movement that would work to achieve full autonomy for the CHT's Hill people. In recent years, since the signing of the Peace Accord, the number of in-group feuds between the PCJSS and the UPDF

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[44] Cited in *The Daily Star*, May 29, 2007

has gradually increased. The ideological differences between the PCJSS and the UPDF have turned into armed conflict with the consequent effect being deterioration in the law and order conditions within the Hill region. From 1997 to the current time, some 300–500 people have been killed, with an even larger number injured, and more than 2,000 people have been abducted as a result of the in-group feud conflict.

On the other hand, although the Awami League government, during its regime from 1996–2001, undertook some institutional policies in accordance with the Peace Accord, these policies have not yet been fully implemented. For example, as per the Peace Accord, the district councils were formed on January 25, 1998; however, they have not yet been given full power. Similarly, as per the Accord clause, the Regional Council was formally established in Rangamati on 1999 (Chowdhury, 2008); however, the Regional Council bodies were supposed to be elected bodies but, to date, the elections have not been held.

After the general election in 2008, when Sheikh Hasina's government again came to state power, it did not create any effective policies to implement the Peace Accord. Moreover, some controversial arguments emerged from the government, thus creating complex scenarios in the CHT region. Implementation of one of the key agenda items of the Peace Accord, the demilitarization process, was severely violated. The government decided to only withdraw one brigade and 35 temporary army camps by September 2009. According to the government, of the 500 security camps, 200 have to date been withdrawn in phases since the Accord was signed.

Furthermore, critics queried why a census was conducted in Bangladesh if the number of ethnic groups had already been determined and if individuals of more than 40 ethnicities

would not have the ability to categorize themselves in accordance with their respective ethnicity. A parliamentary committee agreed that the Jumma people should be recognized as 'tribal' or from small national minorities; however, it refused to recognize them as indigenous people. The PCJSS rejected proposals for amending the Constitution of Bangladesh as they did not recognize the indigenous people of Bangladesh. It demanded that the proposed amendment provide constitutional recognition of the indigenous or *adivasi* people. However, the 15th Amendment to the Constitution of Bangladesh was passed in which every citizen of Bangladesh was deemed to be a 'Bengali'. The PCJSS has called upon all regional political parties to form a united movement to ensure the rights of the indigenous peoples of the Chittagong Hill Tracts (CHT).

The Jumma people, under the leadership of the PCJSS, have launched many protest activities against the 15th Amendment to the Bangladesh Constitution. Similarly, the UPDF has demanded the cancellation of the 15th Amendment to the Constitution, as it has brought the Jumma people in under the definition of 'tribal', including them with those of minor races or ethnic sects. Regardless of whether the goals of both political parties (the PCJSS and the UPDF) in recent years have been almost same, they have not been unified when seeking to achieve their demands. Not only has the problem of political leadership created new forms of 'brotherhood conflict' between them, they are even unwilling to negotiate. As stated by the PCJSS chair, Shantu Larma:

> The UPDF was never a political organization. It has no history; it has no ethical values or organizational structure. They demand autonomous governance in the CHT region which will

never be materialized. There is no one in the UPDF who was involved with the PCJSS earlier.

We have no interest to make a negotiation with them.[45]

On the other hand, the UPDF has claimed that Larma is simply a puppet of the Awami League government, which, for a long time, has appointed the chair of the Regional Council in order to establish the government agenda in the CHT region. This kind of in-group feud has also hampered the peace process over the past decade. The fear of losing its dominant position under the emergence of strong Jumma political groups has made the government apathetic to the peace process. Both the UPDF and the PCJSS have blamed each other, claiming that the other party has been receiving privileges from the army in order to crush them. For instance, the anti-treaty faction has blamed pro-treaty elements for accompanying and cooperating with the police and the military in arrests and crackdowns against them. Likewise, when UPDF president Prasit Bikash Khisha competed in the 2001 general election, the PCJSS accused him of receiving army help to get around by military vehicle and that the army gave visible support to him as the candidate.[46] However, both parties have tumbled into a deep trap laid by powerful local elites. In addition, the army has had the most suitable justification for its continuing settlement in the CHT region, building camps, supporting Bengali settlers, and being involved in all development projects in the name of maintaining law and order.

As discussed above, the peace process in the CHT has been disrupted by different political parties in several ways. The political conflict among the Jumma people as well as distrust between the state and the Jumma people have escalated into further conflict in the CHT region. The elites, that is, administrative, military, and political leaders have been taking advantage of the Bengali–Jumma relationship through their manipulation of political support in favor of

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[45] *Dhaka Tribune*, August 18, 2014
[46] Jumma Net report, February 2009

Bengali settlers' organizations. In addition, the elites have exploited the conflict between Jumma organizations. These influential factors have created an insecure policy environment and have made the Accord implementation ineffective in different layers. Thus, the role of political parties, such as the Awami League and the BNP, or the PCJSS and the UPDF, in seeking to establish their own political agendas, have only translated into the cycle of suffering of the Jumma people as well as of the Bengali settlers. From an outsider's point of view, it would be easy to recognize the structural manipulation by different stakeholders to which I referred earlier. However, in order to realize the grassroots practices and their meaning, it is necessary to explore the experience and narratives of the local people. In the following chapters, based on my experience as a participant observer, I explain the institutional practices and people's negotiation with those practices.

The constant reinforcement of the prolonged process of local elitism and its related beneficiary group has made the ground-level reality an unbreakable cycle of suffering for the Jumma people. While the nature of different governments' policies toward the CHT is not homogeneous, and is much dependent on Bengali nationalist discourse, the role of Shanti Bahini has also reinforced the conflict in several ways. As I have observed, after the signing of the Peace Accord, many Jumma people, and even some Jumma political parties, have criticized the perceived role of the PCJSS as having sole authority for the Jumma people of the Chittagong Hill Tracts (CHT). In this context, and to sum up, the ground-level reality of the CHT peace process is that it has been interrupted by different political stakeholders.

6.4 Civil Societies and International Bodies: Different Roles in Practice

Although international bodies, including civil societies, were not officially involved in the formal signing procedure, they have had a significant role in the various negotiation routes of the Peace Accord. Since the 1980s, these national and international civil society organizations, human rights groups and networks have grown in number and have gained different experiences along the way. As a token of solidarity, a number of European and Asian states and their NGOs or civil societies have assisted the CHT in striving for peace dialogue. In particular, the international CHT Commission (with representation from European countries), Jumma Net in Asian countries, Amnesty International, and the United Nations Development Programme (UNDP) played a vital role in the CHT peace process. These organizations made several contributions: raising wider awareness of the need to establish a peace accord; documenting and disseminating information about human rights abuses/violations; creating platforms for regular dialogue and mutual sharing; periodic missions to Bangladesh by members of the civil societies; organizing fact-finding missions; media campaigning; organizing dialogue meetings; and advocacy work. The next subsections present some specific cases of the international bodies that have worked in the CHT peace process.

The international CHT Commission

The CHT Commission is an international watchdog mandated to promote respect for human rights, and restoration of civil and political rights, participatory development, and land rights in the CHT, including conducting an examination of the implementation of the CHT Peace Accord 1997. The Commission is composed of Bangladeshi and foreign experts who are internationally recognized persons having experience in human rights, ethnicity, and legal and

indigenous issues. Since the foundation of the Commission, many indigenous peoples' rights activists from Norway, Greenland, and Australia, a lawyer, and a member of the European Parliament have actively participated in the Commission's activities. The Commission was jointly set up in 1990 by an Amsterdam-based human rights organization, the Organizing Committee CHT Campaign (OCCHTC), and a Copenhagen-based human rights organization, International Work Group for Indigenous Affairs (IWGIA). The key activities of the Commission are: increasing awareness; documentation of information on human rights violations; advocacy and mobilization of public opinion against such abuse; implementing measures to ensure remedies and reparations for those affected; creating platforms for regular dialogue and mutual sharing with all concerned parties on issues relevant to ethnic reconciliation; and promoting and strengthening the rights of the Jumma people of the CHT region.

In 1990, the Commission carried out its first field investigation regarding violence and conflict in the CHT with the assistance of resource persons from the OCCHTC and the IWGIA. The report of the investigation—consequently published as a documentary titled "Life is not ours"—alleged human rights violations against the Jumma people in the CHT by various machinery of the state in which the army was shown as the main perpetrator. This report was also submitted to the Economic and Social Council (ECOSOC) of the United Nations (UN), recommending no further resettlement in the CHT from outside the region. The report requested establishment of the role of Special Rapporteur of the UN, supplemented by continuing investigations by competent NGOs and the International Labour Organization (ILO). The report is claimed to be a thoroughly documented publication on human rights violations against the Jumma people in the Chittagong Hill Tracts (CHT). The Commission

subsequently published four more updates of the original report in 1992, 1994, 1997, and, most recently, in 2000.

After the signing of the Peace Accord, the CHT Commission itself was mostly quiet for a few years, with no further investigations conducted. However, the continuous influx of Bengali settlers and the endless militarization made it compelling that the CHT Commission be re-established. The unsatisfactory implementation of the CHT Peace Accord 1997 gradually became a source of disquiet for many human rights activists, media activists, academics, and other concerned persons who were working hard to find a better resolution for the CHT region. Two influential discussions were initiated by concerned persons of the CHT Commission in Copenhagen on May 31 and June 1, 2008. The concerned persons agreed to re-establish a second phase of the CHT Commission.

However, in recent years, some policies of the government and actions of the Bengali settlers' organizations have frequently hampered the activities of the CHT Commission. After a new government circular banned any meeting with the Jumma people unless held in the presence of a government official, members of the Commission found it difficult to arrange dialogue and to directly meet with the local people. For instance, on November 26, 2011, members of the CHT Commission had to cancel an 'exchange of views' meeting with the Jumma people in the face of an objection from an executive magistrate in the Bandarban district. This dialogue meeting was planned to be held at Tripura Kalyan Sangsad auditorium in Ujanipara in the Bandarban district. The magistrate showed Professor Dr Swapan Adnan, a member of the CHT Commission, a circular issued by the Ministry of Home Affairs.[47] The government circular prohibited any

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[47] Cited in www.chtcommission.com

meeting with "small ethnic groups" unless held in the presence of a government official. Thus, the members of the CHT Commission left the CHT in protest against the government order.[48]

In addition, actions of the Bengali settlers' organizations have hampered the fact-finding work of the CHT Commission. Even examples of attacks against Commission members have been reported. A recent case of an attack on Commission members is presented below:

> On July 5, 2014, when a delegation led by CHT Commission co-chairperson Sultana Kamal [had] been touring the three hill districts to ascertain progress in the implementation of the Peace Accord and look into allegations of land grabbing, Bengali settlers initiated an attack on members of the CHT Commission. Specifically, the members of the CHT Commission went to the CHT upon receiving several allegations of land grabbing "involving state machineries", and following the recent government move to establish a BGB battalion headquarters at Dighinala sub-district in Khagrachhari district. The Bengali organizations called Parbatya Bangalee Chhatra Parishad and Parbatya Nagorik Parishad had imposed their four-day road and waterway blockade in Bandarban to protest [against] the Commission's visit to the CHT. Two officials of the international Chittagong Hill Tracts [CHT] Commission and a police officer were injured in Rangamati yesterday when their vehicles came under attack allegedly from Bangalee [Bengali] settlers opposing their visit to the [H]ill region. Commission member Dr Iftekharuzzaman, who is executive director of Transparency International Bangladesh, and its research officer Ilira Dewan were injured, when a group of protesters hurled brick chips at their vehicles. After the attacks, the Commission member went back to Chittagong city and arranged a press conference in a lobby of Chittagong Press Club. One of the members Hana Shams stated, "The delegation reached Rangamati on Friday evening and had meetings with CHT Regional Council Chairman Jyotirindra Bodhipriya

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[48] Cited in www.chtcommission.com, viewed October 9, 2014.

Larma, popularly known as Santu Larma, and Rangamati Citizens Committee. The team wanted to hold a meeting with Samo Odhikar Andolan, but it didn't get a positive response from the organization. But members of Samo Odhikar Andolan and its front bodies put up barricades at different points, including Fisheryghat, Tabalchhari, Vedvedi and Parjatan motel in Rangamati town since yesterday morning, said witnesses and police. The team comprising Sultana Kamal, Commission members Iftekharuzzaman, Swapan Adnan, Khushi Kabir and Sara Hossain, Ilira and Hana was forced to return to their place of stay at Parjatan Motel due to the road blockade. The protesters, led by Andolon leader Nurjahan, took position in front of the Parjatan Motel and shouted slogans against the Commission. The team then started for Chittagong under police protection around 1:30 p.m. It came under attack from blockaders near the motel a few minutes later. The attackers hurled brick chips from both sides of the road, smashing the windows of their vehicles. Brickbats started raining down on us from both sides of the road. It continued for two to three minutes. Ilira Dewan had to have four stitches in the head, and Dr Iftekharuzzaman suffered injuries to fingers of his right hand. The delegation later left Rangamati for Chittagong under police protection. The protesters lifted the blockade after the delegation had left Rangamati around 2:30 pm".[49] At last the team has postponed its visit to Bandarban following the attack.

Although the CHT Commission has been strongly engaged in the peace process since the 1990s, many obstacles have been encountered in the post-Accord period as it has sought to continue its activities. The scope of the international CHT Commission has been reduced by key factors, such as rules that have restricted access, resistance of the Bengali settlers' organizations, and military intervention. These three kinds of restrictions overall have translated into confining and restricting the CHT Commission's arena for its proposed agenda and groundwork, thus ultimately influencing the grassroots conditions of the Jumma people.

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[49] *The Daily Star*, July 6, 2014

Jumma Net is a Japanese NGO formed by volunteers in April 2002 with the goal of promoting peace in the Chittagong Hill Tracts (CHT). The organization visited the CHT in 2002 to assess the feasibility of peace-building activities there. After a series of communal attacks following signing of the CHT Peace Accord, Jumma Net commenced action in 2003. Upon learning of the attacks that occurred in Bhuiochara and Mahalchari in the Khagrachari district in April and August of 2003, respectively, Jumma Net began programs to provide relief to the victims. This led to more direct engagement with the people of the Chittagong Hill Tracts (CHT). In my research area of Lamuchari village, I was informed that the victims of the Mahalchari incident benefitted significantly from the relief activities. Lamuchari temple, which was completely burnt down in the Mahalchari incident, was reconstructed with donations from Jumma Net.

After the initial relief programs, the organization continued various activities and the collection of information for about three years. Through these activities, Jumma Net became keenly aware that serious human rights abuses were continuing in the CHT after signing of the Peace Accord, with these abuses largely unknown and seldom heeded by Bangladesh society or the international community.

Jumma Net has expressed deep concern regarding the various attacks on the Jumma people of the Chittagong Hill Tracts (CHT). In particular, the president of Jumma Net expressed his deep anxiety about the tragic arson attack by Bengalis that occurred in Sajek Union in the Baghaichari sub-district in Rangamati district on April 20, 2008, beginning at around 9:30 p.m. and continuing until the early morning of the following day. It is worth mentioning that, in the Sajek attacks, a group of more than 100 people attacked eight villages inhabited by indigenous

Jumma people, looting and burning down at least 77 Jumma houses. A temple, two schools operated by UNICEF, and several dozen huts were also completely burnt down.[50] The victims were rendered homeless in a desperate situation: some had remained hiding in the forest for fear of further attacks. In this context, the president of Jumma Net called upon the Bangladesh government to take the following measures.

(1) Establish an independent and impartial Judicial Inquiry Commission that is required to publish its report within a fixed time period; prosecute and provide exemplary punishment to those found responsible for the attacks;

(2) Provide adequate compensation and undertake prompt rehabilitation of persons affected during the arson attacks in Sajek Union, including reconstruction of houses;

(3) Release the three persons held in the Baghaichari Army Camp;

(4) Cease all Bengali settlements in Sajek Union and the three hill districts;

(5) In accordance with the CHT Peace Accord 1997:

(a) Activate the Land Commission, to review and settle all land disputes;

(b) Withdraw army camps from the CHT; and

(c) Enable full functioning of civil administration, through effective functioning of the CHT Regional Council.

Jumma Net has also worked with the international CHT Commission, run jointly with human

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[50] http://www.jummanet.org/

rights activists in Europe and Bangladesh, to observe the implementation process of the Peace Accord, investigate the human rights situation, raise international awareness, and make recommendations to the Bangladesh government. In Japan, Jumma Net organizes 'peace missions' of Japanese people to the CHT, exchanges views with Japanese government officials, and arranges peace study workshops as well as dialogue with guests from Bangladesh, an annual Jumma New Year's celebration, study groups and other activities.

Moreover, many individuals and NGOs have been concerned about the CHT issues for a long time. In the pre-Accord period, many people and institutions were involved in activities protesting against the conflict in the Chittagong Hill Tracts (CHT). In April 1992, at least 130 NGOs and individuals from Japan, known as the Japan Committee on CHT Issues, organized a protest activity against various violent incidents in the Chittagong Hill Tracts (CHT).

6.5 International Funding for Infrastructural Development and 'Long Lasting Peace'

While many international donors, such as UNDP, Asian Development Bank (ADB), etc. have funded infrastructural development[51] in the CHT, the projects have been directly or indirectly initiated by the Bangladesh military forces over the past decades. For example, UNDP has undertaken a project, called the 'Promotion of Development and Confidence-building in the Chittagong Hill Tracts', aimed at: (a) facilitating the resumption of substantial international development assistance to the CHT and (b) supporting the formulation and start-up of a

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[51] The European Commission adopted a €24-million program to support local development in the Chittagong Hill Tracts (CHT). The EU contribution, to be implemented by the United Nations Development Programme (UNDP)—managed by the CHT Development Facility—aimed at building capacity in regional, local, and traditional institutions as well as communities with a view to delivering better services and managing development activities. By empowering local institutions, the EU sought to facilitate the implementation of the governance provisions as foreseen in the Peace Accord 1997.

multi-sector development support program in the Chittagong Hill Tracts (CHT).[52] While the project has included outsider Bengali settlers as target beneficiaries and has appointed literate Bengali people as employees, it has not ensured participation of the Jumma people on a broader scale. The perspectives of the Jumma people have not been incorporated into the decision-making process.

In July 1998, the UN World Food Programme (WFP) launched a three-year 'Expanded Food Assistance (EFA)' program in all three districts of the CHT region. The program covered three activities: integrated fish culture, livelihood support initiatives, and rural road maintenance. With these projects initiated mostly under Bengali supervision, they did not focus on the issues of the Jumma people. During my fieldwork, I was also informed that many road construction projects were initiated under direct supervision of the army. In total, 16 highway road construction projects in the CHT area had already been completed by a construction battalion of the Bangladesh army[53]; for example, in the Khagrachari district in the CHT region, the army constructed a 32.8 km road from Khagrachari—Dighinala—Baghaihat. Many local roads at the village level have also been constructed by the military forces. However, the Jumma people of Lamuchari village claimed that, although road construction was maintained by the army, they mostly developed roads in the Bengali settlers' areas. In comparison, there is little development of road construction activities by the army in Jumma areas. Similarly, very large numbers of Bengali settlers have been included in the World Food Programme (WFP) as beneficiaries of free rations. In particular, this included very large numbers of Bengali settlers who have been receiving free rations of food grains since the period of early resettlement in 1979. Moreover, while the UNDP and WFP have recruited some young Jumma people,

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[52] Cited in AIPP (2007:34)
[53] http://www.army.mil.bd/node/277

participation by the Jumma people at the policy-making level continues to be very limited. Dreadful incidents should be monitored by international donors who should then follow up the actions taken by the Bangladesh legal authorities and government.

6.6 International Campaign Activities: Acting like a Pressure Group

In the entire peace negotiation process, the activities of international bodies have created significant pressures on the Bangladesh government to establish long lasting peace in the Chittagong Hill Tracts (CHT). These pressures were more visible in the latter part of the 1990s, just before the signing of the Peace Accord. It should be mentioned that, when more than 300 people were killed in the Logang massacre in April 1992, a wave of international condemnation erupted, including a protest letter sent by the Anti-Slavery Society, Amnesty International, and the Japan Committee on CHT Issues to the Bangladesh High Commission in London. These international bodies created a formidable amount of pressure on the Bangladesh government to establish a committee of enquiry to investigate the massacre. More specifically, at the Bangladesh Aid Consortium meeting in Paris, Bangladesh's Finance Minister Mr Saifur Rahman was greeted by a protest against the Logang massacre by European human rights organizations.[54] Amnesty International issued an investigation report on the Logang massacre and sent a letter to the Bangladesh government asking for a full inquiry. The European Parliament requested that the Bangladesh government withdraw the army from the CHT area and that the United Nations name a Special Rapporteur for the CHT region. The Bangladesh government was later forced to form a committee of inquiry to investigate the massacre. In this way, the investigation reports of international organizations were the key information sources and guideposts for worldwide activists pursuing peace in the

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[54] PCJSS report (2005)

Chittagong Hill Tracts (CHT).

On the other hand, in the post-Accord period, although international bodies were heavily involved in infrastructural development, they were unable to do much other than issuing alerts and protest letters in response to large-scale attacks in the Chittagong Hill Tracts (CHT). One key reason was that international bodies argued using the over-simplistic view that "the CHT conflict ended" with the signing of the Peace Accord in 1997. When the unsatisfactory implementation of the CHT Peace Accord gradually became a headline report in the media, many concerned human rights organizations and activists agreed to becoming reactivated in the CHT peace process. However, in recent years, entry by foreigners into the CHT region has been heavily restricted by the Bangladesh government. In December 2011, the Bangladesh government imposed new restrictive conditions on foreign nationals wishing to visit the Chittagong Hill Tracts (CHT). According to the new rules, foreign visitors must have parallel prior consent from both the Ministry of Foreign Affairs and the concerned Deputy Commissioners to visit the Chittagong Hill Tracts (CHT). Previously, it was sufficient to have approval from the Ministry of Foreign Affairs to visit any CHT district. The new rules have also restricted foreign visitors from speaking to or meeting with any member of any of the Jumma nationalities or of any religious group in the CHT without the presence of at least one government official.

A letter sent by the Deputy Commissioner to hotels, cottages, and resort managers in Bandarban directed that no bookings should be accepted in the name of foreigners without the prior permission of the Deputy Commissioner. In the letter, it was mentioned that if any untoward incidents took place during the stay of a foreigner who did not have prior permission, the responsibility for the incident would fall on the organization where they were staying. The

Bangladesh government stated that "the decision was taken after a number of foreign nationals, who visited the CHT in the name of human rights and preaching religion, were found to be involved in activities inimical to the interest of the state as well as conventional ethics".[55] These restrictive rules were applied in several ways. For instance, in August 2011, the Bandarban District Commissioner ordered British national Jeremy Paul Allen to leave the district because he had participated in a solidarity program of the Bangladesh Indigenous Peoples Forum (BIPF) calling for constitutional recognition of indigenous peoples at the Bandarban Press Club. Chittagong Hill Tracts Commission (CHTC) adviser Thomas Eskildsen, a United States (US) national, was asked to leave Bandarban Hill District in January 2012, and was later barred from entering Bangladesh. Swedish journalist, Per Liljas, who conveyed information in reports about conditions in the CHT to the international media, was also asked to leave Bandarban in July 2012.[56] These reports were the chief information sources and guideposts for worldwide activists seeking peace in the Chittagong Hill Tracts (CHT).

While local political parties have protested against these restrictive laws, international organizations have not actively raised their voices to cancel them. For example, a member of the PCJSS complained that the movement of donor organizations and representatives of international organizations has been negatively affected as a result of these new rules. It is worth mentioning that all of the above people who were forced to leave the CHT had been working on CHT human rights issues for a long time. In the case of Swedish journalist, Per Liljas, recipient of the Minority Rights Group International (MRG)'s Young Journalist Award for writing a groundbreaking feature story about the CHT titled "Bangladesh: Smoke in the hills", this was to prevent further examination of human rights condition in the post-Accord

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[55] *Kaler Kantho* December 11, 2011
[56] Press Statement of CHT Commission on May 2, 2013, Dhaka

period. Similarly, Jeremy Paul Allen, a British citizen who was working as a human rights activist, was forcefully deported from the Chittagong Hill Tracts (CHT). When international bodies tried to reactivate their involvement in the CHT peace process, the Bangladesh government did not allow them to be involved in the CHT region. In recent years, this has restricted their involvement to issuing alerts and protest letters in response to incidents in the Chittagong Hill Tracts (CHT).

Although international bodies have been involved in the peace process since 1997, to continue their activities in the post-Accord period, they have faced many difficulties. Reports by international organizations have provided key information for activists worldwide who have been seeking peace in the Chittagong Hill Tracts (CHT). However, the obstacles faced by most international bodies in the post-conflict area were the same as those experienced by someone who wished to conduct research at the grass-roots level in regard to government intervention. These kinds of restrictions, interpreted in terms of their effect on international bodies, also confined and restricted the area and scope for this study's proposed plan and program.

6.7 Conclusion

Along with arguments in relation to the important stakeholders in the CHT peace process, namely, local and international bodies and political parties, I came to realize that the ground-level discourses were influential and far-reaching, and that it was worthwhile to mention the experience of the people in the CHT region. From my observation, I realized that these two types of bodies, at times, played different roles in the same conditions. However, the continuous negotiations between these stakeholders created all kinds of difficult realities for the Jumma people. On one hand, the development discourse, for instance, in relation to

infrastructural development, has been clearly evident amongst foreign and local bodies; on the other hand, the process of intervention has been highly regulated and strongly monitored by the Bangladesh government. Local political parties have also had an influential role in this arena. Therefore, in summary, whatever the manifestations of the different stakeholders, it seems that the realization and experience of the Jumma people as well as the Bengali people can vary from context to context, as can the agency that they carry in order to survive in regard to the overall peace process.

In conclusion, the ground-level reality of the peace and stability of the Jumma people has been disrupted by different political stakeholders. In this context, the roles of national and local political parties are noted as being quite similar. While Sheikh Hasina's government was seemingly willing to establish the Peace Accord, it demonstrated little will in the implementation process. While the state of Bangladesh was governed by Sheikh Hasina for more than 10 years after the signing of the Peace Accord, the demilitarization process, to date, has not been very visible. On the other hand, although the PCJSS signed the Peace Accord, it has also been inclined to enter into a new type of in-group feud with the UPDF. Even the PCJSS has no will to create dialogue with UPDF bodies. In this context, the local people of the CHT continue to be surrounded by the cycle of conflicts reinforced among the different power structures. This context will be further clarified when I explore the ethnographic experiences in Chapter 7.

Most of the international bodies have investigated the conflict between the Bengali settlers and the Jumma people, but, sadly, the in-group clashes between the UPDF and the PCJSS have rarely been their focus. These international organizational approaches have further contributed to establishing the Bengali–Jumma binary division conflict. The incidents of in-group conflict

have been treated as minor, even though it has been impossible to arrange a dialogue meeting between the UPDF and the PCJSS.

As for donor agencies, for instance, organizations like UNDP and ADB, who have donated funds for infrastructural development, have been less willing to enquire about the management process. Lack of supervision from donor agencies has created a significant amount of space for abuse of the donated funds. As I have documented, most of the funds have been used under the supervision of the army (see Chapter 5), from which the Bengali groups have been the main beneficiaries. In the post-Accord context, this kind of development engagement of the army has been organized into a de facto militarization process in the CHT, named Operation *Uttaran* ("Upliftment"). While the intention behind the donations has been to "ensure long lasting peace", the funds have mainly been used for the development of Bengali communities. Thus, the Bengali settlers have been opposed to the demilitarization process in the Chittagong Hill Tracts (CHT).

