

## **Institutionalizing Autonomy: South Tyrol as a Model for India's North East?**

### **A Report on the Study Visit**

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The report is based on a study visit conducted in Italy - particularly in Bolzano and Venice – in August-September 2009. The visit was hosted by the European Academy (Eurac) and the study was conducted in the framework of Eurasia-Net project. The preliminary findings were presented to an in-house seminar on 'Autonomy Issues in Europe and South Asia' on 8 September in 2008. Eurac has been instrumental in providing important contacts to me facilitating my visits in many more ways than I had anticipated and I have drawn generously upon the help and advice of my colleagues in Eurac. The report seeks to place on record my immense indebtedness to Eurac.

### **The Inquiry**

My study visit focused on two very important sets of questions: First, is South Tyrol to be considered as an 'exception'? How successful have the experiments of duplicating it have been? Even if this 'model' was sought to be 'exported' to other parts of the world, why does its duplication turn out to be so difficult? Why do the principles of 'shared sovereignty' become a difficult proposition particularly in the context of the Kashmir problem and the ongoing Indo-Naga Peace talks in India? What lessons in terms of policies and institutions do the comparisons offer us? The comparison is expected to offer new insights into the already available theories of state and nation building with which the minority question is inseparably tied up and the designing of possible policies towards them. Such policies, instead of mechanically applying the model to the otherwise alien contexts, need to be sensitive to the ground realities and are expected to improvise accordingly. Secondly, given that a good number of ex-immigrants are already 'settled' in South Tyrol (Italy), can they be considered as legal-juridical personalities (or even the 'minorities') much in the same way as such groups as the Germans, the Italians or the Ladins are? What does this labeling do in terms of the quality of protection they enjoy? The study proposed to make a primary exploration into the protection mechanisms that are in operation for the ex-immigrants in South Tyrol particularly Bolzano.

These two sets of questions reflect a critical lack of research in these two areas. Although such issues as ethnicity, minority, marginality, rights and justice have always been central to many of the writings and research in Europe and South Asia, never have they been informed by any comparative understanding of sorts particularly with the minority landscape existing in Europe. In most cases, such comparisons have been limited to parts of South Asia in general and India in particular. We realize that a

European perspective is urgently called for and the study visit gave me an opportunity of comparing cases of South Asia with the ‘model’ cases of Europe – South Tyrol in particular - and vice versa. While studies restricted to South Asian cases have been accused of being in the nature of ‘comparing only the comparable’ for the countries have passed through roughly the same historical experiences of state and nation building - aptly summed up by the catchword namely ‘postcoloniality’ - Europe would offer a refreshingly different perspective on the history of minorities and how the states have responded to them. Although comparisons of cases across the regions of South and South East Asia or even the USA and Puerto Rico have been made, we are yet to come across any comparative study of the minorities of India including India’s North East with those of any of the European countries. While Europe has been historically more proximate to us thanks to our colonial exposure, it is interesting to find out why it has not been an effective site of comparison insofar as the minority question is concerned. Perhaps the stereotype of a Europe consisting of ‘homogeneous’ nation-states continues to persist in our minds. While India is commonly perceived as a ‘civilization-turned-nation’, Europe is often considered as basically a single civilization consisting of many nation-states. The comparisons will shed light on the very different processes of state and nation building and the question of minorities is very closely connected with them. It is only by way of comparing the cases that we may learn whether South Tyrol as a model case can be applied to the Indian context and if yes, how far or to what extent.

Besides, India is presently passing through what I prefer to designate as a grave institutional crisis. There is the growing realization in policy circles that old responses to the problem of minorities - whether through extraordinary legislations and state coercion or through cooption and selective doling out of economic benefits and political patronage - will not do. In many parts of the North East, the Government of India has entered into ceasefire ‘suspension of operations’ agreements with most of the prominent insurgent groups. The National Socialist council of Nagalim (Isaac-Muivah) – considered as one of the strongest insurgent groups in the region has been in a ceasefire mode since 1997. This is the time for experimentation with newer institutional alternatives. But new responses are yet to shape up. The ceasefires or suspension of operations seem to be more prolonged than expected and early signs of fatigue are setting in, in the minds of the people. Some of the insurgent groups already in ceasefire mode by all indications have lost their credibility in public eyes. The prime minister of India has recently called for thinking in terms of ‘out of the box solutions’. It is in this context, South Tyrol experience – that is otherwise showcased as a success story – offers us insights and help us in articulating our responses. This will obviously bring in new inputs to the already raging debate.

