

# **Democracy reigns supreme in Sikkim?**

## **A long March and a short visit strains democracy for Lepcha marchers in Sikkim**

Kerry Little

*Arundhati Roy, when writing about the Narmada dam said: 'It's possible that as a nation [India] we've exhausted our quota of heroes for this century, but while we wait for shiny new ones to come along, we have to limit the damage. We have to support our small heroes. (Of these we have many. Many.)' (53).*

*This is a story about small heroes and another dam on another Indian river - the Teesta river in north-east India. It is a contemporary story about traditional people - the indigenous Lepcha people of Sikkim and West Bengal - who are fighting to stop their sacred homeland being destroyed by mega-dams, built for hydro-electricity. The Lepchas are fighting Big Government and Big Development and in fighting to save the river have also had to fight for their democratic right to pilgrimage and protest.*

### **Introduction**

On 10 August 2007 the Information and Public Relations Department of the Government of Sikkim issued a press release condemning a newspaper article from the day before which had questioned democracy in the north-east Indian state of Sikkim. The press release stated that: 'Democracy ... not only exists in Sikkim but also reigns supreme ... there is total freedom of self-expression and right to criticise the Government both through press and speech, equal opportunity to all the citizens in all walks of life without any discrimination on the basis of caste, creed and faith, no ban of forming Association and holding of public meetings and rally, including hunger strike' (*NOW!*, 'Democracy reigns supreme' 1-2).

This defense of Sikkim's democratic credentials followed attention given to a protest by Lepcha activists who oppose the development of six mega hydro-electric dams on the Teesta river in their Lepcha reserve, Dzongu, in North Sikkim. The Dzongu dams are part of the Indian Government's 50,000 MW

Hydroelectric Initiative<sup>1</sup>; a program of dam construction designed to create another 200 billion cubic metres of storage throughout India (Dharmadhikary 28). The plan includes many dams in India's north-east. In Sikkim there are currently more than 20 dams forecast or in progress.

Three weeks before the State Government's press release, Lepcha protestors and members of the social activist group Affected Citizens of Teesta (ACT), had sat in front of Bhutia-Lepcha House (BL House) in Gangtok (the state capital) and commenced an indefinite hunger strike<sup>2</sup>. The hunger strikers attracted blanket media coverage and support from within and outside Sikkim, and through their non-violent action shone a light on government process and probity in relation to the dams, disrupting the State Government's plans for a smooth and trouble-free implementation of the projects.

Since early 2006 I have recorded traditional and contemporary narratives of Sikkim's indigenous people, the Lepcha. I ask elders for their memories of stories told to them by their parents and grandparents. From the youth, I ask questions about belonging, identity and what it means to them to be Lepcha. I am examining whether young, modern Lepchas, who are influenced by the more dominant Nepali culture in Sikkim<sup>3</sup>, are still culturally connected to their traditions. Early in my research, I met the young Lepcha activists from ACT; the self-described 'first educated generation' of Lepchas. It is these educated, English-speaking Lepcha youth - many of whom were schooled at colleges and universities in the larger Indian cities and who now spend much of their time in Gangtok - who traverse tradition and modernity. Their education gives them the sophistication to create a protest narrative that incorporates ownership, tradition, culture, religion and concern for the environment. They deploy their mythology as a protest narrative in order to affirm the sacredness of their land. By telling Lepcha traditional stories that 'prove' the sanctity of Dzongu they are, in one way, giving me answers to my questions about their connection to Lepcha identity. In trying to save their land, they are, in many cases, concurrently bonding with their culture. I don't know exactly how much impact the threat of losing their culture has had on their desire to live it, but I suspect it may be a catalyst for saving it.