Although earlier the international bodies created significant pressure to establish the Peace Accord, they have had limited involvement in the implementation process. While many development organizations have been invited to undertake infrastructural development, the government has not been willing to give them space, especially in terms of involvement in the political negotiation process to implement the Accord. Most recently, as mentioned in the current chapter, international researchers, donors, and human rights activists have faced difficulties in visiting the CHT owing to the Bangladesh government's new rules. However, when the government ruled to restrict foreigners' visits to the CHT, the international bodies did not create any pressure on the authorities to remove the restrictive laws. Through the Bangladesh government's manifestations and unclear statements, it can be inferred that the

stereotypical discourse of Operation *Uttaran* is continuing. This blurred space is the key arena of governmental power and its inherent agenda. Being bureaucratically manifested and endowed with complex terms, it is often impossible to obtain a clear idea of the real situation. From my observation, this is the implicit, although very powerful, means by which hidden agendas are ultimately implanted. Therefore, in this case, I have attempted to discover this invisible circle of hidden agendas and to infer the connections between the daily life experiences of the grassroots Jumma people and those of the Bengali settlers. Therefore, despite my limitations in getting to the root of the government's mentality, I have tried to provide at least a glimpse of what might be happening at the central policy level.

Chapter 7: Institutional Approaches to the CHT Peace Accord: Challenging Issues and the Complex Process of Implementation

7.1 Introduction

The CHT Peace Accord inherently contained many loopholes especially in its implementation process. This chapter deals with three interrelated issues: firstly, the institutional structure in Bangladesh, one of the central themes of the CHT Peace Accord 1997; secondly, the laws and regulations developed in the implementation process of the Peace Accord; and thirdly, the key mechanisms used in executing the Accord. In investigating these interrelated issues, I shed light on the gaps and relationships between different clauses of the Peace Accord and its implementation process. I argue that these gaps and loopholes were inbuilt in the clause-making process. This process was neither properly objective nor devoid from the residual effect of colonial legacy. Throughout this chapter, I have sought to investigate different kinds of measures undertaken by the Bangladesh government to implement the Accord and how effective those regulations have been in practice. In particular, I was interested in the interactions between the different actors among the governmental bodies.

In investigating the implementation process, I observed that the implementation bodies were corrupted through over-politicization not only at the institutional level but also at the policy level. Thus, the empirical evidence related to executing the Accord's policies needs to be discussed. Since the signing of the Peace Accord, different governments have developed laws and policies, and enacted institutions and organizations to implement the Accord. The role of government in executing policy has had life-changing significance, as the government has been the key factor not only in the agreement process but also in reducing conflict. The

attitude of the state toward the implementation policy therefore needed to be analyzed from the viewpoint of political parties, successive governments and institutions, and their actions at the grassroots level. The role of local Jumma political leaders has also been significant, as many of them have been actively involved in these institutions and processes. The relationships between Jumma leaders, national political parties, the Bangladesh government and the state have been important in this regard. The role of the executive authorities of the Hill District Councils (HDCs), Regional Council, Chittagong Hill Tracts Development Board (CHTDB) and the Ministry of CHT Affairs (MoCHTA) have been observed in practice. I argue that the politicization of these institutions has affected the execution of the Peace Accord at the grassroots level. I should also mention that this politicization process has its unique features. While the executive bodies have been highly interested in establishing their political and individual domination, the welfare of grassroots people has rarely been considered. Thus, the relationships between different actors (the government, local political leaders, Regional Council and others) are multifaceted and an essential component in understanding the Peace Accord implementation process. These political relationships and the negotiations of the ordinary people with this process have made the case of the CHT Peace Accord unique.

The content of this chapter examines the implementation process of the CHT Peace Accord clause by clause to uncover the institutional and organizational practices. Thus, the chapter is divided into eight sections. Section 7.2 investigates the implementation status of different clauses. Section 7.3 deals with the issue of the protection of cultural rights which was one of the key agenda items of the Peace Accord. Section 7.4 discusses the role of political parties and their leaders in implementing the Peace Accord. Section 7.5 analyzes how the politics of demography have violated the spirit of the Peace Accord. The role of Jumma political leaders

in the implementation process is discussed in Section 7.6. The process of the rehabilitation of refugees is investigated in Section 7.7. Section 7.8 analyzes how the CHT Peace Accord 1997 investigated the root causes of conflict in the Chittagong Hill Tracts (CHT). Finally, Section 7.9 presents the concluding remarks.

7.2 Main Clauses of the CHT Peace Accord

The preamble of the CHT Peace Accord 1997 stated that it was drafted in order to ensure the sovereignty and territorial integrity of Bangladesh as well as the political, social, cultural, economic, and educational rights and socio-economic development of all citizens of the CHT region. Negotiations on the Accord then reached agreement on the following four parts: (1) the general part, (2) Hill District Local Government Councils, (3) Chittagong Hill Tracts (CHT) Regional Council, and (4) rehabilitation, general amnesty, and other issues.[57]

After the signing of the Peace Accord, many laws and regulations were formulated, different implementation bodies were established, and initiatives were undertaken by successive governments. However, in addition, much debate originated, not only in the implementation process but also in the clause-making process. Some complex questions remained unexplored, for example, whether local Jumma people would revive their cultural identity from the colonial legacy; whether or not the army would be fully removed from the CHT region; and whether the implementation bodies would be the focus for the future of unregistered Bengali settlers or for violence against women. With some of these debated issues not yet resolved, the CHT region escalated into further conflict after the signing of the Peace Accord. On the other hand, although a kind of 'autonomy' was provided through the establishment of the Regional

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[57] The full version of the CHT Peace Accord 1997 is included in Annexure 1.

Council, severe politicization was observed in the implementation process. Thus, the Accord has had many loopholes both in clause-making and implementation processes. The context is discussed in the next section with ethnographic examples.

7.3 Upholding Cultural Rights: The Inherent Stream of Colonial Legacy

The need for "protection of the features of the CHT as a tribal-inhabited region" was recognized in the general part of the CHT Peace Accord. Four aspects were identified: (1) the need to protect the features of the CHT as a tribal-inhabited region; (2) calls for the enactment or amendment of relevant laws and regulations in accordance with the Accord; (3) formation of an Implementation Committee to monitor progress on implementation; and (4) the Accord should remain in effect until all of its provisions have been carried out. On the other hand, the revival of cultural identities became one of the central agenda items of the Peace Accord. As stated in the prelude of the Peace Accord:

> Under the framework of the Constitution of Bangladesh and keeping full and firm confidence in the sovereignty and integrity of Bangladesh, **to uphold the political, social, cultural, educational and economic rights** of all the people of Chittagong Hill Tracts region and to expedite socio-economic development process and to preserve and respect the rights of all the citizens of Bangladesh and their development, the National Committee on Chittagong Hill Tracts, on behalf of the government of the People's Republic of Bangladesh, and Parbatya Chattagram Jana Sanghati Samity, on behalf of the inhabitants of Chittagong Hill Tracts … (Introduction, CHT Peace Accord, 1997) (The words in bold font are the researcher's highlighting.)

Although the Accord recognized the revival of cultural rights, the Jumma people were identified as 'tribal' people in several of its clauses. For example, General Section A.1 states,

"[b]oth the sides have recognized the need for protecting the characteristics and attaining overall development of the region considering Chittagong Hill Tracts as a tribal inhabited region". The Chakma Chief in the CHT circle, Raja Debasish Roy, also remarked on this issue by saying that "it was treated as [a] fundamental issue by recognition of the CHT as a 'tribal inhabitant area' in the peace accord" (Roy, 2003:8). However, the question arose of how the Peace Accord recognized the cultural rights of the Jumma people. Or, had the Accord clearly located the root causes of conflict?

As we have seen, the history of conflict in the CHT was rooted in the self-recognition process of the Jumma people. In addition, in 1992, when the International Year of the World's Indigenous People was acknowledged by the United Nations (UN), the Jumma people of the CHT started to identify themselves as indigenous people or *adivasi*, not as 'tribal'. In addition to these conventions, several other international laws helped to increase the organization and mobilization among the Jumma people. The ILO Convention No 169, "Indigenous and Tribal Peoples in Independent Countries" defined "indigenous" as:

> … peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

The ILO Convention added: "self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention

apply".[58] However, this Convention was neither ratified by the Bangladesh Constitution nor the Peace Accord 1997. By using terminology, such as "tribal region" and "tribal rights", the tribalism policy was once more reproduced, this time in the Peace Accord. Serious problematic situations have arisen with regard to the conceptualization of the Jumma people as 'tribal'.

In the first place, while the Bangladesh government has undertaken several institutional policies, these are inadequate for the revival/upholding of the cultural rights of the Jumma people. The establishment of the Tribal Cultural Institute and the *Khudra Nri-Gosthi Sangskritik Pratisthan Aine ("Small Ethnic Group Cultural Institute") 2010 (Act 23 of 2010)* have been most frequently debated in this regard. Although three Tribal Cultural Institutes have been established in the CHT region, the Jumma people have argued that this has done little to identify the basic cultural problems of the local people. Most initiatives of these cultural institutes have concentrated on promoting tourism in the Hill region. At times, their roles been limited to entertaining high-ranking government and non-government officials with colorful presentations of 'tribal dances', songs, and a few publications. With these institutes mostly located at the district level, their connection with rural villages has been very low. Similarly, the activities of the institutes' museums have remained confined to entertaining tourists with the colorful dresses and ornaments of the mysterious 'tribal'. Local cultures have also been presented by the state as exotic showcases during the celebration of national events, such as Independence Day or Victory Day. During these occasions, the dances and music of 'other' cultures are paraded in public as a demonstration of diversity[59]. However, the communities are portrayed in a passive manner, never as thinking and creative agents seeking

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[58] Cited in Sumon (2014)
[59] Cited in Guhathakurata (2003)

transformation of their lives and the system under which they live. On the other hand, after lengthy criticism of the 'tribal' notion by civil society organizations, the Bangladesh government approved *Khudra Nri-Gosthi Sangskritik Pratisthan Aine ("Small Ethnic Group Cultural Institute") 2010 (Act 23 of 2010)* on April 5, 2010. In this regard, changing the names of different institutions was seen as most significant. For instance, instead of the previously-named Tribal Cultural Institute, Bandarban, it was now called the Khudra Nri-Gosthir Sangskritik Institute, Bandarban. However, the notion of the identities of small ethnic groups changed only in the titles; the functions remained unchanged.

Secondly, the assumption of the notion of 'tribal' for the revival of the Jumma people's identity rights was problematic in seeking to understand the complex historical background as well as the root causes of conflict in the CHT region. The idea of 'tribal' people itself reflected the larger history of Orientalism, which formed the basis for how colonial and new post-colonial interests controlled the people (Said, 1978). In colonial times, the concept of 'tribal' was a sign of colonial difference, producing an ever-widening chasm between the subjects and objects of colonial knowledge (Dirks, 2006). As in other indigenous territories throughout the world, 'tribalism' was first introduced in the CHT by the British colonial government. However, five decades after the end of British colonialism, the policy of tribalism was again reproduced, this time in the Peace Accord. In this regard, as stated by one Jumma informant:

> *Tribalism never improved our identity issue; the revival of cultural identity is only propaganda. Colonial attitudes have [been] further reproduced in the Accord. This kind of attitude would only bring disaster. It looks like the daggers are already drawn from the*

government side. However, many people are getting tired of movements, so it is time to create a pre-Accord situation.

Finally, in the post-Accord regime, the issue of the Jumma people's cultural identity has led to much debate and controversy, and, on occasions, has brought Jumma leaders and state officials into sharp disagreement with many conflicting cases having arisen. For instance, in my fieldwork, I observed World Indigenous Day on August 7, 2011 in Khagrachari town. Many student forums such as Bangladesh Marma Students' Council; Tripura Students' Forum, Bangladesh; Mro Students' Council; Tanchangya Students' Welfare Forum; Chak Students' Council; Bawm Students' Association; Khiyang Students' Council; and Khumi Students' Council in the Khagrachari district organized a rally, meetings and processions to demand the recognition of the indigenous peoples in the Constitution. However, these programs were repeatedly attacked by the police force. Some Jumma activists were injured and one Jumma student was arrested.

While upholding cultural rights was recognized in the Peace Accord, the tribalism issue has not yet been identified as one of the main root causes of conflict. The identity recognition issue continues to remain the central demand of the Jumma people. As has been seen, this is the legacy of the signing of the Peace Accord in 1997: the agreement was contracted on behalf of the Bangladesh government by Mr Abul Hasnat Abdullah, chair of the parliamentary committee formed to resolve the issue, while Mr Jotyirindro Bodhipryo (Shantu) Larma, the chair of the PCJSS, signed on behalf of the Jumma people of the Chittagong Hill Tracts (CHT) (Chowdhury, 2012). However, many other local political parties such as the Hill People's Federation, Hill Students' Federation and Hill Women's Federation refuted the treaty. They protested that the Accord failed to endorse many important demands including self-recognition

of the Jumma people. They continue to demand to be recognized as *adibashi* ("indigenous people"), not as "tribal" (*upo-jati*). The context of this resistance while seeking the cultural rights of the Jumma people has created further conflict between them and the security forces.

7.4 Different Faces of Politicization: Implementation Bodies

The CHT peace process was not only prejudiced by the colonial legacy, but was also the victim of continuous politicization by successive governments in the implementation process. This politicization could be found in the legislation process, the formation of implementation bodies, the demographic arrangements, and the implementation of development projects. The ethnographic evidence presented in the following sections is helpful for gaining an understanding of the process.

7.4.1 Enactments or amendments of relevant laws and regulations

The Accord referred to some actions which involved enacting applicable legislation for the Chittagong Hill Tracts (CHT). Building on this clause, the Bangladesh government approved and amended some laws and regulations, such as: the *Hill District Council (Amendment) Act of 1998*; the *Chittagong Hill Tracts Regional Council Act of 1998*; the *Chittagong Hill Tracts Land Disputes Resolution Commission Act of 2001*; and the *Chittagong Hill Tracts Regulation (Amendment) Act of 2003*. However, in practice, the rules and regulations have been foiled, as they have not been properly applied. For instance, in light of the *Hill District Council (Amendment) Act of 1998* and the *Chittagong Hill Tracts Regional Council Act of 1998*, the definition of "non-tribal permanent residents" was changed. Many Bengali settlers were included as permanent CHT residents, with their names included by the Election Commission authority on the voter list for general elections. This was strongly protested against by the

HDCs and the Jumma political parties[60] especially the PCJSS. In this regard, one Jumma person stated:

> It was very much disturbing for us that all the settlers are documented as permanent residents of this region. All the settlers were included in the electoral rolls. It was [the] government's intention to make a parliament member or local representative of [the] Hill area from the Bengali national people.

In 2001, thousands of Bengali settlers were included on the voter registration list for the national parliamentary elections. The problem of making all Bengali settlers permanent residents has created never-ending disputes in the region. As stated in a UN report on the CHT Peace Accord:

> The Accord stipulates the preparation of a voter list comprising only the permanent residents of the three hill districts, that is, individuals having a specific address and legally valid ownership of land in the region. A voter list prepared prior to the 2001 parliamentary election, which included non-permanent Bengali settlers, was therefore rejected by PCJSS. Another matter is the issue of "permanent residents". Given that a large percentage of the Government-sponsored Bengali settlers of the region have land-record documents, and given the question of whether many of the titles held by the settlers are valid in the first place, there are fears that many Bengali settlers will once again be included if a new voter list is prepared.[61]

On the other hand, since the signing of the Peace Accord in 1997, thousands of Jumma refugees who have returned to the CHT have not been included in the new voter list due to

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[60] The protest was further published and circulated in a statement on the occasion of the 41st anniversary of the founding of the Parbattya Chattagram Jana Samhati Samiti (PCJSS) by its central office in Kalyanpur, Rangamati on February 15, 2013.

[61] United Nations, Permanent Forum on Indigenous Issues (E/C.19/2011/6), p. 10

their lack of land title deeds. Thus, the political leaders of the PCJSS boycotted the 2001 national election.[62] In this context, the legislation process has not only violated the spirit of the Peace Accord, but has also negatively affected the Jumma people. Although many laws and regulations have been enacted or amended following the Peace Accord, polarization on a massive scale has also been found in the legislation process. In actual fact, most of the laws were enacted or amended with only a partial judgment of the problem and with an inappropriate design that has seeped into the policy delivery system. A similar picture has also been found in effecting the Regional Council, HDCs, and the CHT Land Commission. As the Accord Implementation Committee has been mostly inactive since its formation, it has rarely monitored these issues.

7.4.2 Accord Implementation Committee to monitor progress of implementation

A national committee for the Accord implementation was formed in 1998 with its members drawn from the PCJSS and the Bangladesh government. It arranged four meetings in 2001. However, the last meeting of the Accord Implementation Committee was held on July 1, 2001, with no minutes or proceedings recorded. No further steps were taken to implement the resolutions made in the meetings.[63] One member of the Committee stated that, after the change of national government in 2001, the committee stopped all activities thereafter with no meeting held since then.

Conversely, a Cabinet Committee on the CHT was formed headed by the Minister of Local Government. The Cabinet Committee arranged eight meetings with the PCJSS. After long discussions, it was decided to activate the Land Commission for the CHT, setting up an

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[62] Cited by Chowdhury (2008)
[63] Cited in Jumma.net (2009)

organizational structure and an office for it; to recognize the CHT Accord Implementation Committee and the Task Force Committee on Returnee Refugees; and to set up a district court with a session judge in each of the three districts. With the exception of the appointment of the Task Force chairperson and the setting up of the district courts, to date, none of the other decisions have been executed. The Accord Implementation Committee has remained frozen.

More recently, the Bangladesh government decided to form a Strategic Management Forum under a minister or an adviser with MoCHTA, the Ministry of Home Affairs, law enforcement forces, the army battalion, the Forest Department, relevant Circle Chiefs, and intelligence agencies in order to curb the violence in the CHT and to supervise government development activities in the CHT region. It was reported that these plans were put forward at a meeting, chaired by Prime Minister Sheikh Hasina that was held on May 5, 2010 to review the situation in the Chittagong Hill Tracts (CHT). However, leaders of the Jumma political parties protested against the participation of the armed forces division in the Strategic Management Forum.[64] As claimed by Shantu Larma:

> Before taking any initiative or placing any bill or Act in parliament, the government is legally-bound to discuss it with the regional council. But we were less informed while the bill [was] presented in the national parliament. Such [an] attitude of the ruling government is an expression of their total lack of sincerity regarding the CHT issues.[65]

Thus, the formation of the Accord Implementation Committee has fallen into a large political–bureaucratic hole. A similar bipolar characteristic has also been found in the establishment of institutions at the regional and district levels.

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[64] PCJSS Report (2011)
[65] Interview with *Dhaka Tribune* August 18, 2014

7.4.3 Chittagong Hill Tracts Local Government Councils/Hill District Councils

The CHT Peace Accord sought to deliver an "autonomous system" for the CHT region through the formation of new Hill District Councils (HDCs). Building on the Peace Accord, the existing Hill District Local Government Councils were renamed as Hill District Councils (HDCs), thus increasing the authority of 68 departments on 33 subjects. The Accord went on to say that: the Council body would be elected by permanent residents of the CHT; there would be less government involvement into its decision-making process; "tribal officers" would be given priority for the position of Chief Executive Officer (CEO) of each HDC; and provision was made for the establishment of a central Regional Council with the powers to "coordinate and supervise" the HDC and the general administration body. The next subsection presents an analysis of how the HDCs have operated at ground level.

Institutional control of HDCs

In November 2006, the first caretaker government's advisor for the Ministry of CHT Affairs (MoCHTA) provided verbal assurances to the Regional Council chairman that eight departments would be transferred to the Hill District Councils (HDCs). The Horticulture Centre; Chief Cotton Development Officers' office; Family Welfare Inspection Training Institute (Rangamati); Project Officers' (secondary education) office; Primary Training Institute (Rangamati); Nursing Institute (Rangamati); District Education Officers' office; and the Vocational Training Institute (Khagrachari) would soon be left to the Hill District Councils. However, the promise was not implemented due to the change of national government. While the local government sector is key to the CHT governing system, the Bangladesh government did not make any attempt to transfer it to the Hill District Councils (HDCs). As claimed by

Shantu Larma, "[s]till, the union council and the municipalities are under local government whereas these institutions were supposed to be handed over to the CHT ministry, but the government did not take any such initiatives".[66]

Only the voter list and the rules and regulations were formulated for HDC elections and sent to the Election Commission for necessary recommendations but without any concrete solution. To date, these institutional bodies have been controlled by the respective ministry from the national level with the power of the HDCs mostly inactive.

Tribal Officer as CEO of HDCs

Clause B.13 of the Peace Accord states that a Chief Executive Officer (CEO) with the rank of Deputy Secretary would work as the secretary of the HDCs, and "tribal officers" would be given priority for this office; however, the provision has not been implemented. Since the development of the HDCs in Khagrachari, these kinds of designated posts have always been occupied by Bengali civil service officers. A Jumma employee of Khagrachari HDC informed me of the following:

> *Since the launch of [the] organization structure in 1989, there had not been a single CEO appointed from the people of [the] Jumma communities in the Khagrachari HDC. The Bengali settlers are supported by the CEOs. They do not hear our problems. All of them are interested in establishing the Bengalis on our lands. The CEOs have been appointing a lot of Bengalis in the office as 3rd and 4th class workers. The Jumma workers in [the] HDCs are given less priorities [than] them.*

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[66] This interview with Shantu Larma was undertaken by the *Dhaka Tribune*. For details, see http://www.dhakatribune.com/long-form/2014/aug/18/%E2%80%98-government-wants-country-particular-religion-and-culture%E2%80%99#sthash.zIqmDC0W.dpuf

This situation has continued to persist in the post-Accord conditions. During my fieldwork, I was informed that Mohammad Salauddin, a Bengali civil service officer, has been serving as the CEO of Khagrachari HDC since September 2012. Similarly, another Bengali civil service officer named Md Abdur Rahman Tarafder has been appointed as a senior Assistant Secretary of these councils. These appointments have contradicted the provisions of the Accord, which stipulated that "tribal officer[s] would be given priority to be executive officers of these organizations".

Appointment of Class III and Class IV civil servants

Clause B.14(b) of the Peace Accord stated that the HDCs shall appoint Class III (3rd class) and Class IV (4th class) civil servants with priority given to tribal citizens, but this decision has not been implemented. Most lower-grade employees continue to be outsider Bengalis (i.e., those who are not from the CHT region). In the case of appointments to the Khagrachari HDC, more Bengalis have been appointed as 4th class employees than from the Jumma people. Of 54 people appointed as 3rd and 4th class employees, 22 were Bengalis (see Annexure 2).

As argued by the Jumma people, these outsider Bengalis have little knowledge about the Jumma culture and the local language. With the communication between a Jumma person and an employee being important, appointing outsider Bengalis is rarely able to fulfill the needs of the local people in HDC offices. The Jumma people may struggle to communicate what they want or even to obtain necessary information regarding HDC services. As stated by one Jumma person:

> *Many illiterate Jumma people usually come to this office from the remote hilly areas. They can't speak Bengali. In this context, the appointment of lower-grade officers from Jumma*

communities is very important. It was [a] good effort by the Accord wh[en] it recognize[d]
the problem where Jumma employees can be more communicative in the local languages.
However, the provision has not been executed.

On the other hand, Bengali employees in HDC offices are not as cooperative with Jumma clients. Many Jumma people have claimed that Bengali employees of the HDCs usually demand bribes when the Jumma people come to the HDC offices to fulfill their purposes. The Bengali employees are usually more cooperative with the settlers than with the Jumma people. In addition, a similar situation was found in the appointment of Jumma people within other administrative offices.

Appointment of "tribals" in the security force

Clause B.24 of the Peace Accord and the relevant legislation stipulated that the Hill District Councils (HDCs) shall appoint sub-inspectors and their subordinates in the Hill District police and shall have the power to transfer or punish them, with "tribals" given preference for appointment. Although this provision has been included in the HDC Act, in practice, the power has not been transferred. The police are still organized by the same institution and authorities as before. Although the Bangladesh government has appointed 671 Jumma people as police constables and 10 others as traffic sergeants, these recruits have been posted to the plains districts of Bangladesh[67]. The PCJSS has claimed that, "subjected to untold racial abuse, harassment and discrimination, many of the Jumma police stationed in the plain[s] land districts resigned or were forced to resign" (PCJSS, 2011). To date, except for a few Jumma police officers transferred from the plains districts, almost all police officers in the CHT are Bengalis, raising concerns regarding their neutrality in performing their duties. In the context

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[67] PCJSS (2011), Jumma.net (2009)

of the village level, when conflict has arisen between settlers and the Jumma people, the Bengali police have taken their position on the settlers' side. Moreover, the Bengali police are rarely informed about the customary laws of the Jumma people. In the case of customary land disputes, the Jumma people have found many difficulties in filing a case at police stations. Not only has appointing a smaller number of Jumma people to the police force violated these clauses of the Peace Accord, but it also problematic in protecting the Jumma people's customary rights in the CHT region.

Land management

Clause B.34(a) lists "land and land management" among the responsibilities of the HDCs, but this responsibility has also not been delegated. Thus, the local administration has continued to illegally transfer or lease lands to settlers, civil servants, and others without consulting the Hill District Councils (HDCs). Although the CHT Land Commission Act was passed in 2001, a number of provisions of the Act were contrary to the CHT Accord. The main issues addressed by setting up a Land Commission were to redress land alienation owing to three major causes: (i) restoring land to its original owner; (ii) problem of land acquired for development projects; and (iii) the Bengali resettlement program and subsequent land disputes. However, these concerns were not sufficiently spelt out. Moreover, some complex questions remained unexplored, for example: whether or not the local Jumma people would receive compensation for their lost land; whether customary law or state law would prevail in the case of conflict between the Jumma people and Bengali settlers; and whether Bengali settlers would be removed in the case of land being restored to the original owners. These questions were clearly not thought about when the Land Commission was formed.

The appointed chairman of the Land Commission was given near-absolute power to run the institutions (Section 16). Immediately after the formation of the Land Commission, the chairman declared to launch a cadastral survey before settling land disputes. With many vested interest groups occupying the customary common lands of the Jumma people, the cadastral survey could not identify the original owner of the disputed land. New settlers, residing on Jumma lands without prior consultation with the resettlement bodies or the original owner, would benefit. If the Land Commission did not recognize the traditional customary land laws of the Jumma people, the clauses of land rights in the CHT Peace Accord would be futile. If land disputes were not settled to the full satisfaction of the Jumma people, the role of the Land Commission would be very controversial. The civil society members and local Jumma political parties protested against the Land Commission activities. Consequently, the Bangladesh government finally agreed to amend the controversial provisions of the Act. However, the amendment bill for the CHT Land Commission Act has not yet been put through parliament.

Tax collection

Clause B.27 and the relevant legislation made provision for and gave the HDCs authority to collect land development tax as a revenue source. The tax issues were further developed in Clause B.35. The relevant legislation also stated that the HDCs would have power to collect 12 types of tax including holding tax on lands and buildings, business tax, and tax on fishing. However, this authority has also not been transferred. Moreover, at the village level, it has been observed that the traditional administration body, that is, the *Karbaris* ("headmen"), who have been authorized to collect tax from the *Jhum* cultivators, have been facing many obstacles. The International Work Group for Indigenous Affairs (IWGIA) (2012) also

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investigated these kinds of cases, with an example provided in the following report:

> In 1998, immediately after the CHT Accord was signed, Lt. Colonel Shahid Mostafa Kamal, on behalf of the GOC [General Officer Commanding] of Chittagong Division, sent a confidential note to the district authorities regarding the collection of the land tax (*khajana*). In the note, it was stated that the Circle Chiefs and traditional headmen (*karbaries*) had decided not to accept land tax from Bengalis living in the CHT. The military interpreted this to the effect that the decision was made in order to "create legal complications for them to live in the Chittagong Hill Tracts" and requested the district authorities to "take necessary effective steps through administrative processes in order to mitigate these land tax related problems".