### **South Tyrolean Model**

South Tyrol has been showcased as a model with the potential of being ‘exported’ to other parts of the world. For reasons of space, we are unable to dwell at length on what the model is all about. While much has been written on the content of the model, for our purpose it will be relevant to recall that the model essentially consists in (a) a realization

that the population of South Tyrol is highly multinational comprising the Germans, the Italians and the Ladins mainly concentrated in the Ladin valley and (b) they must be represented in the public offices exactly in terms of their respective percentages in the total population and (c) the languages of three groups will be recognized in education, in public services etc. Often it is sarcastically said that the South Tyrolean model is a partition model rather than a model for social integration.

As I conducted my study visit that included among other things a visit to the *Suditiroler Landtag*, I developed a fairly good idea of the intricacies that are involved in the model. What struck me is that the model – unless substantially modified – cannot be mechanically applied to the alien context of India's Northeast. I see three major problems: First, it assumes that there are *only* three groups that can be easily identified and need to be represented in the provincial legislature or in other public spheres. It for example remains silent on the issue of other ethnic communities and their representation in the structures of decision-making or other areas. The Special Statute of *Suditirol* does not enumerate or take into consideration any other group or community living within the territorial jurisdiction of South Tyrol. They remain not only un-enumerated but unrepresented in the public sphere. In simple terms, the model freezes off these ethnic communities and refuses to accept any new entrant. There are problems with this assumption. In the context of India's Northeast, the number of ethnic communities is high and it contains one of the most diverse populations in the world. The region accounts for one of the largest concentrations of tribal people<sup>1</sup> in the country - constituting about 30 percent of the total population - though with a skewed distribution of over 60 percent in Arunachal Pradesh, Manipur, Meghalaya, Mizoram and Nagaland taken together. With the only exception of Kerala outside it, three states of the region - Nagaland, Mizoram and Meghalaya contain an overwhelming majority of Christians (90.02, 87 and 70.03 percents respectively). Yet Christianity could hardly serve as a social glue that could hold the population together. The region is characterized by extraordinary ethnic, cultural, religious and linguistic diversity, with more than 160 Scheduled Tribes belonging to five different ethnic groups and over 400 distinct tribal and sub-tribal groupings speaking about 175 languages, and a large and diverse non-tribal population as well concentrated mainly in Assam and Tripura. In short the population of the Northeast is too heterogeneous and diverse to be represented in the public sphere in terms of their proportions. Besides some ethnic communities like the Aka, the Chakma and the Nocte etc. are simply unenumerable. While over the years, such smaller communities of the Northeast have shown a tendency of being clustered around some larger groups and communities. Thus to cite an instance, the Nocte themselves do not consider them as the Nagas while one of the major Naga insurgent groups now in the ceasefire mode with the Government of India makes the point that the Nocte should be included in the larger Naga group of tribes. In cases where the drawing of the boundary remains problematic, such consociational representation as shown in the South Tyrolean model is not only difficult but simply impossible. Moreover, the model does not address the issues of minorities within the minorities or even the cases of individual dissent. Art. 6 of the Assam Accord (1985) that underlines the importance of special measures for the

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<sup>1</sup> Such words as 'tribe' and 'tribal' are widely used in India both in official circles and popular parlance without any of the necessarily pejorative connotations that are usually associated with them.

protection of the identity of the ‘Assamese people’ is believed to be at the root of many a bloodbath and ethnic violence in Assam.

Secondly, the model emphasizes more on representative character of public institutions than on their efficiency or effectiveness. The multilingual nature of the institutions may be a liability than an asset. In one study I conducted in the Indian context, I found out that sometimes the correlation might actually turn out to be of inverse nature. The accommodation of otherwise conflicting groups in the same public institutions cuts into the institutional and public ethos and deals a body blow to institutional well being.