Lepchas were the first inhabitants of the Himalayan land that connects north-east India, Bhutan, Tibet and Nepal. They live in Sikkim and its borderlands including the Darjeeling district of West Bengal (which includes Kalimpong

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<sup>1</sup> The 50,000 MW Hydroelectric Initiative was launched by the Prime Minister of India in May, 2003. 162 hydroelectric schemes have been identified with an aggregate installed capacity of 50,560 MW. They are located in sixteen Indian states. For more information: <http://www.powermin.nic.in>

<sup>2</sup> BL House is a large, run-down building on Tibet Road in Gangtok used by the Bhutia and Lepcha communities for meetings and events.

<sup>3</sup> Sikkimese of Nepali origin make up approximately 80% of the population. Lepchas represent less than 10 percent of Sikkim's population of 610,000.

and Kurseong), the Ilam district of Nepal and pockets of west and south-west Bhutan. There are approximately 45,000 Lepchas in Sikkim (State Socio Economic Census 61) and 70,000 outside Sikkim<sup>4</sup>. They have a shared history, language, and traditions and like other indigenous people who are a minority in the land they live in, they share the struggle to retain their identity against the influence of more dominant cultures, in particular Nepali culture in Sikkim and West Bengal.

In Sikkim, Lepchas make up 7.8% of the state's population of 581,500 (Government of Sikkim 61). However, in the sparsely populated north, where the Dzongu Lepcha Reserve is located, they are 37.47% - the largest ethnic group of the population. The 7,000 inhabitants of Dzongu are almost all Lepcha and practice Buddhism. They also include shamanistic nature worshipping rituals in their worship, conducted by Lepcha bongthings and muns - male and female Lepcha priests. For decades, most of them worked their land and farmed cardamom. However, now it is all but finished, partially replaced by ginger, mustard and oranges. Eco-tourism is emerging as a source of work for young Lepchas. Many educated Lepchas have government jobs outside Dzongu, in Gangtok or other parts of Sikkim.

Lepchas are widely known for their knowledge of botany and ecology and describe themselves as Mutanchi Rong Cup meaning 'Beloved Children of Mother Nature'<sup>5</sup>. They worship Mount Kanchenjunga, as their 'mother mountain'.

Their mountainous land contains dense forest, wild rivers and several hundred species of birds, butterflies and plants. Kanchenjunga National Park, which is partially inside the Dzongu Lepcha Reserve, is part of the Himalayan biodiversity hotspot<sup>6</sup>. Dzongu has for centuries been a quiet land. Its remoteness and status as a Lepcha reserve has both protected it from the march of development in other parts of Sikkim, and at the same time hindered the progress of the Lepchas living there for whom access to health and education has, until recent years, been difficult. The protest by Lepcha youth against the hydro-electric projects has broken the stillness of Dzongu. This small patch of rural Sikkim was rarely visited and rarely heard of, but during 2007 and 2008 when the Lepcha protest was at its most vigorous and most public, Dzongu was rarely out of the Sikkim news.

This Lepcha story is also a globalisation story, heard in many villages throughout the world. Around the world, the growing need for energy has brought

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<sup>4</sup> It is difficult to ascertain the true number of Lepchas for people with one Lepcha parent or grandparent may or may not identify as Lepcha. The numbers given therefore are official numbers given by the Indigenous Lepcha Tribal Association but cannot be verified beyond this source.

<sup>5</sup> The Lepchas' reputation for botanical and ecological knowledge started with the early British explorers who were often accompanied by Lepchas. It is repeated in contemporary writing on Sikkim and its people.

<sup>6</sup> <http://www.biodiversityhotspots.org>

development to wild rivers in remote places. The rush to development is often a test of democracy and when the people from these remote places act against the will of governments and big business their beliefs and rights are often forfeited.

This paper relates one story of how the Lepchas' protest has tested democracy in Sikkim, particularly during three days in April 2008 when people from outside Sikkim, who supported the protest, entered the small Himalayan state. First were the West Bengal Lepchas, followed by the well-known social activist and anti-dam campaigner Medha Patkar. These visits by 'outsiders' strained the fine thread of democracy that is woven through Sikkimese politics and revealed the inequity of justice that applied to the Lepcha protestors and pilgrims - Arunthathi Roy's 'small heroes' - who continue their battle for Dzongu.