This was in violation of the CHT Peace Accord, with the army and the civil administration interfering in the traditional tax collection system. This kind of intrusion interrupted both the empowering of the local administration system and the long-term practices and norms in the Chittagong Hill Tracts (CHT).

In summary, many provisions were included in the relevant laws, but the regulations for implementation of the HDC Acts were not promulgated, with various new laws and regulations made that were applicable to the CHT without consultation with the Hill District Councils (HDCs). In addition, on July 1, 2014, the Bangladesh government took the initiative to amend the *Hill District Council Act, 2014,* with this established, without any prior consultation with the HDCs, the Regional Council, and other CHT representatives. In this context, the Regional Council chairman Shantu Larma expressed his opinion in an exclusive interview with the *Dhaka Tribune*, a daily newspaper, as follows:

The interim period district councils have become the key source of corruption. The council members [selected by the government] act according to the government directives. Generally, the members of parliament represent the government's thoughts and expressions. They all are parts of the government's system of control and manipulation. All such institutions and the representatives of the indigenous people echo the government's views. (*Dhaka Tribune*, August 18, 2014)

In addition, it is worth noting that the role of un-elected executive bodies also interrupted the function of the Hill District Councils (HDC). As the executive bodies of the HDCs were formed on the basis of political affiliation and patronage, they felt more obliged to the ruling governments and elite political leaders than to the proper execution of the institution. The politically-nominated bodies were not interested in coordinating with the Regional Council bodies. In this context, as with the HDCs, bipolarity was also found in the Regional Council especially in the execution of its institutional operations. This is discussed in the following sections.

7.4.4 Chittagong Hill Tracts Regional Council (CHTRC)

The provision of the Regional Council was to provide the Jumma people with the scope to enjoy a "self-administrative" system and to protect them from external domination. Thus, the Chittagong Hill Tracts Regional Council (CHTRC) bill went before the national parliament on April 12, 1998 and was passed on May 7, 1998. The law was considered to be effective from May 25, 1998 and provided a "quasi-autonomous" (Mohsin, 2003) council in the Chittagong Hill Tracts (CHT). According to the Regional Council Act, the members of the Regional Council would be elected by the elected members of the HDCs for a period of five years. The members of the Regional Council would then elect its chair. The Regional Council would

supervise and coordinate all the subjects vested in the HDCs, in addition to coordinating all the development activities carried out by the three Hill District Councils (HDCs). It was also envisioned that 15 of the 22 members would be elected from the "tribal" people and seven from the "non-tribal" residents. In the event of a lack of congruity or any inconsistency in the discharge of responsibilities of the three HDCs, the decision of the Regional Council would be deemed to be final.

After the signing of the Accord, the Bangladesh government formed an acting Regional Council with 22 members on September 6, 1998, with the council located in Rangamati on May 27, 1999. Shantu Larma, the former PCJSS president, was appointed as Regional Council chairman from the Jumma communities and given the status of a State Minister. The provision of three reserved seats for women members, including one-third for non-tribal women, was also implemented as per the Peace Accord. However, the election of the Regional Council could not be held during the past 15 years due to a pending High Court case. This has arisen from the complex situation concerning separate voter lists with regard to elections for the national government and for the HDCs and Regional Council. Although 25 of the 33 provisions for the Regional Council have already been officially included in the Regional Council Act, multifarious scenarios have occurred while this has been functioning. Political influence, the dominant behavior of political leaders, and the lack of coordination between different institutions have all severely disrupted the proper execution of the Regional Council.

The Peace Accord provided power to the Regional Council to coordinate and supervise municipalities, HDCs, NGOs, disaster management and development activities including the CHTDB, and tribal laws. Although provisions were incorporated in the Regional Council Act, the coordinating role to be executed by the Regional Council in relation to NGO activities has

yet to be seen. Unlike other parts of the country, relief operations in the CHT continue to be controlled by the District Commissioner (DC). Many NGOs have also been carrying out their activities without prior permission, consultation, or coordination with the Regional Council. On the other hand, as reported by the IWGIA, the Ministry of Home Affairs does not allow NGOs in the CHT to be registered without clearance from the Directorate General of Forces Intelligence (DGFI). Thus, NGOs' activities are highly controlled by the army instead of the Regional Council. While 'tribal law' and social arbitration management issues have been incorporated in the Regional Council Act, these customary rights of the Regional Council have yet to be practiced. The law and order of the CHT region is still highly controlled by the military.

Lack of coordination has also been found between institutions at the local level and the Regional Council. After the signing of the Peace Accord, when the BNP government gained power to rule the state in 2001, the authorities of the three HDCs were observed as being non-cooperative with the Regional Council. A Bengali MP from the Khagrachari district was appointed as the CHTDB chair and played a dominant role in supervising the other institutions instead of this being done by the Regional Council. The Bengali MP was neither cooperative nor did it play a supportive role to the Regional Council bodies. Bengali officers from different institutions always obeyed the chair of the CHTDB for any kind of development initiative. The Bengali MP from Khagrachari not only dominated the development activities but also the CHT region's legal system. He also approved permanent resident status for more than 0.1 million (10,000) Bengali families in different cluster villages of the Chittagong Hill Tracts (PCJSS, 2009).

The intention of the Bengali MP was to establish Bengali settlers' dominance in the CHT

region. This intention was also echoed by other institutions, governmental bodies, and local administrative forces. The Bangladesh government has provided gazette notification of national laws applicable to the CHT without consulting the Regional Council authorities, even though Bangladesh's Prime Minister emphasized the requirement that the Jumma and Bengali peoples be treated on the basis of equal opportunity and rights. Similarly, the civil administrations have not been very willing to put in place the Regional Council. The Police Superintendent of the Khagrachari district stated that:

> The accord provided power to Regional Council for supervising the local police force. How [will] RC bodies maintain the law and order of [the] whole CHT? This will never [be] possible to appl[y]. The autonomy of [the] Regional Council is an imaginary idea. Forget about this matter. (*Prothom Alo*, June 19, 2003, cited in Chowdhury, 2012)

The government administration has not shown a positive attitude toward empowering the Regional Council. On the other hand, local Bengali political leaders are apathetic toward the chairmanship of Shantu Larma due to his role during the pre-Accord insurgency period. As stated by a leader of Shama Adhikar Andolan[68]:

> *Shantu Larma is a person who is responsible for many occurrences including killing of many Bengalis. He is privileged as a king; instead, he should be prosecuted through legal actions. We are surprised how the government can select Mr Larma as a chairman.*

The Bengali settlers' guess has been that the formation of the Regional Council with unprecedented management power was a strategy of the Awami League government to bring the "terrorist" leaders into the negotiation process. Thus, the settlers have continually tried to

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[68] Interview conducted in March 2013

deactivate this strategy by consuming the Regional Council, leaving it without any real executive power. On the other hand, many Jumma political parties do not trust Shantu Larma as chair of the Regional Council. The leaders of the UPDF have always accused him of being a collaborator with the Awami League government. The UPDF have argued that while Shantu Larma has been in the position of Regional Council chair, the government has not taken the initiative to arrange an election for the Regional Council. As stated by a leader of the UPDF:

> *While the Accord provided hope for the resumption of democratic practices, [the] RC remains highly political ... [and] is dominated by PCJSS and government-nominated members. Shantu Larma works as an agent to promote the Awami League's interest in the region. Because of him, the Regional Council still is undemocratic in practice and partisan in nature.*

With the head of the PCJSS positioned as the chair of the Regional Council, the UPDF's position has been un-cooperative toward putting in place the Regional Council. The UPDF's view has been that the role of the Regional Council is more or less the same as the role of the Bangladesh government which is true. The Regional Council is still controlled by government-nominated bodies with Shantu Larma, the government's representative of the Jumma community, appointed as chairman of the Regional Council. However, the nomination process is not democratic. In this context, as claimed by the UPDF, the chairman himself is responsible for destabilizing the organization.

Furthermore, a growing number of civil–military interest groups have been involved in neutralizing the action of Regional Council bodies. The involvement of the army in development projects, in the land management process, and in coalition with local elites and civil administration for administrative decision making, as well as other factors have variously affected the activities of the Regional Council. Three points need to be raised in this regard:

Firstly, while international organizations' development funds were granted for the infrastructural development of Jumma communities, in reality, most funds were spent for the army. For instance, the Bangladesh government undertook a transportation project in the CHT with the help of Australian donors. However, the government used the funding to construct roads to facilitate the movement of military vehicles (cited in IWGIA, 2012). If the Regional Council administered the overall process and development of the CHT, the army would lose its control in the CHT region.

Secondly, the army has used Bengali settlers as human shields to carry out its operations against the Jumma people. Although the Peace Accord declared that the Regional Council had the authority to deal with land leasing or settlement in the CHT, the local administrator and the military continue to keep this power as their own. As shown by evidence from the field, the army has continued to allocate land to Bengalis in the name of promoting the tourism industry[69] or has resettled Bengalis without any discussion with the Regional Council. The army's patronage of Bengali settlement is an important strategy to create conflict between Bengali settlers and the Jumma people: through this, the army can extend its stay by using the excuse of maintaining law and order.

Finally, the role of the army in polarizing the Jumma community has significant consequences. It has been one of the key components generating in-group tension. This context has become more visible with the main regional political groups, that is, the PCJSS and the UPDF both accusing each other of being collaborators with the army. The Bangladesh government has listed at least 61 cases of conflict between the PCJSS and the UPDF in the post-Accord period. In this context, the army has appreciated the conflict in the CHT as it has provided a reason to

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[69] Discussed in Chapter 5, subsection 5.2.2 "Militarization: a big economic project"

continue its operation in the CHT region.

In this context, the Regional Council project has fallen into a deep elitist trap in which the army, local political elites, governmental bodies, and the civil administration have all been inactive rather than acting as interest groups to destabilize the institution. The economic and political interests of the vested interest groups directly and indirectly involved in disempowering the Regional Council have been hampered. The rules and regulations of the army have not been able to be formulated and communicated in a timely manner. Moreover, the HDCs have not been properly formed with democratically elected Jumma representatives. At the ground-level reality, the ordinary Jumma people remain victims of the implementation process and continue to feel that the problem exists. Thus, the putting in place of the Regional Council has been resisted by the political–bureaucratic forces, with these not detached from the overall socio-political context of the CHT region.

7.4.5 Ministry of CHT Affairs (MoCHTA)

The Ministry of Chittagong Hill Tracts (CHT) Affairs (MoCHTA) emerged in the Peace Accord in the following way: "A Ministry of the Chittagong Hill Tracts Affairs shall be established by appointing a minister from the tribal groups. An Advisory Council shall be formed to assist this ministry with the persons stated." (Clause- D19)

Accordingly, the Ministry of Chittagong Hill Tracts (CHT) Affairs (MoCHTA) was established on July 15, 1998. Since its establishment, MoCHTA has been administrated by three deputy/state ministers under different regimes. After the 2001 election, Moni Swapan Dewan, Member of Parliament (MP) from the CHT region was appointed as Deputy Minister of the Ministry. Later, after the 2008 national election, Dipankar Talukder, MP from the Ramgamati

Hill District was appointed to be in charge of MoCHTA with the position of State Minister. In more recent times, after the general election of 2014, Bir Bahadur Ushwe Sing was appointed to the Ministry of CHT Affairs (MoCHTA) as a State Minister. The Peace Accord indicated that this position should be held by a full minister, but no full minister has yet been appointed to the Ministry of CHT Affairs (MoCHTA). As reported by a PCJSS leader[70]:

> *Usually under the rule[s] of state government, only [a] full minister can participate in the cabinet meeting whereas the main decisions are taken by the ministry board. As the deputy or state minister cannot join in the cabinet meeting, the problems of [the] CHT are not directly conveyed to the top-level decision-making process. Thus, the problems of [the] MoCHTA get less priority than the cabinet issue.*

Moreover, since its establishment, the functions of MoCHTA have been disrupted by varied political and institutional climates. Some complex scenarios under successive government regimes are next discussed.

During the BNP regime (2001–2006), when Moni Swapan Dewan was in the position of Deputy Minister of MoCHTA, he did not exercise his ministerial power. According to Mr Dewan[71], although he was appointed as State Minister, most decisions were made by a Bengali MP named Wadud Bhuiyan from Khagrachari. It should be noted that Wadud Bhuiyan was appointed as chairman of the CHTDB when Mr Dewan, as a State Minister, was chairing the Ministry of CHT Affairs (MoCHTA). However, as a Bengali political leader of the ruling government party, Mr Bhuiyan always dominated the activities of the Ministry of CHT Affairs (MoCHTA), in his efforts to ensure benefits for the Bengali people in the Chittagong Hill Tracts (CHT). Many

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[70] Interview conducted in March 2013
[71] Cited in Chowdhury (2012)

Bengali cluster villages were established by him. Some are even named after him, being identified as Wadud Palli (Wadud village). Moreover, Mr Bhuiyan constructed these cluster villages by exercising his own political power, without any consultation with the Regional Council and the Ministry of CHT Affairs (MoCHTA).

In policy meetings, the ruling government always showed its preference for Mr Bhuiyan rather than the MoCHTA administrator. As Mr Dewan claimed, he never participated in any policy meeting of the government on the CHT during his five-year term. Even funds and resources were granted for various development projects in the CHT without his consent (PCJSS report, 2009). While Wadud Bhuiyan was a powerful person in the BNP government, the role of the Deputy Minister of MoCHTA was mostly passive, with Minister Dewan not informed about many important issues during in his time in this position. Mr Bhuiyan is currently continuing to establish new cluster villages through the CHTDB, without any consultation with MoCHTA and the Regional Council.

In this context, State Minister Dewan was upset with the status of the Peace Accord implementation, criticized government policies, and threatened to resign. Specifically, following the Mahalchari communal massacre, when the Bangladesh government decided to give permanent resident status to hundreds of thousands of settlers, Mr Dewan strongly protested. As he stated, "I would rather resign than sit idle on the virtually stalled process of peace implementation" (*The Daily Star* September 30, 2003). During the entire BNP regime, MoCHTA was mostly inactive. Instead of MoCHTA, the chair of the CHTDB dominated the CHT region.

However, during the Awami League regime (2008–2014), although MoCHTA was given

some power, its executive role was highly controversial. The key activities of MoCHTA were run from the Bangladesh Secretariat office in Dhaka, where the majority of its top-level staff were Bengali. Dipankar Talukder, a local MP of the CHT region was nominated as MoCHTA's State Minister. However, as argued by a local Jumma person: "*[t]he role of Dipankar Talukder was not positive towards [the] CHT people. He did not raise [his] voice, always emphas[ized] his own interest. He kept [his] distance from the local Jumma people. Thus, the people of [the] CHT [did] not elect him in [the] national election [in] 2014.*"

The PCJSS accused Dipankar Talukder, in this role, of being silent on the CHT issue. While many conflicts occurred during his time in power, he did not take any initiative to solve those problems. In this context, Dipankar Talukder was rejected by the local people in the national election in 2014.

In the present Awami League regime (2014–onwards), Awami League leader and elected MP from Rangamati Hill District, Bir Bahadur Ushwe Sing, has been appointed as State Minister. In addition, Nobo Birkam Tripura, a member of the Jumma community, has been appointed as ministerial secretary. However, along with the State Minister and ministerial secretary, only three of the seven officials appointed are members of the Jumma community (see Annexure 3). The 44 Bengali officers have very little idea about the conditions and the administration of the Chittagong Hill Tracts (CHT). Most decisions have been made with very little coordination at the local level. The administrators have only been executing government policy from Dhaka city. The voices of local leaders and communities have been rarely included in policy making or in the implementation process.

Since its establishment, MoCHTA has failed to create any communication with other

ministries at the national level to implement the Accord. As with the role of the Regional Council chairman, the MoCHTA leadership has also been criticized by local Jumma political leaders. Lack of coordination has been found to be extensive between MoCHTA and local political leaders. Similarly, most development initiatives have been implemented without any consultation with the Regional Council, even though the ministry was set up to assist the Regional Council, so that it would become the key executive authority of the Chittagong Hill Tracts (CHT). In recent times, MoCHTA has been observed to be deciding on matters relating to budgetary allocations for the Regional Council and the Hill District Councils (HDCs). The Minister has also participated in cabinet deliberations to consider applications for foreign aid-funded NGO projects to be implemented in the CHT region (Roy, 2000:51).

The lack of cooperation between MoCHTA and other institutions has had various consequences and effects at the local level. The local people have realized that MoCHTA has only been executing the government agenda with the Bengalis the main beneficiaries. As shown in the above discussion, while MoCHTA has continued to supervise the land settlement project, it has established the rights of Bengali settlers in the CHT region. Similarly, most beneficiaries of MoCHTA's development projects are seen to be Bengalis with the Jumma people rarely included at the policy level. Lack of coordination between the Regional Council and MoCHTA has also violated the spirit of the Peace Accord.

Although all of the ministers of MoCHTA in successive government regimes have been nominated from among members of the Jumma community, their role has done very little to establish Jumma rights in the region. For instance, in January 2010, MoCHTA issued a controversial letter to CHT district administrators asking that they not use the word *adivasi* ("indigenous people"), but instead use the word *upajati* ("tribe/tribal"). The letter also stated

that "some tribal/indigenous leaders with the support of western Christian state [had] tried to build an indigenous state claiming themselves as Indigenous Peoples" (Kapaeeng Foundation, 2012:188). The Jumma people, political organizations, and civil society organizations strongly protested against these statements.

In this context, the execution of the MoCHTA role has become controversial for at least three reasons. Firstly, the Minister for MoCHTA was dominated by a powerful Bengali MP from the CHT region. Secondly, as members of a marginal community, successive Ministers did not exercise their power or raise their voices at the national level. Finally and most importantly, as all of the ministers and administrators were politically nominated by successive governments, they had to work to implement their own political agenda, rather than that of the Jumma people. As shown by the above context, the role of MoCHTA has been frustrated. The successive governments' policies and performances in this regard have demonstrated a lack of positive attitude. As the politicization of the administration of MoCHTA has been immense, the true intention of the government towards MoCHTA has remained questionable. Thus, the performance of MoCHTA has been highly polarized with its administrators busy establishing their own political and personal agendas, which has only served to reinforce the Jumma people's cycle of suffering.

7.5 Politics of Demography and the Problem of the Voter List

As previously documented in Chapter 4, the politics of demography began in the colonial period, when the British colonial government, in its census report, included all of the people of the CHT as "tribal". In addition, by presenting historical documents, I discussed how the classification of tribes and castes led to the Hill peoples' enumeration in the colonial census.

The production of census data created categories and a "sense of a controllable indigenous reality." However, the politics of demography has persisted in the post-colonial state even after the signing of the CHT Peace Accord. At its most severe, this began with the Bengali resettlement period when, in the name of demographic balance, the Bangladesh government resettled many Bengali people in the region. Thus, the debate began regarding the notion of permanent residents of the CHT region. While the Peace Accord provided clear guidance about the notion of permanent residents and the electoral process of the CHT, both the manipulation of the process of issuing permanent resident certificates and/or corruption in creating the voter list have been observed in the CHT region.

Clause B.4.5 of the CHT Peace Accord requested permanent resident certificates for Bengali people who had a long history in the CHT region. Moreover, the Accord stated that the certificates were to be allocated by the relevant Circle Chief (*Raja*) subject to provision of a certificate from the *mouza* headman, *Karbari*, etc. However, in practice, the district administrators have been issuing these certificates without the consent of any traditional administrator. As stated by the headman of Lamuchari village:

> *The Peace Accord gave us power to issue a recommendation letter for a permanent resident certificate. Finally, [the] Raja will decide this matter. But [the] District Commissioner['s] office [is] doing this job, nobody came to us. Most of the Bengali people are settling down in this area without any consent from us.*

It is worth mentioning that MoCHTA has authorized the District Commissioners (DCs) over and above the Circle Chiefs, to issue permanent resident certificates. This circumvention of MoCHTA has violated the power and authority of the HDCs, both of which were given by the Peace Accord and the HDC Act. It has also negatively affected rural Jumma communities in

various ways: the Bengalis have continued to settle on Jumma areas without consent from any traditional administration; Bengali settlers have intensified land grabbing and the construction of houses on the land of the Jumma people with permission given by the office of the District Commissioners (DCs) and the military through their individual connections, and conflict has arisen between the Jumma people and Bengali settlers. Cases of settling on Jumma land are extensively discussed in Chapter 8.

The politics of demography have been mostly observed in the construction of the voter list for the CHT region. The Peace Accord explained the notion of the "non-tribal permanent resident" who "has lands of lawful entitlement and lives at a specific address in the CHT" (Clause B.3). Subsequently, in Clause B.9, it was noted that the voter list should only include permanent residents of the Chittagong Hill Tracts (CHT). In this context, the Bangladesh government declared the creation of two separate voter lists in the CHT region: one for general elections and the other for HDC elections. However, the declaration of separate voter lists in a region contradicted[72] the spirit of the nation's Constitution. The national Constitution of Bangladesh does not allow separate voter lists for different elections. As a result, although two voter lists were created, to date, no elections for the HDCs have been held in the CHT region.

On the other hand, general elections have usually been held in the CHT in the different national election periods. Most settlers have been included on the general voter list. As noted by the PCJSS[73], about 300,000 non-permanent settlers out of the 400,000 Bengali voters have been included on the voter list in the Chittagong Hill Tracts (CHT). Moreover, hundreds of

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[72] Clause 2(d) of Article 122 of the Bangladesh Constitution states: "A person has the right to be included in the voter list of a constituency determined for parliamentary elections, if he/she is a resident of that constituency or considered to be a resident of that constituency by law."
[73] PCJSS report (2011)

thousands of military and paramilitary personnel (i.e., Bangladesh Rifles [BDR], the police, Village Defense Party [VDP], and the Armed Police Battalion [APBn]) are in the CHT region. In addition, thousands of outsider Bengalis are engaged in various government and non-governmental jobs, and in other economic activities in the CHT region. Although members of security agencies and government and non-governmental employees are not permanent residents of the CHT, the voter list now includes most of them. On August 7, 2006 ahead of the World Indigenous Day, the chairman of the CHT Regional Council Shantu Larma formally highlighted that the Peace Accord that he signed in December 1997 specified that the Jumma people would have a separate voter list; however, this had not yet been implemented. According to him:

> At least 30,000 Rohingya refugees from Myanmar have been registered in the voter list … even though the permanent residents are supposed to be registered in the voter list, the original Jumma people are being absent [from] the list which is in defilement of the peace accord. (cited by PCJSS Report, 2009)

During my fieldwork, I was informed that most of the settlers in the Shalbon cluster village area were included on the new voter list although many had no land title deeds in this village. Most interestingly, with many settlers newly included on the voter list, a Bengali person was elected as the Member of Parliament (MP) for the Khagrachari district in 2001. It was first time in Khagrachari that a Bengali person had been elected from the CHT region. In this regard, a PCJSS leader, Satish Larma, (58) said,

> *The intention of making separate voter list[s] is fully political. The government knows it very well that by using separate voter list[s] in the same region is contradictory with [the] constitution. The government intentionally made two voter lists only to postpone the HDCs'*

election. Governments are not interested to continue HDCs bodies by elected people but want to select their obliged people to manage the institutions. On the other hand, strategically they included all settlers in the voter list; however, most of them were not permanent residents of this region. Actually the new voter lists were made to elect a parliament member from the Bengali people. Thus, it was [the] first time in history [that] a Bengali person [was] elected as a parliament member from Khagrachari area in 2001 election. He was elected by the new voters from Shalbon and other villages. [The] Bengali MP did not raise Jummas' voice in the parliament. He always collects funds for the development of settlers and devalued us in various ways. Moreover, he declared that the Jumma refugees could no longer be provided with regular ration[s]. Settlers were benefitted from the Bengali MP and Jummas were marginalized.

A few of the Jumma political parties called for a boycott of the general election in 2001. However, about 52% of eligible voters cast ballots in the CHT region (PCJSS, 2010). When a Bengali person was elected as a parliament member for the first time from the CHT constituency, this showed the changing dynamics of demography in the region. This process of including settlers on the voter list was also visible before the parliamentary election in 2011. Along with other parts of the country, the listing of new voters in the CHT region began on October 22, 2007 and was completed by June 2008. Although settlers were included on the new voter list, many Jumma people who lived in remote areas were not enrolled in the voting process. As the UNDP stated,

> Most of the voter registration centers in Khagrachari, Bandarban and Rangamati operate without power and telephone coverage. Furthermore, many areas are not accessible by road which means that equipment needs to be delivered by boat, helicopter or by foot. (UNDP Bangladesh, 2008)

The UNDP added that many Jumma people were not properly registered on the latest voter list; thus, they would not be able to vote in upcoming elections. In this context, the voter list for the CHT has suffered from many complications ever since the formulation of the Peace Accord. At present, two types of voter list exist in the Chittagong Hill Tracts (CHT). One, with permanent residents only, is exclusively for the election of the HDCs and the Regional Council, while the other list, including both permanent and non-permanent residents, is used for elections of the national parliament, the municipality, and the union *parishad* (Union Council). With the problem of the voter list remaining unresolved, to date, no HDC elections have been held and the holding of these elections remains uncertain. Without a legal solution to the problem of two voter lists, conducting the HDCs election continues to be impossible.

7.6 Jumma Representatives on Executive Bodies: Different Role in Practice

In the process of the Peace Accord implementation and establishment of the related institutions, different representatives from the Jumma community can be found. Some have been nominated as chair of the Regional Council; some have been selected as State Minister of MoCHTA, etc. However, mere representation or the acquisition of a political position has not necessarily translated into peace implementation. It can instead be argued that the state's strategy for selection and distribution of different positions has often resulted in chaotic and incoherent situations. Most stakeholders have developed their own disputes and created their own distance from other stakeholders.

The Accord provided hope for "democratic practices" in the CHT, as the three HDCs were supposed to be elected bodies which, in turn, were supposed to elect the Regional Council. However, no elections have been held. As both institutions were formed on the basis of

political affiliation, most executive bodies have been more obligated to the ruling government. As presented in the cases of the HDCs and the Regional Council, leaders from the Jumma communities have been positioned as chair in respective institutions. However, within the bipolar context, Jumma leaders in the role of chair of these institutions have only created space for their personal opportunities rather than for the empowerment of the institutions. They have even failed to create any coordination or networking between the institutions. The relationship between the Regional Council and the HDCs is antagonistic, with each accusing the other of collaborating with the government and the army. The chair of the Regional Council has openly accused the HDCs of being collaborators with the government. On the other hand, the chairs of the HDCs have not complied with the Regional Council. In addition, Shantu Larma, in his role of chair of the Regional Council, was criticized by the opposition's local political leaders as an agent who was promoting the government's interests in the CHT region. With no elected chair in position, the Regional Council has remained highly political, dominated by the PCJSS and the government-nominated members. Another reason for opposition has been the lack of trust and confidence in the Regional Council chair, Shantu Larma, who they have felt does not have the necessary experience and capability to run the complex administration of the Chittagong Hill Tracts (CHT) (Chowdury, 2008). Within this process, successive governments have never had a true commitment to giving autonomy to the Regional Council: instead, they have sought to politicize the institution and to ensure their political dominance in the Chittagong Hill Tracts (CHT).

Many complex situations have arisen following the founding of MoCHTA which was formed, building on the Peace Accord; however, its actual role in managing the CHT was not described in detail. The role of MoCHTA was highly controversial, with the government creating this

separate executive body with ministry power to strengthen its control over the CHT region. Thus, the functions of the Regional Council and MoCHTA regarding their administrative roles and development programs have overlapped, which has been translated into a power contest between the two institutions in regard to control of the CHT region.