Thirdly, the South Tyrolean model is based on some kind of a bilateral guarantee offered by the two states of Austria and Italy. On the question of Bangladeshi immigration to India’s Northeast, such a guarantee is impossible to attain. For, unless both states are similarly worse-off, they are unlikely to reach an agreement. The immigration from Bangladesh is construed as the convenient way of dumping the ‘excess’ population on India. Whenever India sought to broach the issue with Bangladesh, the latter continued to maintain its Alice-in-wonderland policy that not a single Bangladeshi is settled in India. Unless India has some way to make Bangladesh understand that there was problem of Bangladeshi immigration, the two are unlikely to come to an agreement. In fact, many political parties in India too have a vested interest in allowing the Bangladeshis to migrate to India and join their vote banks and thereby keeping the problem alive.

### **The Methodology**

About 1000 Bangladeshis are settled in Bolzano and they hold work permits which enable them to work there for a fixed tenure. The tenure is subject to renewal; if any one of them is found to remain after the expiry of one’s work permit, one is liable to punishment. I have randomly collected a sample of 25 households and more than 70 individuals, some of them not exactly belonging to the households – but all of them ex-immigrants from Bangladesh since the 1990s. The general pattern of the Bangladeshis living in Bolzano is that the able-bodied comparatively young men come and settle in Bolzano and gradually once they get themselves ‘reasonably’ well-settled, they bring in their wives and children and few of them marry local women. All of them have a living linkage with their joint families in Bangladesh and keep visiting the country once in two years or even more frequently depending on whether they have been able to save some money and are able to finance their to and fro trips. Women and children do not work outside their households; at least I have not seen them working excepting helping their husbands and parents in rush hours. But even then they do abstain from manual labour.

Bangladeshis while talking to me refused to be named in the report. Their disclosures – they feared – might be used in ways detrimental to their stay in Italy. They may not be legally brought to book for whatever they say but, they definitely apprehend that any voicing of grievance particularly by an individual might go against their interests. The report carefully avoids their names although in one or two cases, I have

been allowed to use their names. I spoke to them in Bengali although the dialect used in West Bengal is different from the one these people speak. Most of the men whom I had interviewed can speak Italian fluently and at least some of them know one more European language – German or Swiss – other than Italian and of course English. My Bengali did not bring in any additional advantage for me - reinforcing my finding that Bangladeshis prefer to organize them around their Bangladeshi and not Bengali identity. The common Bengali identity – notwithstanding our dialectal differences - could have been a convenient step to the sewing of a larger South Asian identity.

The immigration of Bangladeshis to Bolzano has been happening since the mid-1990s. There is no evidence of Bangladeshi settlement in the city before 1990. At least that is what my small survey tends to suggest. Of the 25 households interviewed for our study, only 2 had come straight from Bangladesh. The rest were already settled in other parts of Italy – Rome and Venice in particular and then migrated to Bolzano for better economic opportunities. Most of them have fairly long experience with Italy – but certainly not too long to take more than one generation. All these households have been first generation settlers. Rome and Venice being two most well-known and favoured destinations of the Bangladeshi immigrants have already become too ‘crowded’ to accommodate newer immigrants. Job opportunities have shrunk substantially in these already crowded cities. It is once they are in Rome or Venice that they come to know of Bolzano and after one or two initial visits, they try to settle there. In most cases, it is some sort of chain migration in the sense that Bangladeshis settled initially rope in other fellow Bangladeshis – sometimes from the same villages or at least from the same district. As we will have occasion to see later, district ties are very strong amongst the Bangladeshis of Bolzano.

The interviews were conducted in a more or less informal setting and obviously in an unstructured fashion. I did not have any lead questions so to say – as my familiarity or knowledge of the Bangladeshis settled in Bolzano were not enough to frame questions in an a priori way that would have been relevant for the study. These interviews were long – in one example taking more than 3 hours and were pointers to further information about them. While knowing fully well that there were no explicit mechanisms of protection for the Bangladeshi immigrants or for that matter other un-enumerated minorities (other than the Germans, the Italians and the Ladins), how do they negotiate with the apparently difficult conditions? The answer to this question – as I found out - lies in the fact that (a) there is a rule of law in the country and an ethos that confers on labour its dignity - which seem to protect them even in these difficult situations and (b) there are albeit informal and even formal ties and networks that extend to them good support in times of need.