### **Pilgrimage and protest**

It was the Lepchas from what is now the Darjeeling subdivision of West Bengal who were undertaking a pilgrimage to Dzongu in April 2008. It was organised by the Kalimpong-based Indigenous Lepcha Tribal Association which had a recent history of supporting ACT's protest against the dams. This had made them unpopular with the Sikkimese Government and they continue to be vocal opponents of the hydro-electric projects in Dzongu. Their support took the form of protest rallies, hunger strikes and on one occasion, a blockade of the National Highway (NH31)<sup>7</sup>.

However, this April 2008 pilgrimage was presented as a holy march, and included Lepcha elders, lamas and shamans. Perhaps the realisation that Dzongu was threatened had brought with it an urge to see their homeland. Most Lepchas who live outside Dzongu have never been there, although Dzongu under its original Lepcha name Mayel Lyang, meaning 'Land of Hidden Paradise', features prominently in their folklore, their literature and their prayers. Known in West Bengal as the 'utopia of Lepcha culture' (*Foning* 261). Dzongu has long been thought of by the Lepchas from West Bengal as a hidden place, and now they, along with the Sikkimese Lepcha activists, feared it might become a 'lost place'.

The West Bengal Lepchas, despite their geographical distance from Dzongu, felt compelled to save it. Lyangsong Tamsang-Lepcha wrote: 'No sensible Lepcha in this world can sit silently, their hands folded, and look at Dzongu, the holy land of theirs, being defiled, raped, disgraced and dishonoured today' ('Editorial' 5).

Anti-dam movements in India are populated by those directly affected by the projects and also by people from outside the dam sites and river basin. 'They

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<sup>7</sup> NH31 is the highway which links the hill towns to the plains and is often referred to as 'the lifeline of Sikkim'. Blocking it is a common form of protest in the hills, mostly by the Nepali community in the Darjeeling district who frequently block the highway to highlight their demand for a separate 'Gorkhaland' state.

are voluntary groups taking an active role in mobilising and organising popular action ... primarily motivated by the need to arouse collective consciousness and action against exploitation and oppression at the local level' (Swain 825-7). One of the most famous anti-dam protests in India's history is that against the development of 30 large, 135 medium and 3,000 small dams to harness the waters of the Narmada and its tributaries spearheaded by Narmada Bachao Andolan (Save the Narmada Movement)<sup>8</sup>. That movement gained support from people outside the affected areas in India and abroad and, under the leadership of Medha Patkar, an 'outsider' from Mumbai who first went to the Narmada Valley as a social worker and became an advocate for the residents affected by the dams, the Narmada development received international attention. The attention led to the World Bank and the Japanese Government, key investors in the projects, withdrawing their funding.

The battle for the Narmada River, which flows through the Indian states of Madhya Pradesh, Maharashtra and Gujarat, is being fought mainly on the grounds of human rights, in particular opposition to the displacement of hundreds of thousands of villagers. In Sikkim, displacement is not the main issue as Dzongu is sparsely populated and there is no call for relocation of villagers. According to ACT, environmental and cultural sustainability are more at risk, as are the many places in Dzongu which are sacred pilgrimage sites for Buddhists.

The West Bengal Lepchas also campaign against the projects on the grounds that Dzongu is a sacred land for Lepchas. Like the Sikkimese Lepchas, the West Bengal Lepchas are appropriating their mythology to strengthen their protest narrative. When members of Rong Ong Prongzom, the youth arm of the Indigenous Lepcha Tribal Association, blocked National Highway 31A to protest the projects, one of the organisers, Azuk Tamsangmoo Lepcha, said 'Dzongu is a holy place, where our age old culture and traditions are still intact. We believe that our souls rest here after death. We will not tolerate any dislocation and threat to this place' (*New Kerala*).