The Bangladesh government has actually created a ministry-level authority to reinforce its domination over the region. The Regional Council's demands for executive power or autonomy have been denied by the establishment of the Ministry of CHT Affairs (MoCHTA). Ever since its establishment, MoCHTA, in place of the Regional Council, has strongly dominated the CHT region. The authorities within MoCHTA have been governing the CHT as a counterpart to the Regional Council, thus decreasing the role of the Regional Council in the implementation of the Peace Accord. On the other hand, empowering the Regional Council and the HDCs to oversee the overall administration and development of the CHT would ultimately make the military lose their control within the CHT region. Thus, this latter policy would be contrary to the interests of the military which has resisted the implementation of the Peace Accord by creating a power contest between MoCHTA and the Regional Council.

As has been discussed in previous sections, since the signing of the Peace Accord, successive governments and local political leaders have sought in various ways to monopolize institutional power (i.e., the power of the Regional Council, MoCHTA and the HDCs). The local political elites of the CHT region have created networks and alliances with state authorities, relying on exchanges to achieve their objectives. In this regard, the state elites have used elements of the state and the political system to mediate these exchanges. Thus, the state has not taken a positive stance toward establishing democratic practices in these institutional bodies. Instead, the state has adopted a strategy for the selection and distribution

of different positions within these institutions. In reality, using a selection process for these executive bodies instead of an election has carried forward vested political interests. People for the leadership positions of the main executive bodies have been nominated from members of the Jumma community, but their performances have indicated that they are more obligated to the state mechanism instead of to the execution of their institutional duties. Furthermore, the existence of different institutions has created a complex situation, with ambiguity in terms of control.

7.7 Rehabilitation of Refugees: A Cycle of Manipulation

In 2008, the total number of Jumma refugee families was estimated at 64,612 (Task Force Committee report, 2008). The Peace Accord assured the returning Jumma refugees that they would get their land back and ensured their safety and security. Accordingly, about 12,222 Jumma refugee families, comprising a total of 64,609 persons, returned to the CHT region from India. However, the ground-level reality was much more complex than was shown by these statistics. The PCJSS claimed that 40 Jumma villages, five local *bazars* ("markets"), and seven temples in the three districts of the CHT region remained under occupation by Bengali settlers. Thus, upon their return to the CHT region from India, about 9,780 families could not go back to their original places. They remained internally displaced in different locations. They were not even included on the voter list as many did not have land title deeds in their respective villages.[74]

However, as a rehabilitation process, the Bangladesh government set up many temporary shelter homes (termed as "transit camps") in the Chittagong Hill Tracts (CHT). The returnee

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[74] PCJSS report (2009)

refugees who could not go back to their original places were permitted to stay in transit camps until rehabilitation to their respective villages. In the context of Khagrachari, I was informed that a total of 41 families of Jumma returnee refugees were allowed to take temporary shelter in different primary schools which were used as "transit camps". While the Bangladesh government was undertaking these initiatives, returnee Jumma refugees were experiencing much suffering. The returnee refugees experienced torture by the administration and security forces. For instance, at about 4 p.m. on August 20, 1999, the Khagrachari district administration, with the help of the police force, evicted 12 families of returned Jumma refugees who had taken shelter at Dighinala Primary School. Consequently, the evicted refugees built their homes in remote jungle areas.

On the other hand, when many refugees returned to their land, they faced a critical situation with many experiencing a second eviction from their returned land. In the process of building the Border Guard Bangladesh (BGB) camp at Babuchara, many returnee refugees were forcefully evicted from their returned lands (for details, see Chapter 8). As they argued:

> *During the insurgency, we went to India to save our lives. We returned after [the] Peace Accord, built [a] home in our old places. But now we are facing eviction again and becom[ing] internal refugee[s]. A BGB camp is now forming [o]n our land. While we had established our home [o]n our ancestral land, [the] authority claims this is the khas land. We cannot continue to stay here.*

The percentage of returnee refugees has, in fact, been much higher than that of non-returnee refugees. However, a sense of intense insecurity has continued to exist in the returned lands. The administrators, political leaders, and Bengali people have not been positive toward a better rehabilitation process for returnee refugees. Along with the rehabilitation process,

refugees have continued to face severe discrimination in their everyday lives. Although the Peace Accord promised to provide cash incentives and work scope, and the withdrawal of legal cases, the complex procedures of the Peace Accord implementation have made the Jumma refugees' livelihood more difficult. The ground-level scenarios are discussed in the following subsections.

7.7.1 Cash grants and loans for Jumma refugees

Through the Accord implementation process, as I was informed, the returning PCJSS and Shanti Bahini members, including those who were in jail, each received Tk. 50,000. However, the processes of the regular rationing system to refugees were interrupted several times. After the change of national government in 2001, an official move was initiated to stop regular rations to the Jumma refugees. A notice from the Prime Minister's office was published indicating that regular rations could no longer be granted to the Jumma refugees. Instead, the Bangladesh government tried to introduce support for their reintegration with funds from the Annual Development Plan. However, the Jumma people have shown strong resistance against this policy. After endless protests, rallies, and demonstrations at local and national levels, the Bangladesh government decided to continue giving rations with these to be for three months. Later, the government declared that the rations provided were intended for six months.

Since the signing of the Peace Accord, the issue of providing loans to Jumma returnee refugees has been 'in process' under the Ministry of Finance; however, 15 years have gone by and the process appears to be an endless one. The Bangladesh government still has not decided on loans for 642 refugees. Although 78 PCJSS members submitted their application for reinstatement to their government jobs, only 64 were reinstated to their posts. After the Peace

Accord was signed, in 1998, the PCJSS submitted 1,429 self-employment schemes to the government. However, the government has yet to adopt the view that any decisive action is to be undertaken on the implementation of these projects (PCJSS report, 2009).

On the other hand, a total of 671 PCJSS members have been appointed as police constables and 10 PCJSS members as traffic sergeants. However, on account of prejudiced dealing on ethnic grounds (e.g., alleged harassment and abuse by some high-ranking Bengali officials), many of these constables have had to resign (ibid). Repeated requests made by the Regional Council to transfer these constables to the CHT region have not been heeded by the government except in a few exceptional cases.

7.7.2 Withdrawn legal cases

Out of 844 cases against Shanti Bahini members, 720 were withdrawn. The remaining 124 cases against Shanti Bahini members under the military court have not yet been taken up for withdrawal (PCJSS, 2011).

Table 7.1: Cases withdrawn and cases yet to be withdrawn

District cases	Total cases	Cases withdrawn	Cases yet to be withdrawn
Rangamati	350	285	65
Khagrachari	451	405	46
Bandarban	38	30	8
Total	839	720	119

Sources: Fieldwork, 2013; PCJSS, "Report on Implementation of the CHT Accord" (April 2011)

After the surrender of arms, most Shanti Bahini members commenced the process of

rehabilitation. However, in some cases, newly-filed cases and arrests under warrant were re-issued against some PCJSS members. By showing me a report, one PCJSS member explained two cases of harassment of refugees by security forces in Khagrachari district: Aila Chakma was beaten by security personnel of the Guimara camp in the Ramgarh sub-district of Khagrachari, and Thawai Marma was beaten to death by the same forces from the same camp. In addition, many cases against the Jumma people are still within the withdrawal process. The security forces are not so positive about the process of withdrawing the rest of the cases against Jumma returnee refugees. Instead, many returnee refugees have fallen into the trap of arrest by warrant. Many returnee refugees have continued migrating to other regions to avoid these conditions.

7.7.3 Quotas for Jumma students

The Peace Accord ensured quotas for the Jumma people in the admission system of higher-level educational institutions. This quota system's name was officially conceptualized as the "tribal quota". However, many problems were found in the admission proceedings. Administrative manipulations as well as abuses of the "tribal quota" have been frequently observed at different levels. The following paragraphs present a discussion of some of these incidents:

Firstly, in order to claim eligibility through the quota system, every student has had to prove his/her identity as 'tribal'. The Jumma students have needed to collect permanent resident certificates from the local authorities. The CHT Peace Accord authorized only the three Circle Chiefs of the CHT to be able to provide permanent resident certificates to identify permanent Bengali residents and "tribal certificates" to identify a tribal person according to the ethnic

group to which he/she belongs. This provision of the Accord was included in the three HDC Acts passed in the Bangladesh parliament in 1998. However, many university admission advertisements have indicated that they only require a "tribal certificate" from the Deputy Commissioner of the relevant Hill District for Jumma students from the CHT, in cases applied for under the tribal quota. Many students from the Jumma community have claimed that when these certificates are provided to tribal students, the applicants have faced significant harassment from the staff of the Deputy Commissioner's office. The Jumma students have been requested to submit their application for a "tribal certificate" along with a certificate from the chairman of the relevant municipality or the relevant union council to the relevant Upazila Nirbahi Officer (UNO). After receiving the application, the UNO authorizes the Upazila Agriculture Officer to verify whether or not the applicant student is tribal. After verification, the UNO sends their recommendation to the Deputy Commissioner. Most significantly, in some cases, Jumma students are requested to pay bribes to receive a clearance from each office. Owing to this lengthy procedure, Jumma students from remote areas lose interest in applying for higher-level education under the tribal quota.

Secondly, manipulation of the processing of the 'tribal quota' has been found in several cases. Many Bengali students have been gaining admission to education at university level under the tribal quota. The human rights organizations have noticed the issue of the manipulation of the tribal quota. As observed by the Kapaeeng Foundation (2013):

> A Bengali Muslim student named Abu Siddique is going to get admission in Kustia Islamic University under [the] tribal quota. Abu Siddique submitted a tribal certificate collected from [the] circle chief of Bohmong circle (certificate no. 17167) of Bandarban district along with his admission application. The tribal certificate stated that Abu Siddique is from

Naikhyongchari upazila in Bandarban and belongs to [the] tribal Pangon community. However, there is no such tribal Pangon community in [the] three hill districts in [the] CHT including Bandarban district. On the other hand, [the] certificate register of Bohmong circle was checked by [a] reliable source. The source confirmed that the certificate with no. 17167 was issued to Abu Siddique only stating that Abu Siddique is a resident of Naikhyongchari upazila and belongs to [the] Muslim community. Neither 'tribal' nor 'Pangon community' was mentioned in the certificate issued by [the] circle chief of [the] Bohmong circle. Indigenous tribal students met vice chancellor Prof. Dr. M Alauddin and head of the Convening Committee on Quota on this issue. Vice chancellor Prof. M Alauddin assured [the] indigenous tribal students [that he would] look into the matter. He also asked indigenous tribal students to supply government documents regarding [the] tribal quota so that the Islamic University authority can consider enough for [the] tribal quota as per [the] government policy. (Kapaeeng Foundation, 2013)

Similar manipulations were also found in the admission procedure of Comilla University. Usually, Comilla University has posted its admission test results on its website (http://www.cou.ac.bd). The first-year admission test results for the academic session 2009–2010 on the university's website shows that some non-tribal students were admitted under the tribal quota. According to the merit list for the Science Unit, Limon Kanti Dey (Roll no. 30724) received the opportunity for admission under the tribal quota. Similarly, according to the merit list for the Business Unit, Mohammad Abdullah Al (Roll no. 42050) and Md Minhajul Abedin (Roll no. 45286) were admitted under the tribal quota.[75]

Thirdly, the authorities have reduced the tribal quotas in Dhaka, Feni, Chittagong, and Kaptai Technical Institutes from 5% to 4%. Similar conditions were found in the Bangladesh Civil

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[75] PCJSS report (2011)

Service (BCS) cadre recruitments. The last six BCS recruitments (24th–29th) have shown a reduced representation of Jumma candidates. As indicated by the report from the Kapaeeng Foundation, although 1,118 candidates were recruited for different cadre services in the 24th BCS recruitment, only 16 candidates (1.43%) were selected from indigenous peoples. Similarly, in the 25th BCS recruitment, only eight indigenous candidates were selected from a total of 2,662 candidates selected for recruitment in different cadres. In terms of percentage, this comprised only 0.3% of the total recruitment. In the 26th BCS recruitment, only two indigenous candidates (0.19%) were included in the total of 1,047 finally selected candidates. It is worth mentioning that of 63 "tribal" persons recruited to the BCS, 50 were from the CHT and 13 were indigenous peoples from the plains lands. In terms of percentage, 79% of indigenous candidates selected in the BCS cadre recruitments were from the CHT with only 13% being from the plains lands indigenous communities (Kapaeeng Foundation report, cited in Ferdous, 2011) [76].

Table 7.2: Recruitment of "tribal" people to Bangladesh Civil Service cadres

Batch no	Male recruitment	Female recruitment	Total recruitment
24th	12	4	16
25th	6	2	8
26th	2	-	2
27th	13	5	18
28th	7	1	8

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[76] Robayet Ferdous presented the data in the seminar on "Job Quota Policy for Indigenous and Tribal Peoples (ITP) and its Implementation," organized by the International Labour Organization (ILO) in the Catholic Bishops' Conference of Bangladesh (CBCB) conference room in Dhaka on December 22, 2011.

29th	10	1	11
Total	50	13	63

Thus, the notion of "tribal quota" for the Jumma people has not been used properly as per the documents available on different educational institutions and job recruitment websites. The quota system is repeatedly abused by government officials. Manipulation of permanent resident certificate documents by government officials is extensively affecting the tribal quota system. Many Bengali settlers have created false permanent resident certificates with the help of Bengali officers. In this context, some Bengali students have been recruited under the tribal quota instead of Jumma candidates. Consequently, the Jumma people cannot enjoy the benefits of the quota system.

7.7.4 Internally displaced people

The Peace Accord promised that the identity of internally displaced persons would be ascertained, and rehabilitation measures would be undertaken through a Task Force (Clause D.1). Accordingly, Dipankar Talukdar MP was nominated as the chairman of the Task Force until 2001. However, the Taskforce identified Bengali settlers as internally displaced people and rehabilitated them accordingly. In protest against this move, representatives of the Jumma Refugee Welfare Association staged a walk-out from the 9th Task Force meeting held on September 22, 1999, and boycotted subsequent meetings. However, at the Task Force meeting on May 15, 2000, it was declared that 90,208 Jumma families as well as 38,156 Bengali settler families would be recognized as internally displaced people, and a relief package was

announced for them.[77] The notion of people internally displaced during the insurgency period was strongly debated, as the context of internal displacement was not similar for Bengali settlers and the Jumma people. The Bengali settlers thought that, as they were poor, it was their fate to have to move from one place to another. However, the Jumma people were displaced by the Bengali resettlement and development project as well as by the armed conflict.

On the other hand, several episodes of newly-developed internal displacement have occurred since the signing of the Peace Accord. The most serious of these episodes arose in August 2003, when a massacre displaced approximately 2,200 Jumma people from their ancestral lands in the Mahalchari sub-district of Khagrachari (Jumma.net, 2009). As reported to me, many Jumma families were forcefully evicted from Cutting Tilla village in Mahalchari, thus becoming a new type of refugee in the post-Accord context. Many Jumma people have still not recovered their land. I met at least five families in Lamuchari village who were displaced from Cutting Tilla during the incident (for details of this case, see Chapter 8). As observed in different sections of this chapter, the state's land acquisition policy for development and the BGB camp project have been the core cause of much of the displacement of the Jumma people from their original land. Thus, the problems of the internal displacement of the CHT people are very much related to the land rights issue, development policy, Bengali settlement, and the security issues of local inhabitants. The establishment of customary rights over the land and political economy in the region are important in seeking to resolve the problems of the internal displacement of the Jumma people.

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[77] Jumma.Net report (2009), Chittagong Hill Tracts White Paper: The Issues of Conflict, Human Rights, Development, and Land of the Indigenous Peoples of the Chittagong Hill Tracts, Bangladesh 2003–2006

7.8 CHT Peace Accord: Recognizing the Root Causes of Conflict

Several issues were discussed in the Peace Accord; however, some important ones were not investigated. The Peace Accord failed to address other issues, such as participation of the local Jumma people, non-recognition and abuse of women, punishment of those guilty of violence, etc. These issues were very significant in the escalation of further conflict between the Jumma people and Bengali settlers in the CHT region. Some of these issues are very briefly discussed in the following subsections.

7.8.1 Women's participation

In the structure of the Regional Council, the Peace Accord provided reserved seats for women members. Of the 25 seats, 12 were designated as being for male ("tribal") members and two for female ("tribal") members, while, among the non-tribal seats, six were for male members with one for a female member. However, the whole peace process was strongly biased through male domination. While many Jumma women were involved in the movements in the CHT, no women were invited to participate in the peace dialogues, with this context protested against by the Jumma women's organizations. As stated by Kalpana Chakma, a female activist of the Jumma people, "democracy did not mean merely free and fair elections. It means participation in the political process and more specifically participation as a Chakma woman" (Kalpana Chakma, cited in Guhathakurata, 2001). On the question of women's participation, the PCJSS itself was not very interested in involving any women in the peace talks. The PCJSS chair Shantu Larma did not attempt to incorporate any special topic in the Accord regarding violence against the women of the Chittagong Hill Tracts (CHT). As he stated, "I do not believe in women empowerment; once the nation is empowered women would automatically

be empowered" (Mohsin, 2003). The problem of women's issues was being considered under the broader national questions for the Jumma people.

However, as described in Chapter 5, although the overall status and conditions of women in Bangladesh have been marginal owing to the country's patriarchal structure, the Jumma women have suffered at least twice as much as the Bengali women. They have faced multiple forms of discrimination in terms of ethnicity, religion, class, gender, and militarization. The Jumma women have been prime targets of torturers in the conflict. Many instances of torture, rape, murder after rape, sexual assault on roads and in offices, and abduction of Jumma women have been observed and/or reported. Many Jumma women were also actively involved in the insurgency. Thus, this aspect of the CHT conflict has been more gender-based; men and women have become victims for different reasons and have had different experiences. In addition, they have had differing capacities or capabilities to survive and/or escape from these situations. However, the Accord was totally silent on the question of women's security and rights, their sudden disappearance through abductions, and rape and human rights violations against women. Indeed, no female leader from the CHT region participated in a formal capacity in the dialogues that culminated in the 1997 Peace Accord. The 'gender-blind' Accord failed to recognize the physical threats faced by women as well as children in the Chittagong Hill Tracts (CHT). The Peace Accord was formalized and signed without recognizing violence against women.

The issue of the non-recognition of women has negatively affected the Jumma women in the post-Accord period. Women have continued to be prime targets for torturers in the Chittagong Hill Tracts (CHT). As previously mentioned, torture, rape, murder after rape, sexual assault, and abduction have become a regular phenomenon in the post-Accord period. For instance, in

the case of the Mahalchari massacre in 2003, about 10 Chakma women were gang raped, with the victims confirming that army personnel together with Bengali settlers participated in the gang rape (Guhathakurata, 2004).

Although the women of the Jumma communities are politically sound, they are still in the process of defining for themselves a space within their own organizations. The capacity for strong leadership is there; however, it has yet to crystallize itself into a more institutionalized form. In both pre-Accord and post-Accord situations, women have been seen as seeking justice. The security agencies have provided little in terms of legal support for the Jumma women. The context would not be so difficult if the issues for Jumma women were recognized as a specific problem.

7.8.2 Unrecognized conflict and violence

The Peace Accord 1997 undertook many measures to minimize armed conflict between the army and the Shanti Bahini insurgents. However, it did not focus on the issue of conflict between the Bengali settlers and the Jumma community in the CHT region. As shown in Chapter 5, after the Bengali resettlement, many cases of conflict developed in the CHT region. At least 13 major Bengali–Jumma conflict incidents took place during the period from 1980–1993. Although the everyday forms of violence have been vast, no recommendations have been proposed to reduce the issue. Even the question of the punishment of people found guilty of violence, such as murder, abduction, and communal violence was not considered. One of the informants Rabindra Khisha (32) asked the following question: "*In the Peace Accord, you cannot find anywhere the subject of violence; without identification of violence, guilty, and victims, how will [the] Peace Accord be a guideline of peace in this region?*"

No provision was made for the compensation of victims. The problem of Bengali resettlement was rarely investigated. Although a Land Commission was to be constituted for the resolution of the land question, it remained a puzzle as to how the land issue could be resolved without the withdrawal of the Bengalis who had been settled on the land regarded by the Jumma people as their communal land. The Accord neither recognized the forceful eviction of the Jumma people nor made any provision for the examination of future conflict or violence. Furthermore, the military were often the target of criticism from many civil society and human rights organizations. However, the Peace Accord was signed without recognizing these kinds of conflict and violence. Thus, conflict and massacres have continued at the village level, with this analyzed in detail in Chapter 8.

7.8.3 Participation in rhetoric

As previously stated, the CHT Peace Accord was signed on behalf of the Bangladesh government by Mr Abul Hasnat Abdullah, head of the parliamentary committee formed to resolve the issue, while Mr Jotyirindro Bodhipryo (Shantu) Larma, the chair of the PCJSS signed on behalf of the Jumma people of the Chittagong Hill Tracts (CHT) (Chowdhury, 2012). Other local political parties, such as the Hill Peoples' Federation, Hill Students' Federation and Hill Women's Federation refuted the Accord. They protested that it failed to endorse many important demands of the Jumma people and thus sacrificed the rights of the Hill people. They established an organization named the United People's Democratic Front (UPDF) and declared a movement for achieving full autonomy for the Hill people of the Chittagong Hill Tracts (CHT) (Ferdous, 2001). Since its formation, this organization has created many impediments to the implementation of the Accord. In addition, the Peace Accord was not accepted by the Bangladesh Nationalist Party (BNP), the main opposition party in the parliament and the main

patron of the Bengali settlement project in the CHT region. The BNP claimed that it had arranged "too many allowances to the tribal interests" (CHTC, 2000). On the same grounds, the Jatiyo Party (JP), Jamat-e-Islami, and other Bengali nationalist and Islamic political organizations refuted the Accord. In the general election of the Bangladesh parliament in 2001, the coalition government of the BNP and Jamat-e-Islami came into power and they failed to take any initiative to implement the Peace Accord. In this context, the implementation bodies faced different aspects of the problem, which had negative implications at the institutional level.

7.9 Conclusion

In this chapter, I have attempted to understand and investigate the extent to which the CHT Peace Accord was or was not eventually implemented. As has been seen, the Accord was a political process, neither neutral nor natural, but very much the product of a recognizable historical process. Its roots extended back to the British colonial power and its production of knowledge. As we are reminded by *Foucauldian* discourse analysis, discourse is always related to power as it operates by the rules of exclusion, and knowledge is a central aspect of exercising power over a subject. In this regard, we have seen that the British colonial government was the first to introduce the tribal identity. The 'tribalism' of the CHT has become not only an identical issue, but also a dominant problematic or interpretive grid. However, the colonial terminology 'tribalism' was further repeated in the CHT Peace Accord 1997. The clauses of the Peace Accord were also influenced by the power game, knowledge, and ideology of the two political parties. The documents of the Accord were prepared by a bureaucratic political task force that worked with single-sided political views to meet the requirements of the political negotiation, thus bypassing the opinions of the local people. As a

result, the process of 'peace' has created distance from the local population. Thus, the Accord has been treated as an 'elitist deal' between the two political parties, and it has become a difficult idea or component for the local Jumma people, as well as certain Bengali groups, to accept.

The Peace Accord did not recognize the issue of conflict and the question of the punishment of people who were guilty of violence. The Accord also overlooked the main causes of conflict, whether it comprised communal massacres or everyday forms of conflict. As one Jumma person Shatish Chakma (55) said, "*[w]e cannot imagine a healthy tree if we do not take care of its roots. It is useless to pour water into the top of the tree*". The Accord was not efficient enough to reach the grassroots voices. There was little involvement of the ordinary people. For this reason, and without addressing the issues of conflict between two groups of people, gender-based and communal violence, and active participation of the local population, the main purpose of the Peace Accord would always remain futile.

In addition, many questions have been raised about the implementation process of the Peace Accord. Withdrawal of the military camps was the central agenda item of the Peace Accord; however, in practice, it was only partially implemented. Of more than 500 temporary military camps, only 240 have been withdrawn to date, and the army continues to hold the most power in the CHT region. Consequently, the Accord has not clarified ways to overcome the problem of Jumma land occupied by Bengali settlers. The Accord has made provision for the establishment of a three-tiered administration system (i.e., MoCHTA, the HDCs and the Regional Council), as political and economic autonomy has always been the major demand and a significant concern of the CHT people. To implement the Peace Accord in the CHT, several policies were transformed into laws, and institutions have been established at different

levels. However, in reality, legislation processes have not been put into practice at the institutional level. Thus, I have argued that these institutions have been functioning in a way that has strengthened government control over the CHT region. Institutions have continued to be ineffective in exercising their authority and power over the resources of the region. Deviation from the actual provisions of the Peace Accord has been found in many cases. The politicization of the administration at the institutional level is enormous. The attitudes of successive governments in this regard have been questionable. With regional bodies continuing to be run by government-nominated and non-elected persons, this has made the implementation of the Peace Accord very difficult. In this context, violations of the Accord's provisions and denials of commitment have been evident. The national Implementation Committee of the Peace Accord is no longer functional. The role of MoCHTA is simply to implement the government agendas, rather than the welfare of related institutions. The lack of coordination between different institutions has continued to hamper the implementation.

The intentions of the local political parties have also been questionable. With the PCJSS chair governing the Regional Council as a non-elected administrator, the intention of the local political party has been to dominate all areas of the Chittagong Hill Tracts (CHT). This intention is political rather than being for the welfare of the CHT people or the establishment of a self-administered system for the CHT region. The presence of so many implementation institutions and their undemocratic bodies has created a chaotic situation, with confusion about which person or which administrator is in control.

The implementation strategy of the CHT Peace Accord has been very political. The politicization of the implementation bodies has been found at every institutional level. The politics of demography have been observed in different phases. As discussed in Chapter 4, the

politics of demography have not only changed the proportions of the population, but have also affected the traditional customary practices of the Jumma people. In this chapter, I have attempted to analyze how the politics of demography have extended to the postponement of the elections of the HDCs and the Regional Council. The inclusion of Bengali settlers on the voter list has been with the intention to elect a Bengali person as a national parliament member. Moreover, when the Bangladesh government constructed two voter lists (one for national/general elections and the other for regional elections), this violated the spirit of the national Constitution of the country. In this context, the High Court has ordered that the problem of the voter list be resolved before any regional council elections are arranged in the CHT region. The Bangladesh government and local political actors have appreciated the situation of having the current councils operated by their nominated persons. These institutions have basically empowered certain actors and certain discourses, privileging particular groups while marginalizing others.

Many clauses of the Peace Accord can be seen to be problematic as it has failed to identify the conflict. In this context, some clauses of the Peace Accord are the reasons why further conflict has been created in the CHT region. The issues of 'violence against women', and the rights and future of the Bengali settlers were not investigated. The PCJSS, the representative of the Jumma people in the signing of the Peace Accord, accepted and reproduced categories of tribal identity which were derived from colonial knowledge and its post-colonial reproduction. This reproduction of colonial categories re-established tribal identity in the CHT region and made it the basis of political, social, and economic life. Thus, the identity formation issue has continued to steer the CHT region into being a conflict zone. A cycle of conflict has continued to be observed at ground level, with this discussed in the following chapter.

Chapter 8: Experiences of CHT Peace Accord at Village Level

8.1 Introduction

In this chapter, the consequences of the CHT Peace Accord at the village level are examined. In the previous chapter, I have elaborated the argument that, although many initiatives have been undertaken at different policy levels, most were not translated into practice. This failure of the Peace Accord implementation process has resulted in complex conditions at the local level. In addition, some 'in-group feuds' have arisen between different Jumma groups. Many recent studies have indicated deep concerns about conflicts between the Bengalis and the Jumma people in the post-Accord context. However, the dominant approaches and binary division of conflict between the Bengalis and the Jumma people have done little to investigate the recent 'in-group feuds' in the Jumma community. By locating multiple conflict scenarios at the village level, I argue that the CHT Peace Accord has not only contributed to reducing conflict but, in particular cases, has also helped to increase conflict.