### **Rule of Law and the Dignity of Labour**

The city of Bolzano is small and police vigilance is intense. All immigrants are legal and illegal immigration, I am told, ‘is next to impossible’. While it will be very difficult for them to obtain a rented accommodation in Bolzano, things will be ‘taken care of’ once they can manage one. Even if they cannot pay up the rent, they cannot be arbitrarily

thrown out without the due process of law. If a suit is filed and one is sent to jail after the court verdict comes out, the ‘poor’ Bangladeshi immigrant will be most ‘happy’, for, he will be spared of the drudgery of earning his livelihood and yet will get ‘good food’ inside the jail. I found out that - not special protective mechanisms but the rule of law per se can be a factor that attracts the poor and destitute immigrants from the poorer countries to the developed countries of the West even when they are most unwelcome and there are no special protective mechanisms for them.

The kind of work most of the Bangladeshis do in Bolzano (like dishwashing, serving food in the restaurants and hotels, cleaning and washing etc.) is considered as too lowly in status back home in their own country. The case becomes all the more desperate when we see people who have some social standing and enjoy social respect, faced sudden and unanticipated reverses of fortune in their country (say cyclones and submergence of their homes and cultivable land, political upheaval and loss of livelihood etc.) and who are unable to command the same respect insofar as they face these reverses. This status dissonance is central to out-migration. At one level, Bolzano gives them the much-needed anonymity. But, at another level, dignity of labour that is otherwise very common in Western societies provides them with some sort of comfort and no job is considered too lowly to be hated and detested. Restaurant job does not invest one with the same status that one receives in Bolzano.

### **Social Ties and Networks**

Many of the Bangladeshis whom I had interviewed were opinion leaders and organizers of the Bangladeshi nationals living in Bolzano and almost all Bangladeshis whom I interviewed have been in touch with each other and almost know each other personally and by names. This means that they prefer to mix with the fellow Bangladeshis and do not seem to be particularly interested in broadening their network and building ties with other South Asians including few Indians, Nepalis, Kashmiris mostly hailing from the Pakistan-administered part so on and so forth.

Bolzano is a partitioned city in all senses of the term. The interaction between the Italians and the Germans is apparently difficult as these two groups live in two geographically distinct spaces – although I have been told that with increasing population pressures, such apportioning of spaces becomes more and more difficult. During the early years of their settlement, the Bangladeshis faced racist abuses of verbal sort – not a single case of physical abuse was reported at least to me. Heavily racist words were hurled against them and all of them agreed that since they were desperate, they did not get themselves bothered by them. In workplaces, they thought that they had been subject to racist discrimination. In simple terms, they allowed themselves to be ‘abused’ insofar as the abuse was of verbal nature and did not really physically hurt them. “What will we do?” – mused one of my interviewees – “when we do not have any alternative place to go. We cannot go back to our country. We will starve and our families will die if we go back. Our back is pushed to the wall.” Thus, notwithstanding the racism that is inherent in such situations, there was hardly any case of retaliatory violence. But everyone agrees that the intensity has substantially reduced now. Significantly, racism, according to them,

has not completely gone off. I have personally not faced any difficulty. In all cases and without any exception people have been extraordinarily helpful and amiable. My free and unescorted visits in Bolzano did not pose any problem for me. But my study visit was of short duration. As one settles oneself and starts enjoying the economic opportunities that might have gone to any of the locals, xenophobic reactions are not unlikely.

Most of the Bangladeshis whom I have interviewed serve as cooks and chefs mainly in medium-sized restaurants, service persons, dishwashers, manual workers etc. One household runs a restaurant and in the said sample I have not seen anyone who is a doctor or a teacher or a professor etc. Although mostly concentrated in restaurants and hotels, their incomes vary depending on the location, size and scale of the restaurant or hotel they work with, the nature of skill required in order to do the job so on and so forth. A chef or cook's job is highly skilled (for example it is a Category III job as I am told) and in the official categorization of the immigrants, skilled labor is assigned higher category than the unskilled one is. But since the sample is randomly collected, the possibility cannot be completely ruled out. In one instance, I have been able to come into contact with a young solitary Nepali – who is a doctor working in a local hospital. It is interesting to note that a country like Nepal that is widely known for the worldwide out-migration of cheap and unskilled labour does not send even a single one of its ilk excepting the one whom I had met - to the city of Bolzano. It is difficult to explain why one witnesses Bangladeshi immigration more than Nepali immigration – if at all. In course of my work, I have not been able to ascertain the exact number of Nepali settlers in Italy as a whole.