On one hand, the Peace Accord has reduced the armed conflict between the army and Shanti Bahini but, on the other hand, many in-group feuds have begun around the issue of 'dissatisfaction' among many Jumma political stakeholders. Although it is important to locate the recent conflict scenarios in the CHT in line with the Bengali–Jumma dichotomy, the Jumma people have experienced many difficulties in recent in-group confrontations between the United People's Democratic Front (UPDF) and the Parbatya Chattagram Jana Sanghati Samiti or "United People's Party of the Chittagong Hill Tracts" (PCJSS). In this chapter, I attempt to investigate how ordinary people have negotiated the multiple realities of conflict at the grassroots level. This chapter is broadly divided into five sections. In the next section, the

chapter deals with the presence of militarization after the signing of the Peace Accord. I then examine the relationship between the Jumma people and Bengali settlers in recent years. After assessing this relationship, I analyze the local political circumstances, including the increasing cases of in-group feuds after the signing of the Peace Accord. The fourth section of this chapter critically examines the importance of law and order as well as food aid as the means of reducing conflict. The final section of this chapter presents the conclusion.

8.2 Presence of Military Occupation after Peace Accord

While the Peace Accord promised that all temporary camps of the army and other paramilitary forces would be withdrawn and resettled in permanent cantonments, no time limit was fixed for this withdrawal. To date, approximately 240 of more than 500 military camps in the CHT have been withdrawn (IWGIA report, 2012). To justify the military presence in the CHT, the Bangladesh government has established its position by explaining that, in the post-Accord context, to improve law and order, the army continues to be needed. Thus, the army still grasps the power and control over the CHT region by the name of Operation *Uttaran* ("Operation Upliftment"). The Unrepresented Nations and Peoples Organization (UNPO) (2005) clearly noticed, just after the signing of the Accord, that the government imposed "de facto military rule" through its Operation *Uttaran* in the Chittagong Hill Tracts (CHT). The prolonged and continuous military presence in the CHT has affected the livelihood of the Jumma people in multiple ways: interfering with the civil administration; providing support to Bengali settlers; controlling forest administration, road maintenance and construction; and, most importantly, in the name of maintaining law and order. Ethnographic evidence regarding the modes of militarization in the post-Accord context is discussed in the next section.

8.2.1 Operation Uttaran: from the villagers' experiences

With the army continuing to be present through Operation *Uttaran*, the villagers of Khagrachari district have experienced much discrimination. In the case of Lamuchari village, the temporary army camp has continued to exist. The villagers are quite unsure whether or not the camp will be withdrawn. As stated by the *Karbari* of the Lamuchari village:

> *[The] Peace Accord officially ended army rule of the CHT. But [the] military is continuing its operations in [the] CHT, providing support to Bengali settlers, and controlling [the] civil administration system in the name of maintaining law and order. Bengali resettlement in this village is still an ongoing process, backed by the military forces. During the time of Bengali resettlement in Lamuchari village, the army always stands beside the settlers. Though lands have been previously occupied by Jummas, the army helped Bengalis to resettle.*

Mahajan *Para* ("village") is surrounded by the main district army headquarters. The Mahajan *Para* villagers reported that many sectarian attacks were initiated by Bengali settlers with the support of the army. More specifically, in the incident in Mahajan *Para* in February 2010[78], as discussed in detail in Section 5.3.3, settlers attacked the Jumma inhabitants with the help of the army. When the Jumma villagers sought help to protect their valuables, the army advised them "to leave the village" and "stay outside of the village to save lives". The Jumma villagers claimed that the army played very little role in controlling the violence directed toward them. Settlers looted many Jumma villagers' homes, while army personnel watched. The army did not take any initiative to extinguish fires, lit by settlers, in the houses of the Jumma villagers.

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[78] On February 23, 2010, a communal attack was made on Jumma-inhabited localities in Khagrachari municipality by Bengali settlers. The affected villages were: Mahajan *Para*, Madhupur, Government High School Staff Quarters area, Satbaiya *Para*, and Golabari area. More than 500 houses of Jumma villagers were completely burnt to ashes. Two indigenous Jumma villagers died. Villagers of Mahajan *Para* claimed that two villagers remained missing.

The villagers claimed that, as most army personnel were of Bengali nationality, they supported and acted as safeguards for Bengali settlers. Even though the army has continued to conduct Operation *Uttaran* with the view of establishing peace, these types of images and roles have made their position questionable. Therefore, the question is whether the army's presence in the CHT is to establish peace or to fuel disputes to provide a more suitable justification for continuing militarization in the name of maintaining law and order. A Mahajan *Para* villager mentioned the same incident in the following way:

> *I grew up in the village during [the] military regime. One of the strategies of military rule was torturing, threat of torturing, abducting or killing the Jumma people. Our lives were highly controlled then: we could not freely move anywhere, even could not open our mouth[s] against [the] army. If a Jumma person was tortured, abducted or murdered, there was no means of reporting it in newspaper or electronic media. It was something more than the fear of being tortured; it distressed us from inside. Only the Shanti Bahini resisted the situations: the local people were silent. The context regarding the violence against [the] Jumma people changed after the signing of the Peace Accord. Particularly in recent years, the aggressive communal attacks on Jumma villagers by Bengali settlers [have] increased dramatically. This means that [the] Jumma people are now faced with a new conflict situation since settlers have been supported by [the] army. In the context of [the] Mahajan Para attacks in 2010, all of [the] Jumma villagers including kids and women would collectively contemplate over the possible means of preventing settlers' attacks. But we could not prevent the settlers, mostly at the time of conflict, when [the] army [strongly] backed the Bengali perpetrators. There are no Shanti Bahini members who can stand against [the] army's bullets. Jummas tried to resist the settlers' domination, but it's not possible due to [the] army backing.*

As described in the above statement, in the post-Accord context, violence by settlers against the Jumma people has continued, with these actions supported by the military and the police in the Chittagong Hill Tracts (CHT). Through evidence of army and police support of Bengali settlers in their acts of violence against the Jumma people, this informal mechanism of militarization has constantly injected a cycle of fear. In addition to supporting Bengali settlers, the military forces have created many examples of domination which have marginalized the Jumma population. The road protection camp or check post is the most appropriate example in this regard.

8.2.2 Army check posts

Army check posts or road protection camps are still present in the CHT region to prevent "terrorist[79]" attacks in the daytime. From evening to late morning, many roads in the CHT are closed to any vehicle. The Jumma people have claimed that road protection camps are not for their safety and security but to help settlers. Many Jumma people have, at times, been physically tortured in front of road protection camps. Anil Kumar Marma is one such victim with his case described as follows:

> *Anil Kumar Marma (38) is a small businessman and lives in Mahajan Para. He has no permanent shop but he vends clothes in different haats (weekly village markets) in Khagrachari district. After finishing his job on April 17, 2009, he was returning from the Pathachra village by bus. He had some clothes, cash of 40,000 taka, and a mobile phone with him. On his way back, about five kilometers away from Khagrachari town, he heard that [a] problem had arisen between Jummas and settlers. Jumma passengers [on] the bus requested [the] bus driver not to go further for their security. But the bus driver didn't listen to them. At*

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[79] The army has termed the activities of Jumma activists, especially those of the UPDF, as "terrorism".

this moment, two army jeeps came in front of the bus. There were [a] total of 12 army personnel in the vehicles. One of the passengers [on] the bus asked the army men whether it would be safe for them to go on. [The] army replied, "Nothing will happen, we will help you." Then the bus followed the army jeeps. After some time, settlers blocked the bus. There were four Jumma passengers in the front [half] of the bus. The settlers pulled them off the bus and threw them into a pond in front of a primary school. After some time, Anil saw another Jumma being taken away in a police car. Anil was sitting in a back seat. The settlers also pulled him down from the bus. They pulled all of his clothes through the bus window. Settlers forcefully took his mobile phone, clothes and cash money.

The case of Anil Kumar Marma is not rare. As the *Karbari of* Lamuchari reported:

... Most of the villagers are very much in suffering [from] the check post and road protection activities of [the] army. There are road blocks [on] almost every hilltop along with the main roads in the village. We cannot move at night. In daytime, [the] army searches all passersby for explosives before opening them [the roads] in the morning.

According to the *Karbaris* of Lamuchari and Mahajan *Paras*, the road protection camps sometimes look like torture camps, with many Jumma people physically tortured by settlers in front of these camps. As was discussed in Chapter 5, before the signing of the Peace Accord, the army was directly involved in torturing Jumma people. While the Accord has recognized the issue of the withdrawal of the army camps, the army has continued to use settlers as a weapon to further marginalize the Jumma people by establishing the Bengali settlers' domination.

8.2.3 Continuous land acquisition for security forces

While no new army camps have been established since the signing of the Peace Accord, paramilitary forces have established many camps and offices on the land of the Jumma people. Many Jumma people have been forcefully evicted from their land and residences due to these new camps and offices. The policy of land acquisition has continued even after the signing of the Accord. In recent years, the Border Guard Bangladesh (BGB) (formerly known as the BDR or Bangladesh Rifles) has established many new camps in the CHT region. More specifically, during my fieldwork, I observed a dispute regarding the establishment of a BGB camp in Dighinala sub-district in Khagrachari district.

> *In June 2014, in order to establish a camp for Border Guard Bangladesh forces, the government declared [the] acquiring [of] 40 acres of land and residence[s] of some Jumma people [in] Dighinala sub-district in Khagrachari district. This declaration of land acquisition made a conflict between law enforcers and Jumma inhabitants on June 10. Twenty-one Jumma families in Babuchara village, who claim they were forcefully evicted from their own land for the establishment of a BGB battalion headquarters, have been living in appalling conditions in only two classrooms of the Babuchara High School in Dighinala sub-district. While [the] evicted Jumma families claimed that they had been living on the land for generations, administration bodies said that most of [the] Jumma families were making false claims of being landowners. Around 84 inhabitants [from the] 21 families were living in crammed conditions without [a] proper supply of food, clothes or medical facilities. The dispossessed families had to forcefully displace [to] the school carrying only the clothes they had on. The families who have been living [at the] school could not bring their household*

materials, or even their domestic animals and food.[80] The Jumma families do not have any political affiliation, no objection to build[ing] up [the] BGB camp, just want to get back to their home[s]. On [the] other hand, the district administration of Khagrachari claimed that most of the disputed 45 acres of land in the two villages was khas or unused land that had not seen any sign of habitation since 1986. But [the] villagers opposed the DC's comments as they had been living in Babuchara for generations. Actually, during the insurgencies in 1986, hundreds of families became refugees in India. After the Peace Accord in 1997, refugee families returned to their previous land upon an agreement that said refugees will be given their land back. However, the district administration continuously announced[81] that the government started acquiring the 45 acres of land from 2005 to build the Babuchara BGB battalion headquarters in 51 Dighinala Mouza, where 13.90 acres [of] land was private land and 31.10 acres was khas land of the government. Although the initial land acquisition target had been set at 45 acres, the authority had received only 29.81 acres: 10.27 acres [were] still pending acqui[sition].

The Jumma people were evicted from their homes on June 10, 2014. When I visited the CHT on August 10, 2014, I saw that the 21 evicted Jumma families were still living in a classroom at the Babuchara High School. They have neither kitchens nor enough bathroom facilities. The 21 families have been cooking their food in an open field of the school. In my observation, the above case of establishing a BGB camp on the customary lands of the Jumma people violated the clauses of the Peace Accord in several ways. In the first contravention, the land rights clause in the Accord was directly violated by evicting the Jumma people from their customary lands. Secondly, the refugee rights recognized in the Accord were not followed in this case. Whereas refugees returning from India were to re-establish their homes where they had been

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[80] Interview with Mayadevi Chakma who was dispossessed of her home in Babuchara village
[81] "21 Families Evicted in Khagrachari for the Establishment of BGB Head Quarters for 51 BGB battalions", Ain o Salish Kendra (ASK) Investigation Report (2014)

previously, the BGB forces have again captured returnees' land in the name of land acquisition. Finally, although the demilitarization process was one of the key agenda items of the Accord, the establishment of BGB camps by acquiring Jumma lands has been seen as a new mode of the para-militarization process toward the people of the Chittagong Hill Tracts (CHT). It is worth mentioning that the establishment of BGB camps in border areas is important to border security in Bangladesh. However, the mode of the establishment of the BGB camp in Babuchara village has severely violated the rights of the Jumma people.

8.2.4 On the question of national security for border guards

Diplomatically, Bangladesh's relations with India and Myanmar (Burma) have changed dramatically, depending on which regime is in power (Rahman, 2011). In recent decades, many situations of unrest have occurred on the India–Bangladesh border on the plains. Therefore, the army and BGB positioning in the CHT, using the excuse of border security, seems to be little more than a cover. The tension between India and Bangladesh has rarely arisen as a result of an incident in the CHT borderland area. Even when border issues have arisen with India, these were mainly concerned with the borderland on the plains which is mostly on the North Bengal side of Bangladesh. However, the IWGIA has estimated that there is now one soldier per 40 civilians in the CHT compared to one soldier per 1,750 civilians in the rest of the country, even though there is now no insurgency in the Chittagong Hill Tracts (CHT). According to the IWGIA,

> Military officials attest to the fact that one-third of the entire Bangladesh army is deployed in the CHT. Out of a total of some 120,000 army personnel, it has been said that around 35,000 to 40,000 are deployed in the CHT. Apart from the army, 10,000 personnel from the Border Guard Bangladesh (BGB), along with another 10,000 Ansar and Armed Police Battalions

(APBn) personnel are also deployed in the area, making a total of 50,000–60,000 armed personnel stationed in the CHT. In addition, the Village Defense Party (VDP), a voluntary paramilitary force organized under the Ministry of Home Affairs, is recruited largely from Bengali villagers and trained by the police. (IWGIA, 2012:13)

The attitude of the Jumma people is not so much negative about building BGB camps for border guards, but is opposed to building offices for any security forces through the eviction of the Jumma people. As was asked by a displaced Jumma person, *"[w]hereas many empty lands exist in CHT, why [do] they choose our home to establish [a] BGB camp? We are neither against the administration nor the BGB, but we appeal [to] them to set up the BGB camp on any land where no Jummas would be displaced".*

Along with this argument, it is important to note the symbiotic relationship among the institutions and its effects which have created a form of informal surveillance. As seen in earlier arguments, the formal structures have already violated the Peace Accord. Upon digging deeper into these symbiotic actions and relationships, we find a historical mechanism of surveillance and an ever-growing cycle of fear. On that note, the concept of displacement initiated over the years needs to be recalled: for example, the experiences of local people during the period of Shanti Bahini's insurgencies and the establishment of the BGB camp clearly show that they have been displaced several times due to the intrusion or transformation of different power structures. On one hand, the formal establishment of the BGB camp in Babuchara village has created a strong control system; on the other hand, it has reproduced the mechanism for inducing fear among the Jumma community. Although all members of the Jumma community may not have had the same historical experiences, the cycle of fear has been constantly injected through this informal mechanism of power through surveillance.

8.3 Relationship between the Bengalis and the Jumma People

Since the beginning of the Bengali resettlement project, the incidents of conflict between settlers and the Jumma people have gradually increased day by day. The growing numbers of Bengali people in the CHT have not only posed a great threat to sharing the land, but also a danger that has prevented the building of a mutual ethnic relationship in day-to-day life. While land-based violence is the most debated issue in the context of post-Accord conflict, its foundation can be found in the unfolding of the different ethno-religious ideologies of the two groups. If we do not discuss this ethnographically, as is presented in the following subsections, this context would be unclear.

8.3.1 Increasing sectarian violence

Six years after the signing of the Peace Accord, on August 26, 2003, the villagers of Lamuchari experienced a massive incident of sectarian violence. The riot affected 10 villages in Mahalchari sub-district including Lamuchari. More than 360 homesteads in Mahalchari sub-district were burnt down. Ten Jumma villages in Mahalchari, namely, Babu *Para*, Nua *Para*, Durpujyanal, Herengyanal, Boidyo Adam, Basanta *Para*, Rameshu *Para*, Saw Mil *Para* and Lamuchari were burnt down. As reported by official sources, a nine-month-old baby was killed and about 10 Jumma women, including four girls, were raped by Bengali settlers during the attack (Asian Centre for Human Rights, 2003). In Lamuchari village, approximately 63 houses of the Jumma people, one Buddhist temple, two shops, one club office, one UNICEF-run primary school, and two rice mills were burnt down. When I visited the office of the Upazila Nirbahi Officer (UNO) in Mahalchari, I was informed that the government has compensated the victims. Many villagers also mentioned that they have received materials for

constructing new houses. On the other hand, many victims did not go back to their original places and, to date, remain displaced. Moreover, the settlers filed false police cases against approximately 32 Jumma villagers. Consequently, this incident has created much land-based violence at the village level.[82] Before providing a detailed account of land-based violence, it should be noted that this case from Mahalchari, that included Lamuchari village, is not a rare incident. Since the signing of the Peace Accord, the Jumma people have observed Bengali settlers in action in communal conflict in the CHT, including attacks in locations such as Ramgarh in 2000; in Maischari sub-district in Khagrachari in 2006; in Sajek in Rangamati district in 2008 and 2010; in Khagrachari in 2010; and in Longudu, Ramgarh, and Manikchari in Khagrachari in 2011.[83] Insufficient legal action taken against Shanti Bahini rebels has also encouraged Bengali settlers to create more violence.

8.3.2 Violence and disputes based on land ownership

Land-based violence between settlers and the Jumma people has been a growing problem in the CHT region. In recent years, the picture has become more complicated due to the settlers' new pattern of land grabbing: this has involved the violation of customary laws, manipulation of land documents by government officials, and the overall support of the military for the Bengali settlers. These complex conditions have negatively affected the everyday lives of the Jumma people. The conditions created have resulted in land-based violence, displacement, and the fearful mindset of the Jumma people.

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[82] The information in this case study is based on interviews in September 2011.
[83] See details in PCJSS report (2007)

Regarding customary rights

The Peace Accord recognized the land rights issue without any special consideration of the Jumma people's customary rights over their lands. Thus, conflict between settlers and Jumma villagers over land and other resources has become an ongoing problem in the CHT region. As has been claimed by some Jumma people, new settlers, with the help of previous settlers, have continued to grab their land. Although the Jumma people's land rights are based on a customary ownership system, without legal documents to their lands, the Jumma people cannot claim their ownership rights with government authorities. In this way, they have merely become victims. The following case provides assistance in understanding this situation:

> *Panchanan Chakma (53) is originally an inhabitant of East Gamaridhala village under Dadkuppy Mouza (No. 259), a few kilometers south of Khagrachari district town. His father had been in possession of the land since 1948. However, he migrated to Mahajan Para in 1998. His younger brother is still staying in the original village. He had two acres of agricultural land in Gamaridhala village until 2001. They had grown mixed fruits and vegetables on this land. But, in 2001, some settlers forcefully occupied his land. The police court didn't receive his case without legal documents. According to him, approximately 40 Bengali settler families settled on about 200 acres of land belonging to Jumma people, including his two acres in Gamaridhala village. Many of the settlers were brought in from Joysenpara, Kala Pahar, and Shalbon [in the] Khagrachari town areas: these are already over-populated by Bengali settlers.*

The manipulation of land documents by government officials has extensively affected the customary rights of the Jumma people. Newly-arrived Bengali settlers, with the help of Bengali officers, have created false documents for Jumma people's land. In Lamuchari village,

I interviewed some Jumma people who have lost their land through the manipulation of land documents by government officials. The case of Khudi Ram Chakma is relevant in this regard:

> *Khudi Ram Chakma (45) is originally an inhabitant of the Cutting Tilla village under Mahalchari Upazilla, a few kilometers from the Lamuchari village. After massive communal attacks in Mahalchari in 2003, he lost his original house which has [been] occupied by a settler. Then Mr. Chakma constructed a new house in Lamuchari. After migrating to Lamuchari, he went to the police station to recover his previous house. However, he did not recover the land as the settlers made a false document of land with the help of land officers. According to him, "I tried hard to recover my ancestral land. I went to the police station to recover my previous house. But, [by] showing some documents of the land, a Bengali claimed he is the original owner of this house, which he bought from me in 2003. I was astonished. Lately, I was informed that the Bengali made a false ownership document of this possessed land [with] the help of a Bengali land officer. When I went to [the] police station again to inform the situation, the police treated me badly and told me not to bother them again. The settler who took over my land also threatened to attack me again if I do not stop complaining about the matter.*

In addition to manipulation of land documents, some government officials are directly involved in the process of resettlement on the Jummas' agricultural land. As reported by villagers from Lamuchari, settlers took much of the forest land in Lamuchari village which was previously occupied by the Jumma people. After moving to the forest, they destroyed all the trees and made it look like a residential area. When this was reported to government officials by the Jumma people, the officials took the position of supporting the establishment of Bengali people on customary land. The case of Swadhin Chakma of Lamuchari village is provided below:

Swadhin Chakma, the son of Subal Chakma, [has] possessed eight acres of land in Lamuchari village since 1965-66. However, on December 5, 2010, around 10 o'clock in the morning, more than 100 Bengali settlers started to build their houses. Some army personnel of Mahalchari zone were present at the location while settlers were building the houses in the village. Consequently, [on] the next morning, December 6, a group of Jumma people demolished the newly-constructed houses of the settlers. In further response, around 100 settlers gathered there with the intention to attack [the] Jumma villagers. Settlers [had] some local weapons in their hands. In this context, the District Commissioner (DC) of Khagrachari district and a sub-district administrative officer of Mahalchari sub-district enter[ed] the situation with a large number [from the] police force. Kerton Chakma, the son of Swadhin Chakma, says, "During this visit of the DC and UNO, we have showed our title deed of the land and informed the officials that my [grand]father Subal Chakma bought this land from Painda Mog in 1960s. However, the DC of Khagrachari accused Jumma villagers [of] demolishing the newly-built houses of the settlers without blaming any land grabbers for their forceful construction on the Jummas' land.

Dispute resolution in Jumma tradition is usually a process of mediation between parties based on oral testimony. Written evidence is almost entirely absent from the proceedings. Written records of the decisions are not maintained by the *Karbaris* or headmen. Detailed written records are kept only when an appeal is brought before the chiefs, which is a rare case. Taking this into account, the CHT Regulation provided only for oral interview or witness examination of the parties by the District Commissioner (DC). However, as indicated in the above cases, the position of the District Commissioner (DC) is not neutral. In times of dispute resolution, he has taken the position of siding with the Bengali settlers.

The authorities have actively participated in the creation of multiple interest groups competing over the same land by depriving the customary landowners. In another example, in recent times, Bengali survey officials have manipulated the boundaries of land given to settlers to include plains and hilly land owned by the Jumma people. Some Jumma people protested about the manipulation process and some had fully registered ownership deeds. In this context, the legal framework has discriminated against the land management system of the Jumma people in at least three ways: (i) violation of customary rights; (ii) introduction of private ownership based on title deeds as opposed to customary law; and (iii) continuous illegal settlement and grabbing of customary land with the help of government officials. Thus, the customary land rights of the Jumma people are dependent on a complex discriminative system which does not follow the formal legal order but rather the numerous offices created by this law. In this systematic process of discrimination, the Jumma people have continued to survive and to shape their identity in order to fight against the dominant Bengali settlers.

8.3.3 Migration to avoid violence

Due to increasing land-based violence, the Jumma people have felt insecure about staying in their villages. I have realized the intensity of the situation after meeting a few people from the Jumma community who have migrated to another place or who are planning to migrate to avoid violence. The displacement strategies have affected not only their economic life, but also the Jumma people's family relationships. The Jumma people have realized that they have no future in the CHT region: prospects for the next generations are also elusive. To avoid violence, they have no alternative except for migration. The following case sheds light on this issue:

Since the riots of Mahalchari on 2003, Mr. Ashit Chakma has been displaced from his ancestral land in Cutting Tilla village. Now he lives with his wife in the Lamuchari village. As he mentioned, the lives of Jumma people are always threatened by Bengali settlers. Mr. Ashit sent his two sons to India for a secure life. Mr. Chakma says, "When the Bengali settlers initiated massive attacks in different parts of Mahalchari Upazilla, they set fire [to] my house. A Bengali settler grabbed my original land and I had to migrate to Lamuchari village. After [a] few months of staying in Lamuchari, when I went back to my previous village to recover my land, some of the settlers captured me and took me to a remote house for three days. They threatened me [that] if I come again [to] Cutting Tilla they will abduct my son. I was afraid and I sent my sons to India. The Bengali resettlement has changed my life. I do not feel secure anymore and so I sent my sons to India. Some human rights workers tried to recover my land but they also failed. Lastly, the human rights workers donated me some equipment and money to construct a new house in Lamuchari village. However, the condition [in] Lamuchari is almost the same. Many of the settlers have built new cluster villages in the Lamuchari village. I am afraid one day I may lose my existing house.

Although the Peace Accord recognized land rights, the land-based violence against the Jumma people has continued.[84] As shown in the above case of Mr. Ashit Chakma, after being displaced from his original home, he has continued to feel threatened in his everyday life. Even after he has resettled in a new place, he does not feel secure in his life. Therefore, he has sent his sons to India in search of a secure life. Like Mr. Ashit Chakma, more than 15 Jumma families from the 10 villages affected by the riots in 2003 have felt the same fear about going back to their ancestral homes.

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[84] Land dispossession in Bangladesh is not unique to the Jumma people. Many Bengalis have experienced the same on the plains. However, there are basic differences between the case of the plains people and that of the CHT people. A legal private ownership system exists for land in the plains area which allows the Bengalis to make legal claim for their lost land in court. Conversely, without having a legal private ownership system, the Jumma people are not entitled to pursue any legal action against the perpetrators.

On the other hand, disputes and misunderstandings between Bengali settlers and the Jumma people have created a number of instances of violence at the rural level. The Jumma people of Lamuchari, which has settlers' cluster villages as its neighbors, have experienced many difficulties in their everyday lives. To avoid violence, many Jumma people have decided to migrate from rural areas. As reported to me, many Jumma people have already been internally displaced. In addition, I met people from the Jumma community in Dhaka who had migrated from Lamuchari and Mahajan *Para*s. As reported by one of them:

> *Settlers made our life insecure. Two of my daughters were always disturbed by the settlers. Even my wife could not feel secure to go outside my home. Moreover, settlers always put some dust in front of my house, created bad noise, put stools in front of our doors, [have] thrown heavy bricks on the roof of our tin-shaded houses, and had teased the women and girls. My wife and daughters were traumatized. Then we decided to leave the place.*

Hostility between Bengali settlers and the Jumma people has been incited by incidents like those reported above. Although in some cases, the Jumma people have been assured by the police that they would provide security, the real situation was much different. As the *Karbari* of Lamuchari said, "… *it is very difficult to file a case against Bengali perpetrators. The Bengali people are still settling in Jummas' lands*". Thus, through this context, I have realized that land-based violence has not only affected land rights, but has also injected a cycle of fear into the mindset of the Jumma people. It has caused the displacement of the Jumma people, changing their family economies as well as their family relationships.

8.3.4 From the settlers' experiences

One major alarming issue regarding land rights is in regard to settlers who resettled on Jumma

people's land through kinship networks or without maintaining the resettlement policy's proper procedure. The Accord did not actually focus on the issue of Bengali settlers who resettled without the resettlement authority's legal consent. From the 1990s, many settlers have resettled in Shalbon and Lamuchari villages without proper legal consent. They have not had any legal document for possession of the land: for this reason, they have demanded "legal rights" to their occupied lands. As stated by Ramiz Mia (50), a settler of Lamuchari village:

> *Twenty years ago, I made my home [on] this land. My elder brother helped me to come here. My brother was resettled by the help of the government; he has legal documents. But I settled here without any consent of the government. I don't have any legal document and I am an unregistered settler. I already passed more than twenty years [on] this land. So I think I have every right to be a legal owner of this land. It is also essential for our future generations. For this reason we are demanding legal documents [for] this land.*

Although the CHT Peace Accord identified the land rights issue, it completely failed to address the issue of the land rights of the unregistered Bengali settlers and their future in the Chittagong Hill Tracts (CHT). Increasing numbers of Bengali people in the cluster villages have also caused growing demand for land for their livelihood. The continuous Bengali population growth has affected the social capital and interpersonal relationships between the people of the communities. Gradually, this situation is fueling the everyday forms of violence at the village level. As claimed by one settler, the context of everyday forms of violence is very much related to the settlers' socio-economic structures. As settlers are the poorest portion of the population of Bangladesh, are not habituated to the hilly *Jhum* "shifting cultivation" system, and are fully dependent on governmental rationing, their financial insufficiency and unemployment have encouraged them to become involved in illegal or violent activities. As

stated by one settler from Shalbon village named Salam Ali[85] (65):

> *I resettled here from Noakhali district in February 1980. My wife and three sons came with me. The resettlement authority took me with my family by truck. Around 20 families came with us. After arrival, some government people and army person[nel] provided me with five acres of land in Shalbon for building our house. After one month, we were given another five acres of land in the hilly forest area for agricultural work. However, we are not habituated [to] the hilly agricultural system. We have no work, we cannot utilize the land. We were depend[ent] on government rations. When I came here, my sons were very young. Today, they have grown and [are] ready for work. But I cannot manage any stable job for them. [A] few years ago, my eldest son was captured by police in a hijacking case. Because of the limited possibility for work, many young people got spoiled. We cannot do anything. [The] government brought us to live here but they do not provide us with any scope for work.*

New unregistered settlers (settlers who settled without the proper consent of the resettlement authority) have not been entitled to any government rations. For work, they have often tried to engage in daily labor and business activities. Of the settlers who have no work or not enough capital for business, some have become involved in theft, hijacking, or other types of criminal activities. The law and order situation has been deteriorating at the village level. On the other hand, the sufferings of the settlers are prominent. With many Jumma political organizations involved in abduction, threats, and hijacking as a mode of resistance, settlers have also been feeling unsafe in their everyday lives. These types of activities have frequently created massive conflicts. This context has become a significant threat to social relationships as well as to the economic life of the CHT people.

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[85] The informant has requested that his name not be mentioned anywhere. Thus, most of the names in the text are pseudonyms.

8.3.5 Issue of religious rights

In the post-Accord context, more than a dozen massive sectarian conflicts have arisen between the two communities in Khagrachari district. In Mahalchari sub-district in Khagrachari district, at least five of the Jumma communities' temples were destroyed between 1997 and 2010. During conflicts, Bengali settlers have primarily targeted the Jummas' religious temples. For instance, in the massive conflict on August 26, 2003, in Mahalchari sub-district of Khagrachari, one of the Buddhist temples in Lamuchari and three temples in other villages were completely burnt down. Naidia Shramon, a Buddhist monk, provided me with the details of the destruction that occurred in the Lamuchari temple in 2003 with the following ethnographic evidence:

> *Lamuchari Buddhist temple is currently located in the Lamuchari village of Mahalchari sub-district, west[ern] side of the Lamuchari–Mahalchari highway route. Three Buddhist monks named Wena Vante (25), Naidia Shramon (20), and Arzakrity Shramon (18) were in charge of the management of this temple. Among them, Wena Vante was the head of this temple. Since the establishment of Lamuchari temple in 1975, it has been shifted to three different locations as a result of the attacks from Bengali settlers. In 1975, the temple was first located in the East Lamuchari village. When Bengali resettlement was initiated in East Lamuchari, the Buddhist devotees shifted the location of the temple to the East Lamuchari side. However, the temple was further attacked by the settlers in early 1980s. The land of the temple was forcefully occupied by Bengali settlers. As a result, the temple shifted its location to its current place. The existing land of [the] temple was donated by a Jumma Buddhist of Lamuchari village named Jibon Kumar Chakma. Buddhist devotees thought that the signing of the Peace Accord might bring some protection for [the] temple. However, [the] most destructive attacks on this temple were initiated in August 2003, six years after signing the*

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Peace Accord. [The] temple was completely burnt [down], some of the images of Lord Buddha were destroyed, about Tk. 5,000 of donated money was looted, and a valuable image of Lord Buddha was taken away. The monks were severely injured by the attacks of [the] Bengalis. Attacks on [the] temple after the peace agreement [have] resulted in more frustration for Jumma inhabitants of Lamuchari village. Jummas thought that they would not be able to construct the temple again. However, it was finally reconstructed by donation[s] of some international Buddhist network forums from Japan.

In recent decades, many religious institutions have been established by the people of both communities. The following statistical data depict this context:

Table 8.1: Number of religious institutions in Khagrachari Hill District

Sub-district	Mosque	Pagoda	Hindu Temple
Khagrachari Sadar	39	74	54
Loxmichari	10	34	2
Mohalchari	30	58	7
Manikchari	120	20	7
Matiranga	65	35	25
Panchari	26	36	28
Ramgar	72	35	36
Dighinala	43	55	18
Total	**405**	**347**	**177**

Source: BBS (2011)

As clearly shown by the above statistical evidence, the number of mosques is higher than the newly-built pagodas and Hindu temples. In addition to the mosques, the number of Islamic religious schools has dramatically increased in the CHT region. The total number of Eid-Gah is 46. Although many institutions are newly established, there are still examples of destroyed Jumma temples. The *Karbari* of Lamuchari village provided me with detailed information on the religious situation in the whole Khagrachari district. As he reported, the Jumma people's religious freedom has not only been obstructed by the settlers, but has also been disturbed by administrative orders. For instance, on September 12, 2007, the Khagrachari district authorities banned the construction of new religious institutions in Mahalchari sub-division in Khagrachari without the prior permission of government authorities in the area. This type of order indicates that the issue of the "upholding of cultural rights" exists only in documents, not in practice. Moreover, as reported by the *Karbari*, the destruction of the temples in Mahalchari was not the only case nor was it a rare incident in Khagrachari. There have been a number of cases: he mentioned, in particular, an attempt to grab the land of a Buddhist meditation center in Sadhana Tilla village in Dighinala sub-district in Khagrachari. Although the Sadhana Tilla temple is far from Mahalchari sub-district, to achieve a better understanding of the religious context of the Jumma people, I visited this temple. I conducted interviews with some of the temple devotees. They reported that:

> *Sadhana Tilla area consists of approximately 300 acres of land, and a Buddhist meditation center of the Jumma population. In August 2007, when the army official of Dighinala zone planned to resettle some of the Bengali settlers' families in the Sadhana Tila area, Jummas including Buddhist monks of the meditation center exhibited strong resistance. In counter-action, on August 23, 2007 in the evening, some of [the] Bengali settlers tried to break the temple wall and start[ed] cutting [down] trees belonging to the temple. Jumma*

villagers unitedly tried to resist the settlers. However, the security forces profoundly backed the settlers. The police falsely accused the Buddhist monks of possessing arms and wanted to search the temple.

The Peace Accord has declared that the cultural rights of the Jumma people will be upheld. However, the context of cultural violence between the two communities has yet to be identified. More specifically, the issues of religious rights and everyday harassment of Jumma women, and the issue of identity formation have not been addressed. As shown in the above case about the religious aspects, while the Accord seemingly recognized the "upholding of cultural rights", this process has remained detached from the re-establishment of the religious rights of the Jumma people.

8.3.6 Self-recognition issue: demands for indigenous rights, "indigenous, not tribal"

As has been seen, the root cause of the CHT conflict is centered on the demand for self-recognition of the Jumma people. Commencing from the colonial period, they have been identified as 'tribal'. Furthermore, based on International Labour Organization (ILO) Convention No. 169[86], the Jumma people have always tried to identify themselves as *adibashi* ("indigenous people"), instead of being regarded as 'tribal'. They have been demanding constitutional recognition for a long time. The revival of cultural identities became one of the central agenda items of the Peace Accord. However, the notion of the "upholding of cultural rights" did not fulfill their demands. The interview of Shuharto Chakma (34) is mostly related to this argument. As he explained:

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[86] Convention No. 169 is a legally binding international instrument open to ratification, which deals specifically with the rights of indigenous peoples. Today, it has been ratified by 20 countries. The Convention does not define **who the indigenous and tribal people are**. It takes a practical approach and only provides criteria for describing the peoples who it aims to protect. However, "self-identification" is considered as a fundamental criterion for the identification of indigenous and tribal peoples.

We hoped that the Peace Accord would recognize the self-recognition issue: we saw that the Accord recognized [the] cultural rights issue but it was not free from [the] tribalism policy as the Accord treated us as 'tribal'. Such tribalism never recognizes our self-identity: upholding of our cultural identity is only publicity. It's a colonial attitude of the state authorities which has persisted in the Accord.

The situation has not changed much in recent years. Even 15 years after the signing of the Peace Accord, it has been reported that the identity recognition issue continues to be a central demand of the indigenous Jumma people. In the 1997 signing of the Peace Accord, the agreement was contracted on behalf of the Bangladesh government by Mr. Abul Hasnat Abdullah, chair of the parliamentary committee formed to resolve the issue, while Mr. Jotyirindro Bodhipryo Larma, chair of the PCJSS, signed on behalf of the Jumma people of the Chittagong Hill Tracts (CHT) (Chowdhury, 2012). Many other local political parties, such as the Hill People's Federation, CHT Students' Federation, and Hill Women's Federation had refuted the treaty. They protested that the Accord failed to endorse many important demands including the self-recognition of the Jumma people. They had demanding recognition as *adibashi* ("indigenous people"), instead of being regarded as 'tribal'. The cultural rights context of the resistance of the Jumma people created further conflict between security forces and the Jumma people. The account of this continuing conflict is reported as follows[87]:

Khagrachari College is one of the biggest colleges in [the] CHT area, located in the central Khagrachari district. Students of both communities are studying here. Many cultural and political programs are organized by the students of both communities. However some peaceful programs have turned into incidents of violence. On August 7, 2011, hundreds of

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[87] The information in this case study is based on interviews in September 2011.

students of the college organized a peaceful demonstration for demanding the cultural rights of [the] Jumma people: "not as tribal but as indigenous". However, the security forces did not permit the activities of [the] Jummas. As the procession left the college gate, more than 60 policemen, including the Assistant Superintendent of Khagrachari police station and the Officer in Charge of Kotowali police station, created a barrier to direct the flow towards Chengis Square in Khagrachari town. There, they suddenly attacked the students with batons, kicking and slapping them. Twenty-two students were injured: among whom four were severely injured. As the procession was heading back, officers and army men surrounded the college gate and the hospital; they picked out one student, and indiscriminately beat him, resulting in severe injuries.

From the interview of a Jumma college student, I learnt that several kinds of peaceful processions had been initiated by Jumma students. Some processions were located in the college grounds and others in the town areas. From his account, incidents, such as several small-scale attacks, were initiated by the police or Bengalis during these processions. The question thus arises: with the involvement of the state's legal forces who have taken the position of opposing the Jumma people's cultural rights, who will then establish their cultural rights?

8.3.7 The milieu of everyday conflict

The cultural differences of the Jumma people and the Bengalis have often created everyday forms of conflict or violence in their localities. In recent decades, commonalities between the people of the two communities can be found everywhere, and in the everyday life of the Chittagong Hill Tracts (CHT). The forms of everyday violence are extensively found in public places, such as roads or bus stands, marketplaces or offices, wherever the members of both

communities interact with each other. Sometimes a personal matter between two persons of the two groups can expand to an immense scale. Even a simple verbal conversation between two persons can be blown up out of proportion. I have interviewed several persons about such cases in my fieldwork. Following is a case of how a conflict developed between a settler and a Jumma person called Babul Chakma:

> *Babul Chakma is an inhabitant of Mahajan Para ("village") who has been involved in a small business [at] the Khagrachari Bazaar for 15 years. The distance of his workplace from [his] residence is about two kilometers. Usually, he uses [a] rickshaw for travelling to Khagrachari Bazaar from his residence. According to him, most of the rickshaw drivers of Khagrachari town come from the settlers' cluster village area. On September 25, 2011, he was a passenger of a Bengali rickshaw driver, coming from the local bazaar to his home in Mahajan Para ("village"). The actual fare of this journey was about 6 taka. After finishing the ride, Babul gave a 10 taka note and asked the driver to return 4 taka. However, the Bengali rickshaw driver said he would not return any money to Babul. Babul became angry with the rickshaw driver. Then the rickshaw driver gave him 4 taka. However, after two days, the rickshaw driver with some of his settler friends attacked Babul in the Khagrachari Bazaar when he was going to his workplace. It was raining and there were no other people at that time except the attackers. [The] settlers were furious, saying 'how dare you Chakku (Chakma tribe) insult Bengali?' At the same time, Babul was physically assaulted by them. [The] settlers were violent and took his money bag and umbrella.*

As the above case has shown, the Jumma people are visibly harassed, often physically and mostly verbally. Bengali settlers often use insulting names for Jumma people, for example, Chakku for Chakmas or Moghs for Marmas. Ethnic identity is often the most important factor by which other people are treated, rather than simply using their economic status. Although

economically poorer than his Jumma passenger, the rickshaw driver's conversation and attitude clearly showed more dominance than those of his passenger.

Unemployment or the economic insolvency of Bengali settlers is one of the reasons for everyday forms of violence. Increasingly, this can often be attributed to the unfolding aggressive ethno-religious ideologies of the Bengali settlers. Settlers have admitted that they have often been involved in heinous acts, such as stealing cows, goats, poultry, and agricultural products to meet their economic needs. Moreover, in the case of Lamuchari village, settlers have always targeted the houses of the Jumma people for these purposes. While the Bengali businessmen of Lamuchari village are well established with well-furnished homes and other properties, they are rarely targeted for such activities. Along with economic reasons, such occurrences are supposed to be caused by the denial of any sense of ethical existence within Jumma society. The overall scenario of ongoing violence in the CHT has indicated that the Jumma people have been losing not only their economic properties but also losing control over their traditional culture. The context cannot be understood without discussing the connection between economics and religious issues in a holistic manner. However, the Accord has rarely focused on everyday forms of violence and no provision was made for punishment of the guilty. Thus, these types of occurrences have continued to occur.

Experiences of school-going students

Everyday forms of conflict are also visible in the relationships between school-going students of the two communities. The students of both communities usually study together in the same educational institutions. However, tension could be raised in the surrounding area due to conflict incidents, with these tensions deeply observed at the time of conflict. On the other

hand, the research findings have shown that some conflicts have started in the college grounds due to misunderstandings between students of the two communities. Even a small argument between students of the two communities has resulted in a massive conflict. The following ethnographic case[88] of Mahalchari College is important in this regard:

> Mahalchari College is situated in the Mahalchari sub-district headquarters of Khagrachari district. The students of both communities from different villages of Mahalchari Upazilla are studying in this institution. Though it is an educational institution, the tension between students of [the] two communities is very common. [The] Jumma students, especially women, are often harassed by the oral misconduct of the students who belong to settlers' communities. The Jumma students told [how] even the teachers of Bengali communities frequently supported [the] Bengalis' negative attitude. On September 7, 2013, five Jumma students of the college were injured by the attack of student wings of [the] Bengali settlers. The occurrence [was] instigated [by] a disagreement between a Jumma student and a Bengali student over a minor topic in the classroom of the college, and soon engulfed the whole town. When teachers of Bengali communities supported the Bengali student, the conflict spread out into the college ground. More specifically, a faculty [member] of [the] Bengali department of the college, joined the clash by capturing the collar of a Jumma student's shirt. Then Bengali students started to beat the Jumma student. Other Jumma students started to protest, which eventually led to a conflict between the two wings. The conflict [in] a classroom spread out into the whole campus. The Jumma students started to protest against the hassling of Jumma students in the college grounds. However, Bengali students again attacked them and added fuel to the fire in the college grounds. Jumma protesters were severally injured by the Bengali students. Many Bengali settlers from cluster villages also came to the college grounds and

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[88] The information in this case study is based on interviews of some students of Mahalchari College in September 2014.

took part in the attack under the banner of Sama Adhikar Andolan ("Equal Rights Movement"). The conflict spread beyond [the] college area to the marketplace and nearby localities. Settlers made an attempt to create [a] disturbance through attacks on Jumma people in Babu Para ("village"). Settlers were armed with daos (sharp big knives), machetes and bamboo sticks. Some bicycles were damaged, and the office of the PCJSS in Mahalchari Bazaar was looted.

The above case shows how a disagreement between two students of the two communities could result in violence on a massive scale. In recent years, the colleges of Khagrachari district have become a training ground for resistance and for initiating movements by students from both communities. In one instance, on the occasion of World Indigenous Day 2012, Jumma students organized a large rally to demand their identity rights as "indigenous, not tribal". A college teacher stated that, "*[t]hough the nature of the rally was peaceful, most of the people of this college were worried by guessing [a] probable collision regarding that occasion*". According to him,

> *... police forces were [in] reserve [based] on prediction of various occurrences: Bengalis could attack in the Jumma rally; Jummas could behave more violently or any other occurrences can occur. In recent times, we are worried not only about the political context, but also [the] everyday relationship between the students of the two communities. The campus walls, even in the corridor, are surrounded by political posters, banners, and festoons. [The] college grounds [have] became more of a resistance place than [for] academic activities. Teachers are also directly and indirectly supporting the students of their respective community. So tension is ever-existing and everywhere.*

On the other hand, student leaders of both communities tend to go back and forth between practical demonstrations and inspiring mass violence. The context of conflict at the college level is part of the wider political context in the Chittagong Hill Tracts (CHT). With all of the people of the CHT divided into two major groups, this has severely affected the educational institutions. Jumma students frequently organize rallies or meetings as a mode of resistance under the banners of the CHT Student Association, Hill Women's Federation, Jumma Student Association, etc. On the other hand, Bengali students also demonstrate their power through the newly-developed organization, Sama Adhikar Andolan.[89] Both parties are aggressive in establishing their dominance in the college grounds. However, the absence of constructive policies within educational institutions and the prejudiced role of the administration have had more effect on Jumma students than Bengali students as the Jumma students experience greater discrimination. Furthermore, no measures have been taken by the Bangladesh government to solve the problem.

In summary, it is noted that, since the beginning of the Bengali resettlement, the Jumma people have no longer found their traditional and everyday life to be without danger. In everyday life, they have experienced fear for the land, assets, and customary rights that they had nurtured for their livelihood from times unknown. The political economy of the CHT is heavily dominated by the Bengalis. Law enforcement groups have not only assisted the Bengali people to settle on traditional Jumma lands, but have also supported new settlers in displacing the Jumma people from their own land. The Jumma political parties have always

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[89] The Sama Adhikar Andolan Parishad ("Equal Rights Movement") and its student wing, the Parbatya Bangali Chatra Parishad (PBCP) ("Hill Bengali Students Council") were established in 1999. The organization was established with the support of Wadud Bhuiyan, a former MP of the BNP from Khagrachari district. The organization has opposed the CHT Peace Accord and has demanded an equal share for Bengalis in any dispensation intended for the CHT's Jumma people.

existed under the surveillance of government authorities. Their resistance has also been highly restricted by the security forces. Thus, conflicts have continued to occur.

8.3.8 When resistance turns into massive conflict

While the Jumma people have been severally victimized by militarization and the Bengali resettlement project, this has not meant that they could not resist these policies through creating their own agency. The Jumma people have a long history of resistance, ranging from the Shanti Bahini insurgency to grassroots-level movements. The Peace Accord controlled the Shanti Bahini's armed movement; however, many grassroots organizations have developed their resistance against Bengali domination. Building on historical perspectives, I argue that, while the domination of the state is resisted by the Jumma people, this has resulted in incidents of conflict between the two groups of people. This type of conflict has continued at the village level. Moreover, resistance at the village level has even expanded into conflict incidents in other villages or in the entire CHT region. The incident of conflict in Mahajan *Para* is important in this regard[90]:

> *In response to the Bengali attack on their traditional system of land ownership, culture, and religion, Jummas have resisted in various ways, i.e., organizing meetings, rallies, or protesting [against] the attackers physically. On February 23, 2010, [these] kind of rallies were organized by Jumma people in the Shapla Square area of Khagrachari town for protesting [against] the land-grabbing activities of Bengali settlers. Especially, Jummas called the rally for protesting [against] the illegal settling of Bengalis in another area of the CHT region, named Baghaichari in Rangamati district. However, during this rally, [the]*

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[90] The information in this case study is based on interviews with the villagers of Mahalchari in September 2011.

Jumma people of Khagrachari town witnessed an incident of large-scale violence. The conflict began when groups of the Bengali settlers belonging to the Sama Odhikar Andolon ("Equal Rights Movement") and Parbatya Bangalee Chhatra Parishad (PBCP) or ("Hill Bengali Students' Council") chased a procession at Shapla Square area of Khagrachari town. Settlers were in [an] aggressive mood, and had started to beat the Jumma protesters arbitrarily. [The] Jummas also initiated counter-attacks on the Bengalis. Then the conflict spread out into [the] whole Khagrachari town including other localities. Within six hours of this incident, many of the settlers came forward to attack Jumma villages. A huge communal attack was initiated on the Mahajan Para ("village") in Khagrachari district town by Bengali settlers. Six other villages in the city were attacked on a similar scale. The attackers were organized and well equipped. Around seven of the Jumma houses were burnt down and 40 Jumma people of the Mahajan Para ("village") were injured in this attack. On the other hand, some Jumma villagers captured some Bengali attackers. The situation turned into a huge conflict. A Bengali was killed and many other Bengalis were also injured. After the death of a Bengali person, a new style of violence was initiated by the settlers. This was obvious in the use of kerosene oil that they shipped to their attack location. The typical scenario of this new style of violence involved looting Jumma houses, then burning them up with this makeshift but extremely powerful fire. Settlers then set fire on Milanpur, Madhupur, and Upali Para areas where at least 40 houses were set on fire. At least seven injured Jummas were admitted to the Khagrachari General Hospital while 12 others recovered after receiving first aid. This was followed by setting fire [to] Sat Bheiya Para area where at least 25 houses of the Jumma people were completely burnt to ashes. Residence staff quarters of Khagrachari Government High School and the PCJSS office at Larma Square of Khagrachari town were set [on] fire.

These attacks not only showed careful planning but also indicated an elite level of support. It

would be impossible for poor Bengali settlers to collect a large amount of fuel without elite support. Above all, as reported by villagers of Mahajan *Para*, this kind of violence, on the part of the Bengalis, could be explained by active military cooperation. All of these initiatives have been undertaken to establish Bengali domination or militarization.

It is worth mentioning that, in recent years, the collaboration between the army and Bengali settler organizations has frequently hampered the Jumma people's resistance. When the Jumma people have declared a protest meeting or procession, Bengali settlers would announce another program at the same place in order to vandalize the Jumma program. Finally, Jumma resistance would result in an incident of conflict between the two groups of people.

8.4 Local Politics

The Peace Accord failed to establish the peaceful coexistence of different political stakeholders among the Jumma people. Satisfaction and dissatisfaction among different groups have resulted in in-group feuds between different Jumma political stakeholders. When the conflict between the UPDF and the PCJSS began, the ordinary people in the Jumma communities termed it "brotherhood conflict". On the other hand, some of the Bengali settlers' organizations such as Sama Adhikar Andolan and PBCP rejected the Accord by arguing that it had arranged "too many allowances to the tribal interests". The conflict is not only inherent in the Bengali–Jumma or army–Shanti Bahini dichotomy, but it is also prominent in different in-group feuds in different cross-cutting layers. Without an investigation of the different layers of the conflict, the context will not be properly explained.

8.4.1 Politics of Bengali organizations

Since 1997, groups of Bengali settlers have opposed the peace process by arguing that the Peace Accord is too concerned with the Jumma people. Sama Adhikar Andolan ("Equal Rights Movement") was later established to ensure the rights of Bengali settlers. The number of Bengali organizations has now increased to six. As the Jumma people have claimed, the growing numbers of Bengali organizations is a military idea.[91] The Bengali organizations have been receiving support from the army to create conflict in the CHT region. The reason behind this strategy is that it would enable the army to find a suitable justification for its continued presence in the CHT region in the name of maintaining law and order. The constant military support to Bengali settlers has made these grounds a reality and have created an unbreakable cycle which only brings suffering to the Jumma people.

In recent years, it has been observed that Bengali organizations frequently hamper democratic and peaceful programs of Jumma organizations. If a Jumma organization announces a meeting, the Bengali organizations would declare another program at the same place which, in most cases, would compel the authorities to impose legal action, such as Section 144[92] which bans all programs by both parties. For instance, when the Jumma people of Dighinala Upazilla scheduled a rally on July 3, 2014 to protest against the establishment of BGB camps in Jumma villages, the Hill Bengali Students' Council organized another meeting at the same time and at

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[91] As argued by Chowdhury, "the army in its bid to repress the demands of tribal, formed and patronized different settlers' organizations to create communal tension and conflict" (2012:115). The CHT Commission also stated that the Bengali organization was still active in the CHT and backed up by the army (CHTC Report, 1994:32). The alliance between the army and Bengali settlers has been observed on several occasions in the Chittagong Hill Tracts (CHT).

[92] Section 144 is a section of the Indian/Pakistani and Bangladeshi Codes of Criminal Procedure which prohibits the assembly of five or more persons, holding of public meetings, and carrying of firearms, and can be invoked for up to two months. It also gives the magistracy the power to immediately issue an order absolute in urgent cases of nuisance or apprehended danger.

the same venue. The local administration in Dighinala clamped down using Section 144 of the Criminal Procedure Code. The main objective of the Bengali organization was actually to motivate its respective populace with its ultra-nationalist and communal slogans to achieve its desired objectives. The leaders of Sama Adhikar Andolan, that demands "equal rights" for Bengali settlers in the region, demanded the re-establishment of army camps in the CHT region in order to establish "equal rights" for the settlers.[93] When the government initiated actions to implement some clauses of the Accord, the Bengali organizations protested against this by observing a day-long strike in the whole CHT region. This context was variously observed during the period of my research. As evidence, after the Bangladesh government initiated the CHT Land Dispute Resolution Commission, the Bengali organizations enforced a dawn-to-dusk general strike in Khagrachari on June 2, 2013 in protest against the government move to amend the CHT Land Dispute Resolution Commission. All modes of motor vehicles stayed off the roads and highways in the eight sub-districts, and all shops and markets were closed during the strike.

According to informants from Mahajan *Para,* the administration has not been active enough to tackle the groups from both sides. Moreover, the Bengali organizations have gained strength, spreading their members and branches all over the CHT region, and leading the settlers into violence. The Bengali settlers' organizations are used as an instrument of the militarization policies in the Chittagong Hill Tracts (CHT). In the recent case of the establishment of a BGB camp in Babuchara village, as reported in Chapter 5, when clashes arose between security forces and the evicted Jumma people, the settlers' organizations took a position in support of

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[93] On May 11, 2008, Sama Odhikar Andolan organized a seminar at the National Press Club in Dhaka. The speakers at this seminar urged the government to re-establish army camps in all sensitive areas in the CHT in order to establish so-called equal rights for the settlers (see PCJSS report, 2008).

the Border Guard Bangladesh (BGP) forces. Moreover, the settlers' organizations have initiated attacks on human rights activists when they have tried to come into areas for fact finding. Although the Bengali settlers' attacks against the Jumma opposition have been inspired by the army, this does not mean that the attackers have no agency. Settlers have participated in attacks because this is the only way for them to protect themselves or to establish their right to exist in the Jumma region. Equally, the army and other security forces have taken the opportunity and utilized such occasions of violence to justify their presence in the name of maintaining law and order. The settlers and national security forces have created networks and alliances for their own interests, to justify and establish their presences in the Chittagong Hill Tracts (CHT). These complex mechanisms of power have not only failed to reduce conflict, but have also led to further conflict in the region. Thus, as argued by the headman of Mahajan *Para*, *"[i]f the government does not handle the Bengali organizations seriously, we are going to see them in a more violent form"*.