The social life of the Bangladeshi immigrants is organized around the restaurants and hotels they work with. Fellow Bangladeshis come to meet them and there are appointed hours in the month when many of them meet and share information about their country and of course the problems they face in Bolzano. I was given interviews in some of these restaurants and hotels and I was treated with specially prepared German or Italian cuisines innovatively adapted to suit a Bengali palette. In some cases, they gave interviews while working at the same time. The one restaurant that is run by two Bangladeshi brothers is certainly not all that trendy and up-market one. The prices are comparatively cheaper and it is significant that the place is visited not so much by the Italians and the Germans but by other immigrants including the Africans and Albanians. While I have argued that the social network of the Bangladeshis does not extend beyond their own community and South Asia does not appear to figure in their imagination while forging the unity, they are not averse to the idea of broadening their ties to include their distant cousins – the other immigrants. Is it because they view South Asians as competitors? They publicly deny it – although the Africans and the Albanians do not chase after the same jobs.

Although all Bangladeshis in the said sample keep social relations with each other, the relations gravitate around the districts of Bangladesh they hail from. I had the chance of visiting Dhaka Zilla Bangladeshi Samity Bolzano. It is not that Bangladeshis from outside the district of Dhaka cannot attend the sessions of the Samity. But surely one feels that one is not as much welcome. Similar Samitys also work in Bolzano

consisting of Bangladeshis from districts ranging from Sylhet to Chittagong, from Mymensingh to Khulna, so on and so forth. Some Samityes do not have more than five members.

The Bangladeshi Development Society that apparently looks after the interests of the Bangladeshis cutting across the divisions of districts took the initiative of setting up a mosque in Bolzano. It created its problems and eventually they were denied permission. The tall minarets of the mosque, as one Italian citizen of Bolzano told me on condition of anonymity – ‘look highly arrogant and the timely calls for prayers vitiate the tranquility and serenity of the surroundings. Young people flock in, in numbers and the amassing of so many Muslims in one place itself poses a threat to our safety and security’. Although there are mosques in other parts of Italy (Rome is where the largest mosque of Italy is located), provincial administration of Bolzano has been very strict and does not allow them to establish one there. They have to pray inside their homes. Even their demand for a crematorium has not been met. Burying the dead as per the Islamic rites has been really difficult.

Marrying ‘white women’ is the surest way to acquire citizenship. But as one argues, ‘this proves to be disastrous too’. In my sample, I have not come across anyone who has married an Italian citizen, although there are some examples of Bangladeshi men going steady or living together with Italian women. In Bangladeshi circles, interestingly the Italian women are referred to as ‘white women’ and when ‘white women’ desert the Bangladeshi men and their children bearing Muslim names, they are left at sea. I have been informed of such examples and the fear of having to encounter such a plight generally keeps them away from marrying ‘white women’. On the other hand, I had the chance of interviewing an Italian girl who is about to marry a Bangladeshi man. She has a view of marital tie, which is neither eternal nor inseparable. In case, the marriage does not suit either of the partners, then it will be a crime on their part to continue to live together and be bound by the marital tie. While Bangladeshi men look upon marital tie as a passport to citizenship, the ‘white women’ sees this as a contract that can bind them in case any of the parties violates or breaks it.

There is nothing like measuring the conditions of the immigrants with the help of absolute standards. The condition of the Bangladeshis in Bolzano may appear to be worse than the three enumerated communities of the Italians, the Germans and the Ladins or even some of the immigrants groups like the Polish or the Albanians. But when compared with (a) their desperate condition at home; (b) the prevailing rule of law and the kind of dignity attached to labour in the Western countries in contradistinction with their own country and (c) the social ties and networks that they set up for their own community support, immigration continues to be an option even in a world when Europe reportedly turns into a ‘fortress’ and shuts off its doors for others.