8.4.2 Experiences of in-group feuds at the village level

Although the Peace Accord disarmed the Shanti Bahini rebels, the dissatisfaction of different stakeholders has increased with conflict distributed in multiple layers. More specifically, conflict between the UPDF and the PCJSS has seriously affected the livelihood of the ordinary Jumma people. It is noteworthy that, as claimed by the UPDF, the Accord has failed to address the basic demands of the Jumma people. These demands have actually been articulated by the PCJSS and are as follows: regional autonomy, constitutional recognition of the indigenous Jumma people of the CHT, restoration of land rights, withdrawal of the military, and withdrawal of the settlers from the CHT. Moreover, in the Accord, there is no reference to accountability for the human rights abuses that have bordered on genocide. The UPDF has

argued that, without fulfillment of these basic demands and accountability for human rights abuses, a genuine and permanent peace cannot be established in the Chittagong Hill Tracts (CHT). The UPDF was born as a result of this perception.

In recent decades, by showing their armed power, both of these groups have illustrated their desperation to control the Hill region. According to the villagers of Mahajan and Lamuchari *Paras*, to maintain their parties, the activists and leaders of these groups have collected money through extortion under the name of "protection money" from the ordinary Jumma people. This scenario is prominent in the whole CHT region. When a village is dominated by the UPDF, UPDF activists forcefully squeeze money from the inhabitants. Similar practices can be seen in the PCJSS-dominated areas. Moreover, when a person refuses to pay the extortion money, they face torture or abduction by the party activists. As reported to me, when a person is working in a job in Dhaka city or in another plains area, his family members are forced to pay extra as his economic condition is comparatively better than that of other Jumma people. As stated by Shuprem Chakma (28)[94], a member of a Jumma family in Mahajan *Para*:

> *Most of the families of our village are forced to pay pressure money to the political leaders. While I am doing a job in Dhaka city, my family have to pay extra extortion money than other families who are residing in the Mahajan Para ("village"). My parents could not save their lives without paying this extra money. My case is not rare one: it is happening to every family whose members are engaged in any job in other cities.*

In the CHT, it is hard to find a village where the people are not dominated either by UPDF members or PCJSS members. However, their dominated areas are not the same areas. If a

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[94] The name in the text is pseudonym. The informant has requested that his name not be mentioned anywhere.

village is captured by the PCJSS, the UPDF workers are not able to collect extortion money from the PCJSS-controlled area. Moreover, opposition workers have no scope to go into the village for any ordinary purpose.

Table 8.2: List of areas dominated by UPDF or PCJSS

Area (Sub-district)	PCJSS	UPDF
Khagrachari Central	50%	50%
Dighinala	20%	80%
Matiranga	50%	50%
Panchari	50%	50%
Ramgarh	30%	70%
Manikchari	50%	50%
Mahalchari	20%	80%
Lakhsmichari	0%	100%

Source: Probe News Magazine, March 16-31 (2004), Cited in Mondal (2005)

The dominant activists are on patrol all the time searching for opposition workers in the respective villages. In the case of ordinary people who do not belong to either side, they cannot go to other villages at night due to the patrolling activities of the activists or their leaders. As stated by a villager from Mahajan *Para*:

> *Last year [in the] winter season (January 2014), at night-time, when I was coming back from Mahalchari, my brother in-law's place, some young people captured me by saying "you look like a member of an opposition party". I was forced to stay [the] whole night in a house. Next*

> *morning, when they found my details as I am an official of [a] non-government organization,*
> *I was free from them.*

On the other hand, Jumma villagers involved in the agro products business (e.g., turmeric or paddy) have to pay illegal tolls to local political leaders for taking their goods out of their villages. As reported by villagers, the PCJSS and the UPDF have accused each other of attacks, killings, abductions, death threats, and other such activities. The situation in the CHT has become tense as the UPDF and the PCJSS are locked in a long-standing clash and have turned the total Hill region into a "valley of death".[95] Nobody comes forward to file any police cases after these murders or illegal tolls.

In the realm of UPDF and PCJSS politics, the strong bipolar system of the polity is extremely confrontational in nature. Since 1997, the almost equal strength of the two major local political parties has contributed to the emergence of a duopoly over the regional political system of the Chittagong Hill Tracts (CHT). This 'winner-take-all' power game in the CHT is not the outcome of ethnic difference nor is it based on class difference but rather it is based on "power sharing"[96] of resources. This "power sharing" is concerned with the acquisition of land and business licenses and tenders, the collection of extortion money, the gaining of power in institutional bodies, etc. The nature of this takeover of power, in Bengali words, looks like the politics of *char dokhol*[97] (the occupation of *char* lands) which is more typical of a thriving

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[95] When I talked with a retired schoolteacher from Mahajan *Para*, he used the term "valley of death". According to him "the brotherhood conflict between UPDF and PCJSS is increasing day by day and the CHT region is turning into a valley of death".

[96] The term "power sharing" usually means a policy agreed between political parties or within a coalition to share responsibility for decision making and political action. It is true that the CHT Peace Accord is a "power sharing" process between the government and the PCJSS. However, the local people reported this event as a power-sharing process between elite political stakeholders, where other groups and ordinary people have been considered marginal.

[97] Mohsin and Guhathakurta (2007:50) used the term *char dokhol* to discuss the bipolar political system of Bangladesh (Mohsin and Guhathakurta, 2007, cited in the PhD thesis of Mohammad, 2012)

peasantry than a burgeoning bourgeois democratic movement or activities. In the case of Regional Councils, to date, these have continued to be highly political, dominated by the PCJSS and government-nominated members. When the chair of the PCJSS is selected as the head of the Regional Council, this selection violates the clauses of the Peace Accord which state that this post is to remain unelected. As argued by a Jumma person,

> *Political leaders do not want to lose their dominance in the CHT. The fear of losing domination under the emergence of a strong regional political group like PCJSS makes them apathetic to the Accord. They are acting in a manner that actually violates the spirit of the Peace Accord.*

The signed CHT Peace Accord could not satisfy other ordinary people in the CHT due to the domination of the PCJSS in the Regional Council (RC) and Hill District Councils (HDCs). The Jumma people, who were not actively involved in regional politics, felt deprived and betrayed due to their poor representation on the Regional Council.

Similarly, the stakes of the competition between the PCJSS and the UPDF have helped to institutionalize political violence as an instrument of political pursuits. In this political culture, the rest of society is forced to go with the more powerful party if they wish to participate in and receive benefits from the system. The constant support of the extended process of elitism and the related political beneficiary group have made the ground-level reality an unbreakable cycle which only brings suffering to the Jumma people.

In this context, I would like to recall the concept of the "cycle of fear". In the whole chapter, even in the whole thesis, many dreadful conditions experienced by the ordinary Jumma people over the decades have been noted. For instance, the painful experiences of local people during

the period of militarization and Shanti Bahini's insurgencies; everyday conflict due to the Bengali resettlement; recent forceful evictions to establish BGB camps; and the unexpected roles of the UPDF and the PCJSS have clearly shown that they have been living in a panic environment for a long time. Furthermore, this is continuing due to the imposition of different power structures. In particular, in-group feuds between the UPDF and the PCJSS have brought more fear to the local Jumma people. Thus, the villagers have urged that the killing and abductions must stop and that they become united for the betterment of the ethnic people living in the Chittagong Hill Tracts (CHT).

In recent times, a low level of trust has become a common feature of Jumma society. In general, the people of the CHT possess a low and declining degree of trust in their political institutions and political leaders. People at large do not believe that their fellow members are engaged in politics for the mutual benefit of society. The people are disappointed and bewildered by the performance of the members of the UPDF and the PCJSS in activities and their oversight of the dualistic operations.

8.5 Maintaining Law and Order

In the post-Accord period, the CHT Regional Council has been provided with a legal basis from which to exercise supervisory authority over the traditional legal authorities (i.e., headman or *Karbari*) instead of the tribal chief or central government authority. Although the Accord recognized customary laws with its reiteration of the administrative roles of the chiefs and the headmen, it failed to clarify the ways in which to overcome the problem of land occupied by the Bengali settlers. As stated by the *Karbari* of Lamuchari:

> *Legally, I am the authorized person to maintain the law and order of the village but my*

power is decreasing day by day. After the Bengali resettlement project, many Bengali people start[ed] to live in this village. The Bengalis do not know the traditional system of local administration and they do not accept us as [the] leader of their community. The Bengali people are the majority in this village and they are ignoring our traditional laws. Moreover, in the cases of conflict and resettlement, the administration and military are always interfering in making decisions. [The] effective traditional administration system does not exist in recent years.

Dinendra Chakma (62), the headman of the Lamuchari village, said the following:

I have been serving as a headman of Lamuchari village since 1990. By tradition, I am the designated person to maintain law and order of this village, but the Bengalis do not obey me. Moreover, the Bengalis tried to attack me several times. I am the most targeted person [by] the Bengalis. Most of the issues related to conflict resolving of this village are now managed by the army or police. Sometimes they invite me to the conflict resolving meetings but my voice [is] never heard. I am acting like a puppet during the meeting. The army and police make their own decisions, most of which are made in favor of the Bengalis.

One key problem at the village level relates to the customs and traditions in regard to the ownership of land. As previously noted when discussing the setting of the Peace Accord, not only did the customary system provide the Jumma people with their economic rights, but it was also a cultural value which had been nourished through the generations. Although the establishment of land rights and cultural rights of the Jumma people was recognized by the Accord, no direct measures were undertaken to protect their customary rights in the CHT region. The inadequate protection of the customary rights over the land has caused complex difficulties in the CHT region. While the Jumma people have been managing the land by

customary common property rights, the Bengalis have frequently placed claims over the land by defining it as *khas* or "unused land". New settlers, with the help of Bengali officials and the earlier Bengali settlers have continuously occupied the Jumma land in the post-Accord period. As reported by the *Karbari* of Lamuchari village, at least half a dozen Bengali cluster villages have already been established in the Lamuchari area. Most of the land occupied by these clusters was previously agricultural land of the Jumma people. The Bengalis have forcibly occupied the land. However, without legal documents, the Jumma victims cannot claim ownership rights for their lost land to the legal authorities. In the competition for the land and resources in the CHT region, the state has taken the side of the Bengalis and against the Jumma people. The Accord did not specifically mention the land-based violence and no provision was made for punishment of the guilty; however, the Jumma people have been suffering from the loss of their traditional culture in regard to their customary land rights.

In the post-Accord context, as has been discussed in detail, the Jumma people have suffered the most from the attacks of Bengali settlers. Without the legal environment and with the legitimacy provided for attacking the Jumma people, as argued by the villagers, they would never be able to explain the police negligence toward the violence. Rather than directly controlling the attacks to establish the cultural rights, the role of the state government has been more to set the agenda and to define the important "other" in the state. The state and its ideology have providing legitimacy for attacking the Jumma people in the Chittagong Hill Tracts (CHT). This ideology is shared by the administrative sectors of the CHT population, including government officers, and the army and police personnel. This has led to situations in which, while acts of violence have been taking place against the Jumma people, the police and state security have not taken any initiative to stop them. However, the problems of the CHT

would not be difficult to resolve if the customary rights or the ownership system and an objective legal power system were established.

8.6 Conclusion

As previously mentioned, the dominant discourses of bipolarity, negotiations, and conflict experiences are multidimensional, as well as context-specific. Different stakeholders do not necessarily play a homogeneous role, especially a role that has been popularly prophesied. I have mentioned different layers of conflicts and the negotiation process among the ordinary people through everyday life experiences and realization. In short, they can be narrowed down to different interest groups. The local political scenario, apparently similar in accordance with the gross narration from the center, actually is not. The processes of surveillance, threats, and searches are some of the power apparatus implemented by military settlement. At the same time, it is interesting to observe negotiations with different stakeholders and different beneficiary groups. 'Ownership' of the land is one of the key examples of this kind of conflict. Safety is an important issue that not only surrounds the Jumma people but is also present among Bengali settlers.

The Bengali settlers have had a relatively good and privileged relationship with the army but they also have had to negotiate under the historical legacy and the current reality. Similar to the UPDF, some Bengali organizations have not been in favor of the Accord. Although their narration of the same event is different, their position shares the same goal. In this regard, it is important to remind ourselves how identity politics plays its role in a real-life setting. Structural bipolarity, as I have argued, is not that bipolar in the field: surveillance not only creates fear for a certain group of people, it also affects the whole community in that particular

region. Local law enforcement agencies also have to negotiate with different bureaucratic hierarchical practices. Religious centers play significant roles to initiate motivation. Along with the political economy, cultural resistance is also very prominent. In addition, we must not forget the interconnectedness of different global peace organizations, such as the UN, European Union (EU), etc. In this regard, the indigenous rights discourse also negotiates with the different agencies of bipolar Bengali nationalism. Therefore, in brief, the relations and negotiations with different stakeholders in practice are sometimes explicit and sometimes implicit. In this chapter, I have emphasized the variation and diversity of the real-life realization of different groups. Through this, I have sought to show the loopholes of highly manifested bipolarity. In addition, I have tried to connect the ground-level power relations and experiences to gain a better understanding of the field and of the contemporary trend of understanding peace discourse itself.

Chapter 9: Conclusion

The central aim of this thesis was to explore the discourse on the 'root causes of conflict' in the implementation process of the Chittagong Hill Tracts (CHT) Peace Accord 1997 in Bangladesh. In order to understand the peace process, I took into account the historical experience, local perceptions, ground-level strategies, and everyday negotiation of local people. My method of inquiry was heavily supported by anthropological insight and research techniques. The thesis has critically examined the role of the peace process when dealing with the challenges of reducing conflict, and has demonstrated that the nature of conflict in the CHT was deeply embedded in the nature of the state itself and in the political institutions that link the state and society. In this concluding chapter of the thesis, I briefly revisit the objectives of this study. I then summarize the argument of the study, consider the implications of the study with substantial empirical evidence, and, finally, attempt to provide directions for additional research.

9.1 Revisiting the Objectives

In examining the process of peace in the CHT with special reference to understanding the role of local dynamics, this study had two primary objectives. The first and foremost objective was to provide a detailed empirical study of the state's role in promoting peace in the CHT, focusing on two important aspects: the everyday experiences of local people and the interaction between political institutions and ordinary people. In doing so, I questioned the ability, intention, and outcome of peace promotion and accessibility under the assistance of the state's government and political institutions which dominantly exhibited bipolar tendencies. I was particularly interested in dissecting the issue of policy making in relation to the CHT

Peace Accord, and, in doing so, tried to diagnose the inherent nature of policy making and the effectiveness of its implementation. In the case studies, I therefore sought to make a critical analysis of the challenges, difficulties, and outcomes of conflict reduction and the establishment of peace and accessibility, which originate from a bipolar role. To that end, I have shown that the root causes of conflict in the CHT are deeply embedded in the nature of the state and successive governments in dealing with the region. In this thesis, my discussion has illustrated the nature of the Bangladesh state and how that nature has systematically eroded the state's capacity to carry out development including the reduction of conflict. I have then looked at the challenges of establishing peace and accessibility in the CHT and how the grassroots people have responded to these challenges.

Given the focus of my first research objective, it was almost inevitable that my second objective of the study would be to understand the dynamics of conflict in relation to political economy, cultural resistance, and everyday negotiation. My initial understanding was that I would critically investigate the discourse of the root causes of conflict in which it was imperative to examine the missing dimensions and to gain a holistic understanding of the field. To that end, I have argued that the politics of identity, religious and cultural differences between state majorities and ethnic minorities, land rights issues, differences in administrative rules, group feuds, etc. are all closely linked with the form of conflict. Thus, to examine the dynamics of conflict in the CHT, the central locus of my attention was to investigate the views of local people of the region with special reference to the process of peace building and the policy implementation mechanism.

9.2 Summary of the Argument

Using the four analytical elements of the central framework of the study, throughout this thesis, I have critically investigated the peace process of the CHT Peace Accord. Each element of the theoretical background provides a clear understanding about the peace-building process: collectively, they provide a holistic interconnected picture. I have shown that the CHT Peace Accord falls well short of meeting the demands of indigenous people who, for a long time, have struggled for their ethnic identities, land rights, and anti-militarization.

The historical pattern of conflict (Chapter 4) in the CHT suggests that the root of the CHT conflict was embedded in the British colonial legacy, persisted in the post-colonial period, and continued even in independent Bangladesh. The British colonial government categorized the ethnic community as 'tribal' and 'a backward class', thus justifying its intervention through the *Chittagong Hill Tracts Regulation, 1900*, the concept of 'Reserved Forests' in the *Forest Act 1927*, and several development policies. The problems of the creation of ethnic categories, such as 'tribe' or 'hill tribe', and their institutionalization within the post-colonial state have formed the basis of social, political, and economic life. Significant shifts have occurred in the post-colonial regimes in the institutionalization of the tribalism policy, for example, in 'Reserved Forests', the revenue collection system, and the plough cultivation process. Moreover, in the Pakistan era, the state started to directly control 'tribal' people under the banner of development projects. Along with various government projects, the state permitted donor agencies to undertake their development activities. The construction of the Kaptai hydroelectric dam, a paper mill, and a satellite center all caused the forceful eviction of many of the Jumma people from their ancestral lands. Many migrated to the neighboring states of India, while many others were internally displaced. In independent Bangladesh, with the state

authority categorically refusing indigenous people the right to acquire any space or to be awarded any recognition, the Jumma people drifted toward an armed movement, thus adopting the means of conflict. The government also replied through militarization in the form of counter-insurgency. The CHT region was officially declared to be a conflict zone.

The different causes of conflict in the CHT, given the discriminative policy of the Bangladesh state, have been presented in Chapter 5. The dimensions of the conflict have their roots in multiple layers. While the Jumma people's insurgency and militarization policy are among the key reasons, the socio-economic differences between Bengali settlers and local Jumma people have contributed to severe everyday conflicts at the ground level. I have argued that, although militarization and Bengali resettlement are central to the CHT conflict, until quite recently there has been a general failure to consider the interaction of the historical, social, and cultural processes that have contributed to making this region a conflict zone. Thus, I have investigated the multifaceted dimensions of these ground-level realities in a holistic way.

Although militarization and Bengali resettlement are seen as separate policies, the ground-level realities show that both state policies have often mutually interrupted the lives of the Jumma people. These two policy components have frequently played the same role in different conditions. Throughout the decades, the main concern of the Jumma people has been to receive recognition of their customary system, including their traditional identity, religion, and economic rights. On the other hand, the rights of Bengali settlers have yet to be determined. The Bengali settlers are the poorest portion of the community in Bangladesh. However, they have little motivation to find better jobs, possibly because the government has failed to provide them with a better work environment. Although the government has provided them with land in the CHT and cash incentives, there has been the failure to create any scope

for them to work in the hilly landscape. The Bengali settlers have not become habituated to the hilly agricultural system nor do they have enough capital to introduce any business activities in the areas in which they have resettled. Abundant vacant time has led to them drifting into conflict on various occasions. On the other hand, the Jumma people are habituated to the customary land system; however, the Bengali settlers have tried to violate the customary rules at different phases. For example, details are available of cases such as 'illegal' settlement on customary lands; forceful eviction of the Jumma people from their ancestral lands; changing the names of traditional villages; disobeying the traditional political leaders; communal violence; and the destruction of religious institutions.

In these cases, local elites are the ones who have benefitted from this conflict in terms of money, power, and political gain through the establishment of a reinforcing politico-economic mechanism which has adopted any external 'developmentalist/rights' intervention. It is no wonder that these interventions have also contributed to empowering this elite intragroup relationship and to confining local people to 'victimhood'.

Notably, when the armed conflict was initiated between Jumma political activists and the army, ordinary villagers adopted many strategies to save their lives and to continue their livelihood. The various outcomes of the agency and experience of grassroots people at times helped them to escape the conflict or, alternatively, pushed them into further conflict in the region. A relationship is evident between the Bengali settlers and the army. The military has continued its operations in the CHT by providing support to the Bengali settlers. Thus, the rights of the Jumma people have continuously been compromised without receiving proper support from the administrative authorities.

In discussing the peace negotiations between state authorities and Jumma political leaders in Chapter 6, I have shown that the different political ideologies of successive governments delayed these negotiations in various ways. The ideologies of successive governments in Bangladesh, in understanding or governing the CHT, were neither homogeneous nor mutually exclusive. However, in most of the regimes, the various governments of Bangladesh, in governing the CHT, used both their 'power (hegemonic and interventionist)' and 'development' rhetoric. Based on the CHT Peace Accord 1997, although the state at least partially recognizes the distinctness of the Jumma people, the context gives only a little space to the Jumma people's cultural and political freedom. The bipolar character of political leaders has often interrupted the political negotiations. The government legitimizes its control over the CHT by negotiating with civil society bodies and international bodies. In addition, it has been observed that the state has often approved international resolutions but failed to implement them. Furthermore, the successive governments of the state have manipulated the potential of international bodies to oversee the implementation of international conventions. The continuous negotiations between these stakeholders have created a wide variety of realities for the Jumma people. On one hand, the development discourse, such as that on infrastructural development, is very evident between foreign and local bodies; on the other hand, the process of intervention is highly regulated by the government. The NGOs are usually ethnically segregated. The grassroots organizations have been formed mostly based on specific ethnic communities with the aim being to provide support exclusively for their own group. This means that marginal initiatives are more segregated than collective or holistic in nature. In my observation, I found that this has provided fuel for feuds between two or more interest groups.

It has often been observed that political and civil society bodies have at times played different roles in similar conditions. In addition, local political parties have an influential role in this arena. Therefore, in summary, whatever the manifestation of the different stakeholders, it seems that the realization and experience of the Jumma people, along with those of the Bengali settlers, have varied from context to context: so too has the agency carried by them in order to survive in regard to the overall peace process. The rearrangement of militarization, changing from counter-insurgency to Operation *Uttaran* ("conflict resolution"), has been established as a new strategic form of militarization. These policies have been a combination of the political, bureaucratic, and military processes, which has included the principle of 'divide and rule' by 'introducing' in-group feuds, obstruction of international intervention, and overall manipulation of the Peace Accord. The dilemma for the Jumma leaders has been that they could neither neglect the government strategies, nor obtain equal rights from the state. In this context, the Jumma people have been even more in danger from in-group feuds between the UPDF (United People's Democratic Front) and the PCJSS (Parbatya Chattagram Jana Sanghati Samiti or United People's Party of the Chittagong Hill Tracts). The ground-level reality has been that the ongoing identity politics and survival strategies of the Jumma people have been challenged and negotiated, dominated and compromised by the interplay of regional–national and national–transnational forces. The shifting roles of national and regional political leaders have been complicated, often creating a circle of fear for the ordinary Jumma people.

In Chapter 7, a critical investigation of the implementation of the Peace Accord and the role of the Bangladesh state in promoting peace building has shown both the lack of willingness and the institutional incapacity of the state in a range of important sectors which are vital for

reducing conflict. The Peace Accord provided hope for a type of a 'democratic practice' in the CHT, as it was intended that the implementation bodies would be elected by the masses. However, elections have not yet been held. Neither the Bengali settlers nor the Jumma people have been happy with the institutional actions in the CHT: in addition, they have been in conflict with each other. As both institutions were formed on the basis of political affiliation, most members of the executive bodies have had a greater sense of obligation to the ruling government. The government and local political actors have enjoyed the power and authority that have come through their nominated persons being responsible for the current implementation of the bodies' operations. Most stakeholders have developed their own disputes and distances. The land crisis has continued to be an influential factor in the ongoing conflict. The CHT Land Dispute Resolution Commission has been established but has not acted to resolve the land problem. The institutions have basically empowered certain actors and certain discourses, privileging particular groups at the cost of marginalizing others. The relationship between different institutional bodies has been antagonistic, as they have accused each other of collaborating with the government and the army. It has been observed that the state's strategy for the selection and distribution of different positions has often resulted in chaotic and incoherent situations. However, it is worth mentioning that, in certain conditions and situations, these groups have acted coherently and accordingly in regard to reinforcing the power dichotomy.

On the other hand, many clauses of the Peace Accord were seen to be problematic as they failed to identify the loopholes of the root causes of conflict. In this context, some clauses of the Peace Accord were reasons for creating further conflict in the region. The issues of self-identity recognition, 'violence against women', and the rights and the future of the

Bengali settlers were not investigated. The PCJSS, which was the representative of the Jumma people in the Peace Accord signing process, accepted and reproduced categories of tribal identity which were derived from colonial knowledge and its post-colonial reproduction. The reproduction of colonial categories re-established the Jumma people as having a tribal identity and made this the basis of political, social, and economic life. Thus, the issue of identity formation remained a problem, still responsible for the region drifting toward being a conflict zone.

In Chapter 8, the consequences of the Peace Accord have been investigated: special reference was made to the dynamics of the negotiation process among the local people through their everyday life experiences and realization. Ethnographic evidence has suggested that different stakeholders were not playing the same role at the grassroots level. The process of surveillance and the power apparatus have been mostly executed by military operations: at the same time, it was interesting to observe the negotiation between different stakeholders at different levels. On one hand, the Peace Accord has reduced the extent of the armed conflict between the army and Shanti Bahini ("Peace Force"), but, on the other hand, many in-group feuds have been ignited through the issue of dissatisfaction between various Jumma political stakeholders. The ordinary Jumma people have believed that the government was seeking to provoke or support these various Jumma political organizations in an attempt to 'divide and rule'. Thus, the Jumma people have become victims of many crimes, for example, forceful eviction, police and army harassment, false police cases, and severe insecurity for their families, especially for the Jumma women.

Safety has been a major issue that not only surrounded the Jumma people but was also present among the Bengali settlers. While the settlers have had a privileged relationship with the army,

they have had to negotiate under the historical legacy and the current reality. Ownership of land has continued to be perceived as the key example of conflict between the Bengali settlers and the Jumma people. Everyday conflict, such as communal violence, verbal abuse, physical torture, vandalized religious programs, etc. has been very much about disrupting the basic rights of ordinary people. Like the UPDF, some Bengali organizations have also not been in favor of the Peace Accord. Although their narration of the same event has been different, the position they have taken has shared the same goal. In this regard, it is important to remind ourselves how identity politics plays its role in the real-life setting. Structural bipolarity, as I have argued, is not that bipolar in the field: surveillance has not only created fear for certain groups of people, it has also affected the whole community in that particular region.

It was noteworthy that, as in the plains regions of Bangladesh, religious and ethnic differences were found in the CHT region at every moment and in every sphere of life. However, the answer that I was seeking was to the question: why has the CHT become a 'special' zone for conflict? In addition, my area of interest was on why Bengali nationalism and Jumma nationalism have emerged as a conflict dichotomy. Through the historical process and certain politico-economic goals, this dichotomous conflict has been carefully constructed and has shaped the dominant discourse of the root causes of conflict.

Even a simple disagreement between two persons from two communities can result in violence on a massive scale. However, bitter frustration has also been found in the CHT region with an apparent consensus that the administration has failed miserably to protect the rights of the Jumma people. Identity recognition, protection of customary rights, and observance of legal practices are absolutely imperative to stop these types of conflict in the CHT region. However, in conclusion, I would argue that this overall dichotomous understanding of conflict

is in itself inefficient because it falls into the trap of the dominant peace discourse which has

failed to locate the ever-interchanging characteristics of conflict/co-existence.

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Annexure 1: Chittagong Hill Tracts Peace Accord 1997

The Chittagong Hill Tracts Peace Accord of 1997

Under the framework of the Constitution of Bangladesh and keeping full and firm confidence in the sovereignty and integrity of Bangladesh, to uphold the political, social, cultural, educational and economic rights of all the people of Chittagong Hill Tracts region and to expedite socio-economic development process and to preserve and respect the rights of all the citizens of Bangladesh and their development, the National Committee on Chittagong Hill Tracts, on behalf of the government of the People's Republic of Bangladesh, and Parbatya Chattagram Jana Sanghati Samity, on behalf of the inhabitants of Chittagong Hill Tracts, have reached the following agreement in four parts (A, B, C, D):

A) (Ka) GENERAL

1. Both the sides have recognised the need for protecting the characteristics and attaining overall development of the region considering Chittagong Hill Tracts as a tribal inhabited region.

2. Both the parties have decided to formulate, change, amend and incorporate concerned acts, rules and regulations as soon as possible according to the consensus and responsibility expressed in different sections of the agreement.

3. An Implementation Committee shall be formed to monitor the implementation process of the agreement with the following members:

a) A member nominated by the Prime Minister: Convenor

b) Chairman of the Task Force formed under the purview of the agreement: Member

c) President of Parbatya Chattagram Jana Sanghati Samiti: Member

4. The agreement shall come into effect from the date of the signing and execution by both the sides. This agreement shall remain valid from the date of its effect until all the steps are executed as per the agreement.

B) (Kha) CHITTAGONG HILL TRACTS LOCAL GOVERNMENT COUNCIL/ HILL DISTRICT COUNCIL

Both sides have reached agreement with regard to changing, amending, incorporating and omitting the Hill District Local Government Council Acts 1989 (Rangamati Hill District Local Government Council Act 1989, Bandarban Hill District Local Government Council Act 1989, Khagrachhari Hill District Local Government Council Act 1989) and its different sections which were in existence before this agreement came into being, as below:

1. The word "tribal" used in different sections of the Council Acts shall stay.

2. The name "Hill District Local Government Council" shall be amended and the name of council shall be "Hill District Council."

3. "Non-tribal permanent residents" shall mean a person who is not a tribal but has legal land in the hill district and generally lives in the hill district at a specific address.

4. a) There shall be 3 (three) seats for women in each of the Hill District Councils. One third (1/3) of these seats shall be for non-tribals.

b) Sub-sections 1,2,3 and 4 of section 4 shall remain in force as per the original act.

c) The words "deputy commissioner" and "deputy commissioner's" in the second line of sub-section (5) of section 5 shall be replaced by "circle chief" and "circle chief's".

d) Following sub-section shall be added in section 4:

Whether a person is a non-tribal shall be determined, along with the identity of non-tribal community to which he belongs, by the concerned Circle Chief on the provision of submission of certificate from concerned Headman/Pourasabha chairman/Union Parishad chairman and no person can be a candidate for the office of the non-tribal member without a certificate from the concerned Circle Chief in this regard.

5. It is narrated in section 7 that a person elected chairman or member shall make an oath or announcement before the Divisional Commissioner of Chittagong. By amendment of it there shall be incorporated that the members shall make oath or announcement before " a Justice of High Court Division" instead of "Divisional Commissioner of Chittagong".

6. The words "to Divisional Commissioner of Chittagong" will be replaced by "as per election rules" in the fourth line of section 8.

7. The words "three years" shall be replaced by "five years" in the second line of section 10.

8. There shall be a provision in section 14 that if the office of the Chairman falls vacant or in absence of the Chairman, a tribal member elected by other members of the Council shall preside and perform other responsibilities.

9. The existing section 17 shall be replaced with the sentences as mentioned below:

A person shall, under the law, be eligible to be enrolled in the electoral roll, if

(1) he is a citizen of Bangladesh;

(2) he age is not less than 18 years;

(3) he is not declared mentally unsound by any competent court;

(4) he is a permanent resident of Hill District.

10. The words "determination of electoral constituency" shall be added in the sub-section (2) of section 20.

11. There shall be a provision in sub-section (2) of section 25 stating that the chairman and in his absence a tribal member elected by other members shall preside over all the meetings of the council.

12. As the entire region of Khagrachhari district is not included in the Maung circle, the words "Khagrachhari Maung Chief" in section number 26 of Khagrachhari Hill District Council Act shall be replaced by the words "Maung Circle Chief and Chakma Circle Chief." Similarly, there shall be scope for the presence of Bomang Chief in the meeting of Rangamati Hill District Council. In the same way, there shall be provision that the Bomang Circle Chief can attend the meetings of Bandarban Hill District Council meetings if he wishes or is invited to join.

13. In sub-section (1) and sub-section (2) of section 31 there shall be a provision that a chief executive officer equivalent to the status of a deputy secretary shall be the secretary in the Council and there shall be provision that the tribal officials would be given priority for this post.

14. a) There shall be a provision in sub-section (1) of section 32 that for the proper conduct of its affairs the Council may, with the approval of the government, create posts of various categories of officers and employees.

b) Sub-section (2) of section 32 shall, by amendment, be made as follows:

The Council can, in accordance with regulations, appoint class three and class four employees, and can transfer, suspend, dismiss, remove or can impose any other punitive action on them. But provided that the priority of the tribal inhabitants must be maintained in case of the said appintments.

c) There shall be provision in the sub-section (3) of section 32 stating that:

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The government can, in consultation with the Council, appoint other officers as per regulation and can transfer, suspend, dismiss, remove or can impose any other punitive action on them.

15. In sub-section (3) of section 33 "as per regulation" shall be mentioned.

16. The words "or any other way determined by the government" placed in the third line sub-section (1) of section 36 shall be omitted.

17. a) The original law shall be in force in the fourth paragraph of sub-section (1) of section 37.

b) "As per rules" will be included in Sub-section (2), sub-sub-section (d), of section 37.

18. Sub-section (3) of section 38 shall be repealed and by amendment, the sub-section
(4) shall be framed as follows:

At any time before the expiry of the financial year, if deemed necessary, budget may be formulated and sanctioned.

19. In section 42 the following sub-section shall be added:

The Council with the fund received from the government shall formulate, initiate and implement development projects on the subjects transferred and all the development works initiated at the national level shall be implemented by the concerned ministry/department through the Council.

20. The word "government" placed in the second line of sub-section (2) of section 45 shall the replaced with the word "Council"

21. By repealing the sections 50, 51 and 52, the following section shall be made:

The government, if deemed necessary, may advice or order the Council, in order to ensure conformity with the purpose of this Act. If the government is satisfied with definite proof that anything done or intended to be done by the Council, or on behalf of the Council, is not in conformity with law, or contrary to public interest, the government may seek information and clarification and give advice or instruction to the Council on the concerned matters in writing.

22. In sub-section (3) of section 53, the words "if the period of super session is completed" shall be repealed and "within ninety days of super session" shall be incorporated before the words "this Act".

23. The words "of the government" in the third and fourth lines of section 61 shall be replaced with the words "of the ministry"

24. a) By amendment, sub-section (1) of section 62 shall be made as follows:

Notwithstanding anything contained in any Act for the time being in force, all members of the rank of Sub-Inspector and below of Hill District Police shall be appointed by the Council in manner laid down by regulations, and the Council may transfer and take disciplinary action against them as per procedure laid down by regulations; provided that in the manner of such appointment tribals shall be given priority.

b) The words "subject to the provision of all other laws for the time being in force" placed in the second line of sub-section (3) of section 62 shall be repealed and substituted by the words "as per rules and regulation".

25. The words "providing assistance" will remain in third line in section 63.

26. Section 64 shall be amended as follows:

a) Notwithstanding anything contained in any law for the time being in force, no land, including those land suitable for giving settlement, within the boundaries of Hill District shall be given in settlement including giving lease, purchased, sold and transferred without prior approval of the Council; provided that this provision shall not be applicable in case of areas within the reserved forests, Kaptai Hydroelectricity Project, Bethbunia Earth Satellite Station, State-owned industries and factories and lands recorded in the name of government.

b) Notwithstanding anything contained in any law for the being in force, no lands, hills and forests within the control and jurisdiction of the Hill District Council shall be acquired or transferred by the government without consultation and consent of the Hill District Council.

c) The council can supervise and control functions of Headman, Chainman, Amin, Surveyor, Kanungo and Assistant Commissioner (land).

d) Fringe land in Kaptai Lake shall be given settlement on priority basis to original owners.

27. Section 65 shall be amended as follows:

Notwithstanding anything contained in any other law of for the time being in force, responsibility of collecting land development tax shall be entrusted in the Council and the said tax collected in the District shall remain in the account of the Council.

28. By amendment of section 67 it shall be made as follows:

If deemed necessary for coordination of activities between the Council and government authorities, government or the Council shall put specific proposal on certain matter(s) and functions may be coordinated by mutual correspondence between the Council and the government.

29. By amendment of sub-section (1) it shall be made as follows:

The government in consultation with the Council can, by notification in the official gazette, make rules for carrying out the purposes of this Act and even after the rules had been made, the Council shall have special right to file petition for reconsideration of the rules.

30. a) In the first and second paragraphs of sub-section (1) of Section 69, the words "prior approval of the government" shall be omitted and the following part shall be added after the words "can do" in the third Para:

"Provided that if the government differs with any part of the regulation made by the Hill District Council then the government can give advice or instruction for amendment of the said regulation".

b) The words "transfer of power of Chairman to any officer" mentioned in the (h) of sub-section (2) of section 69 shall be omitted.

31. Section 70 shall be omitted.

32. Section 79 shall be amended as follows:

If in the opinion of the Council any law applicable to Hill District, passed by the national parliament or any other authority, is found to be hurtful to the district or objectionable to the tribal people, the Council may file petition in writing, for the purpose of amendment or relaxation of its application, to the government stating the reasons for which the law is being hurtful or objectionable and the government shall in the light of the petition, adopt necessary remedial measures.

33. a) The word "supervision" shall be added after the word "order" in the No. 1 of the functions of the Council in the First Schedule.

b) The following subjects shall be added in the No. 3 of the functions of the Council:

      Vocational training;

      Primary education in mother tongue;

      Secondary education.

c) The words "or reserved" placed in sub-section 6(b) of the function of the Council in the First Schedule shall be omitted.

34. The following subjects shall be added in the functions and responsibilities of the Hill District Council:

a) Land and land management

b) Police (local)

c) Tribal law and social justice

d) Youth Welfare

e) Environment preservation and development

f) Local tourism

g) Improvement trust and other local government institutions except Pourasabha and Union Councils

h) Licensing for local trade and business

i) Proper utilization of water resources of rivulets, canals, ponds and irrigation except Kaptai lake

j) Preservation of death and birth and other statistics

k) Money lending and trade

l) Jhum Cultivation.

35. The following sectors and sources shall be included in the taxes, rates, tolls and fees to be imposed by the Council as stated in the second schedule:

a) Registration fee from non-mechanical transports

b) Tax on sale and purchase of goods

c) Holding tax from land and buildings

d) Tax on sale of domestic animals

e) Fees from cases of social justice

f) Holding tax on government and non-government industries

g) Part of royalty from forest resources

h) Supplementary tax from cinema, theatre and circus, etc.

i) Part of royalty from license or lease given by the government for exploration and extraction of mineral resources

j) Tax from business

k) Tax from lottery

l) Tax from fishing

C) (Ga) THE CHITTAGONG HILL TRACTS REGIONAL COUNCIL

1. A Regional Council shall be formed in coordination with the 3 Hill District Local Government Councils provided that various sections of the Hill District Local Government Council Act 1989 (Act No. 19,20 and 21 of 1989) shall be amended with an aim to make the three Hill District Local Government Councils more powerful and effective.

2. Chairman of this Council shall be elected indirectly by the elected members of the Hill District Councils, his status shall be equivalent to that of a State Minister and he must be a tribal.

3. The Council shall be formed with 22(twenty-two) members including the Chairman. Two-thirds of the members shall be elected from among the tribals. The Council shall determine its procedure of functioning.

Composition of the Council shall be as follows:

Chairman	1
Members Tribal	12
Members Tribal (women)	2
Members non-tribal	6
Members non-tribal(women)	1

Among the tribal members 5 persons shall be elected from the Chakma tribe, 3 persons from the Marma tribe, 2 persons from the Tripura tribe, 1 person from the Murung and Tanchangya tribes and 1 person from the Lusai, Bawm, Pankho, Khumi, Chak and Khiyang tribes

Among the non-tribal members 2 persons shall be elected from each district. Among the tribal women members 1 woman shall be elected from the Chakma tribe and 1 woman from other tribes.

4. Three seats shall be reserved for women in the Council, one-third of which will be non-tribal.

5. The members of the Council shall be elected indirectly by the elected members of the Hill District Councils. Chairman of three Hill District Councils shall be ex-officio members of the Council and they shall have voting rights.

Eligibility and non-eligibility of the members of the Council shall be similar to that of the Hill District Councils.

6. The tenure of the council shall be five years. Budget preparation and its approval, dissolution of council, formulation of council's regulation, appointment of and control over officers and employees and matters related to concerned subjects and procedures shall be similar to the subjects and procedures given in favour of and applicable for the Hill District Council.

7. A chief executive officer equivalent to the rank of a Joint Secretary of the government shall be appointed in the council and tribal candidates would be given priority in the appointment for the post.

8. a) If the office of the Chairman of the Councils falls vacant then a member from among the tribal members would be indirectly elected as Chairman by the members of Hill District Councils for an interim period.

b) If any office of a member of the Council falls vacant for any reason then that shall be filled through by-election.

9. a) The Council, including coordination of all development activities conducted under the three Hill District Councils, shall supervise and coordinate the subjects vested upon the Hill District Councils. Besides these, if any lack of coordination and inconsistency is found among the Hill District Councils in discharging their responsibilities the decision of the Regional Council shall be taken as final.

b) The Council shall supervise and coordinate local councils including the municipalities.

c) Regional Council can coordinate and supervise in the matters of general administration, law and order and development of the three Hill Districts.

d) The Council can conduct programmes related to disaster management and relief, and also coordinate the activities of the NGOs.

e) Tribal laws and social justice shall be under the jurisdiction of the Council.

f) The Council can issue license for heavy industry.

10. The Chittagong Hill Tracts Development Board shall discharge its responsibilities under general and overall supervision of the Council. In case of appointment of Chairman of the Development Board, the government shall give priority to competent tribal candidates.

11. If the Regional Council finds any rule of the 1900 CHT Regulations and other related laws, rules and ordinances as contradictory to the 1989 Hill District Council Acts, then the government shall remove that inconsistency in law according to recommendation of and in consultation with the Regional Council.

12. Until Regional Council is constituted through direct and indirect election the government may, by constituting an interim Regional Council, entrust the responsibilities of the Council on it.

13. If the government wants to formulate any law regarding CHT, it shall do so in consultation with and according to the recommendation of the Regional Council. If there arises the necessity to amend any law that may be harmful for development of the three Hill Districts or for the welfare of the tribals, or to make any new law, the Councils may file a petition or put recommendation before the government.

14. The fund of the Council shall be created from the following sources:

   a) Fund received from the Hill District Councils' fund;

   b) Money or profits from all properties vested in and managed by the Regional Council;

   c) Grant and loan from the government or any other authority;

   d) Grant from any institution or individual;

   e) Profit accruing from investment by Regional Council;

   f) Any other moneys received by the Regional Council;

   g) Money received from such sources of incomes as the government may direct to be placed at the disposal of the Regional Council.

D) (Gha) REHABILITATION, GENERAL AMNESTY AND OTHER MATTERS

Both sides have reached the following position and agreement to take programmes for restoring normal situation in Chittagong Hill Tracts area and to this end on the matters of rehabilitation, general amnesty and others related issues and activities:

1. An agreement has been signed between the government and he refugee leaders on March 9, 1997 with an aim to take back the tribal refugees from India's Tripura State based on the 20-point Facilities Package. In accordance with the said agreement repatriation of the refugees started since March 28, 1997. This process shall continue and with this in view, the Jana Sanghati Samiti shall provide all kinds

of possible cooperation. The Task Force shall, after determination, rehabilitate the internally displaced tribal people of three districts.

2. After signing and implementation of the agreement between the government and the Jana Sanghati Samiti, and after rehabilitation of the tribal refugees and internally displaced tribal people, the government, in consultation with the Regional Council to be formed as per this agreement, shall start cadastral survey in CHT as soon as possible and after finalization of land ownership of tribal people by settlement of land dispute through proper verification, shall record their land and ensure their land rights.

3. The government, to ensure the land rights of the tribal families which are landless or possess less than 2 acres of land, shall provide two acres of land to each such family, provided that lands are available in the locality. If requisite lands are not available then grove land shall be provided.

4. A commission (Land Commission) headed by a retired justice shall be formed for settling land disputes. This commission, in addition to settling disputes of lands of the rehabilitated tribal refugees, shall have full power for cancellation of ownership of those lands and hills which have been so far illegally settled and occupied. No appeal can be made against the judgement of this commission and decision of this commission shall be final. This shall also be applicable in case of fringe land.

5. This commission shall be set up with the following members:

> Retired justice;
>
> Circle chief (concerned);
>
> Chairman of Regional Council/representative;
>
> Divisional Commissioner/Additional Commissioner
>
> Hill District Council Chairman (concerned)

6. a) The term of the commission shall be three years. But its term can be extended in consultation with the Regional Council.

b) The Commission shall settle disputes according to the existing rules, customs and practices of Chittagong Hill Tracts.

7. The tribal refugees who received loans from the government but could not utilize them properly due to conflicting situation shall be exempted from repayment of loans and interests.

8. Allotment of lands for rubber plantation and other purposes: Settlement of land, of those non-tribals and non-locals who were given settlement of lands for rubber plantation and other purposes but had not undertake project within the past 10 years or had not utilized their lands properly, shall be cancelled.

9. The government shall allot additional funds on priority basis for implementation of increased number of projects in CHT. New projects formulated with an aim to make necessary infrastructures for facilitating development in the area shall be implemented on priority basis and the government shall provide funds for these purposes. The government shall, considering the state of environment in the region, encourage developing tourism for tourists from within the country and abroad.

10. Quota reservation and scholarships: Until development equals that of other regions of the country the government shall continue reservation of quota system in government services and educational institutions for the tribals. For this purpose, the government shall grant more scholarships for the tribal students in the educational institutions. The government shall provide necessary scholarships for research works and higher education abroad.

11. The government and the elected representatives shall be active to preserve the distinctiveness of the tribal culture and heritage. The government in order to develop the tribal cultural activities at the national level shall provide necessary patronization and assistance.

12. The Jana Samhati Samiti shall submit to the government the lists of all its members including the armed ones and the arms and ammunition under its possession and control within 45 days of signing this agreement.

13. The government and the Jana Samhati Samiti shall jointly determine the date and place for depositing arms within the 45 days of signing this agreement. After determination of date and place for depositing arms by the members included in the list of the Jana Samhati Samiti the government shall ensure security for return of JSS members and their family members to normal life.

14. The government shall declare amnesty for the members who shall deposit their arms and ammunition on the scheduled date. The government shall withdraw the cases against whom cases have been lodged.

15. If anyone fails to deposit arms on the scheduled date the government shall take lawful measures against him.

16. After the return of all JSS members to normal life general amnesty shall be given to them and to the permanent residents who were involved in the activities of the Jana Sanghati Samiti.

a) In order to provide rehabilitation to all returnee JSS members a lump sum of Taka 50,000/- shall be given to each family.

b) All cases, warrants of arrest, held against any armed member or general member of the Jana Sanghati Samiti shall be withdrawn and punishment given after trial in absentia shall be exempted after surrender of arms and coming back to normal life as soon as possible. Any member of the Jana Sanghati Samiti in jail shall be released.

c) Similarly, after surrendering arms and coming back to normal life, no case can be filed or no punishment can be given to any person for merely being a member of the Jana Sanghati Samiti.

d) The loans obtained by the members of the Jana Sanghati Samity from different government banks or other agencies but could not be utilised owing to conflicting situation would be exempted with interest.

e) Those members of the PCJSS who were employed in various government jobs shall be absorbed in their respective posts and the eligible members of their family shall be given jobs as per their qualifications. In such cases, the government principles regarding relaxation of age would be followed.

f) Bank loans of soft terms shall be given to the members of the PCJSS for cottage industry and horticulture and other such self-employment generating activities.

g) Educational facilities shall be provided for the children of the Jana Sanghati Samity members and the certificates obtained from foreign board and educational institutions shall be considered as valid.

17. a) After signing of the agreement between the government and the Jana Sanghati Samiti and immediately after the return of the JSS members to normal life, all the temporary camps of military, Ansar and Village Defence Party shall be taken back to permanent installations except the border security force (BDR) and permanent cantonments (three at the three District Headquarters and Alikadam, Ruma and Dighinala) by phases and with this in view, the time limit shall be determined. In case of deterioration of the law and order situation, natural calamity and such other works the army can be deployed under the civil administration like all other parts of the country as per relevant laws and rules. In this case, the Regional Council may, according to the necessity or time, request the proper authority for the purpose of getting assistance.

b) The lands of camps and cantonments to be abandoned by military or para-military forces shall be either returned to the original owners or to the Hill District Councils.

18. The permanent residents of Chittagong Hill Tracts with priority to the tribals shall be given appointment to all categories of officers and employees of all government, semi-government, councils and autonomous bodies of Chittagong Hill Tracts. In case of non-availability of eligible persons from

among the permanent residents of Chittagong Hill Tracts for a particular post, the government may give appointment on lien or for a definite period to such posts.

19. A ministry on Chittagong Hill Tracts Affairs shall be established by appointing a Minister from among the tribals. An Advisory Council shall be formed to assist this ministry with the persons stated below:

a)   Minister on CHT Affairs

b)   Chairman/representative, Regional Council;

c)   Chairman/representative, Rangamati Hill District Council;

d)   Chairman/representative, Bandarban Hill District Council;

e)   Chairman/representative, Khagrachari Hill District Council;

f)   Member of Parliament, Rangamati;

g)   Member of Parliament, Bandarban;

h)   Member of Parliament, Khagrachari;

i)   Chakma Raja;

j)   Bohmang Raja;

k)   Mong Raja;

l)   Three members from non-tribal permanent residents of hilly areas nominated by the government from three Hill Districts.

This agreement is framed as above in Bengali language and is done and signed in Dhaka on the date of 02 December, 1997 A.D., 18 Agrahayan 1404 Bengali year.

On behalf of the inhabitants of   On behalf of the government of the
Chittagong Hill Tracts   Peoples Republic of Bangladesh

SD/-   SD/-
(Jyotirindra Bodhipriya Larma)   (Abul Hasanat Abdullah)
President   Convenor
Parbattya Chattagram Jana   National Committee on Chittagong Hill Tracts Affairs,
Sanghati Samiti   Government of Bangladesh

Source: Ministry of CHT Affairs, Dhaka

Annexure 2: List of Class 3 and 4 Officials in Khagrachari District Council (*Zilla Parishad*)

Designation 3rd class	Indigenous	Non-indigenous
1. Kanungo	1	-
2. Computer operator	1	-
3. Kormo sohokari	3	1
4. Office assistant	3	-
5. Typist	2	1
6. Junior Auditor	-	1
7. Hisab sohokari	2	-
8. Hisab Rokkok	1	-
9. Ussoman Sohokari	2	-
10. Stenographer	1	1
11. Surveyor	1	-
Total	17	4
Designation 4th class	Indigenous	Non-indigenous
1. Electrician	1	-
2. Mechanic	1	-
3. Mali	-	1
4. MLSS	5	2
5. Jomadar	-	1
6. Orderly	1	-
7. Prohori	1	-
8. Bartabahok	1	-
9. Chokidar	-	8
10. Sweeper	-	1
11. Driver	2	5
12. Duplicating operator	1	-
13. Chainman	2	-
Total	15	18

Source: Fieldwork, 2013

Annexure 3: List of Officials and their Nationalities in Ministry of Chittagong Hill Tracts Affairs (MoCHTA)

Sl	Name	Designation	Ethnic Identity	
1	Bir Bahadur Ushwe Sing MP	Honorable State Minister	Jumma	
2	Naba Bikrom Kishore Tripura ndc	Secretary	Jumma	
3	Md. Samsuzzaman	Additional Secretary (Development)	Bengali	
4	Md. Kamal Uddin Talukder	Additional Secretary (Admin)	Bengali	
5	Priya Jyoti Khisa	Joint Secretary	Jumma	
6	Manik Lal Bonik	Joint Secretary	Bengali	
7	ABM Nasirul Alam	Joint Secretary	Bengali	
8	Sudatta Chakma	Joint Secretary	Jumma	
9	A S M Shahen Reza	Deputy Secreary	Bengali	
10	Kaji Anowarul Hakim	Deputy Secretary	Bengali	
11	Subinay Bhattacharya	Deputy Secretary	Bengali	
12	Bidushi Chakma	Deputy Secretary	Jumma	
13	Ms. Tania Khan	Senior Assistant Chief	Bengali	
14	Farhana Hayat	Senior Assistant Secretary	Bengali	
15	Mst. Nazneen Sultana	Senior Assistant Secretary	Bengali	
16	Mohammad Razib Siddique	Private Secretary to Secretary	Bengali	
17	Jatan Marma	Private Secretary to the State Minister	Jumma	
18	Md. Nurul Islam	Assistant Secretary	Bengali	
19	Md. Alauddin Chowdhury	Assistant Secretary	Bengali	
20	Md. Sadek Hossain Chowdhury	Assistant Private Secretary to the State Minister	Bengali	
21	AHM Zulfikar Ali	Public Relations Officer	Bengali	
22	Salma Begum	Chief Accounts Officer	Bengali	
23	Md. Tajimul Islam	Accounts Officer	Bengali	
24	Md. Nazrul Islam	Personnel Officer	Bengali	
25	Kazi Mohammad Mainuddin	Administrative Officer	Bengali	
26	Md. Solaiman	Personnel Officer	Bengali	
27	Md. Alomgir Hosen Hawlader	Administrative Officer	Bengali	
28	Md. Azam Khan	Administrative Officer	Bengali	
29	Md: Ali Akbar	Administrative Officer	Bengali	
30	Md. Sultan Mahmud	Administrative Officer	Bengali	
31	Md. Azizul Islam	Administrative Officer	Bengali	
32	Sabina Yasmin	Personnel Officer	Bengali	
33	Md. Delowar Hossain Sharif	Personnel Officer	Bengali	
34	Md. Rezaul Haque	Personnel Officer	Bengali	
35	Md. Neous Morshed Mithu	Personnel Officer	Bengali	
36	Md. Humayun Kabir	Assistant Accounts Officer	Bengali	
37	Md. Sordar Habibur Rahman	Steno Typist	Bengali	

38	Mohammad Mustak Ahmed Shakil	Steno Typist	Bengali	
39	Md. Humayun Khalid	Steno Typist	Bengali	
40	Md. Tanjin Sikder	Cashier	Bengali	
41	Md. Aminul Islam	Data Entry Operator	Bengali	
42	Md. Jiyaur Rahman Akand	Computer Operator	Bengali	
43	Munira Akter	Office Assistant cum Computer Operator	Bengali	
44	Md. Amzad Hossain	Office Assistant cum Computer Operator	Bengali	
45	Md. Azazul Haque	Office Assistant	Bengali	
46	Md. Anower Hossain	Office Assistant	Bengali	
47	Salimul Hoque Chowdhury	Office Assistant	Bengali	
48	Kolpona Chakma	Office Assistant	Jumma	
49	Md. Sirajul Islam	D R	Bengali	
50	Md. Rabiul Islam	Photocopy Operator	Bengali	
51	Md. Saif Uddin Ahia	Office Subsidiary	Bengali	

Source: http://www.mochta.gov.bd/site/view/officer_list/Officer's-List

Annexure 4: Snapshots from Chittagong Hill Tracts

Photo: Signing ceremony of CHT Peace Accord 1997
Source: Ministry of CHT Affairs, Dhaka

Photo: Army check post in Lamuchari Village
Source: Fieldwork, 2013

Photo: Bengali-owned shop, Mahajan Para
Source: Fieldwork, 2011

Photo: Lamuchari Army Development Work
Source: Fieldwork, December 2015

Photo: Jumma people in their home, Lamuchari Village
Source: Fieldwork, March 2013

Photo: Military camp in CHT
Source: Fieldwork, 2013