The protest from the West Bengal Lepchas gave the Dzongu campaign enormous strength, for the Indigenous Lepcha Tribal Association's committee members are experienced campaigners in relation to Lepcha affairs in West Bengal and have relationships with ministers and bureaucrats in the Central Government<sup>9</sup>. They are also well organised and able to spread the activists' message beyond the West Bengal-Sikkim border. For the Sikkim Government, used to keeping matters about Sikkim inside Sikkim, this has been confronting. The State Government's rhetoric to the Central Indian Government is that Sikkim is a peaceful state,

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<sup>8</sup> For more information on the Narmada movement refer to <http://www.narmada.org>

<sup>9</sup> The ILTA has for many years lobbied the West Bengal and Central Indian governments for recognition of Lepcha language in the Darjeeling district and for it to be taught in schools as it is in Sikkim.

one of the few states along the north-east mountain block where there isn't any internal unrest. The Central Government has a strong army presence in Sikkim, situated along the borderland of Tibet, where some lands are disputed territories. And, as Sikkim receives a high level of funding from the Centre - many say a disproportionate amount compared to other states when considering the size of Sikkim<sup>10</sup> - the State Government is naturally protective of its image in New Delhi where defense and funding decisions are made and where, according to the Governor in his 2008 budget speech, it enjoys the status of 'one of the best performing states in India'. The Governor said the achievement was possible because 'we are an insurgency free state with no communal and religious tensions. The peace and tranquility has, therefore, been the most important factor which has accelerated the development process in our state' (Agarwal).

Any sign of tension in the state is, therefore, troubling to this Government which has built its reputation on its ability to maintain peace and harmony. The Lepchas' protest has always been peaceful, and they have long enjoyed a reputation as peaceful people<sup>11</sup>. However the Government's rhetoric throughout the campaign - particularly in relation to the hunger strike - often urges the Lepchas to discontinue their protest 'for the sake of peace and tranquility in the state.' Peace and tranquility can be translated to mean 'Central Government praise and funding', for the words have in effect become a propaganda slogan for a Government intent on communicating its good management of Sikkim's affairs to those in Sikkim and, possibly more importantly, to those outside the state, in particular Central Government bureaucrats and Ministers in New Delhi.

As Indian citizens, the West Bengal Lepchas do not require a permit to enter Sikkim. However like everyone who is not from Dzongu they require permits to enter this area - the destination of their pilgrimage - and these permits are obtained from the Sikkim Government. Lyangsong Tamsang-Lepcha wrote to the Chief Minister of Sikkim, Pawan Chamling on 8 February 2008 requesting permits for the pilgrims. His letter did not mention the power projects or the protest. He first offered detailed information about Lepcha culture, language and rituals and then informed the Chief Minister of the visit. He did not ask permission for the march but, perhaps foreseeing an objection, chose instead to quote the Indian Constitution as a reminder of his rights.

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<sup>10</sup> This is a frequent observation by Gorkhaland supporters who complain that Sikkim receives far more funding than they, as part of West Bengal, receive.

<sup>11</sup> The Lepchas' reputation as peaceful people was much lauded and written about by the early British explorers and officials who visited Sikkim before India's Independence. It is a label that the many Lepchas have adopted. However, the Sikkimese writer Pema Wangchuk in his thoughtful paper, 'Some issues in the early British construction of Sikkimese history', delivered at The Golden Jubilee Conference of the Namgyal Institute of Tibetology, Gangtok, Sikkim, 1-5 October 2008, rejects this assertion. Wangchuk argues that 'the Lepchas, as a people, have been forward looking, ambitious and even aggressive throughout what we know of Sikkimese history'.

Lepchas from different parts of the Indian Republic have decided to undertake a pilgrimage trip/tour to Dzongu Reserve, for the purposes of performing our traditional rites, ceremonies in the sacred, holy places located in Dzongu ... We therefore request you, Sir, to extend your co-operation and direct the District Collector, North Sikkim, to issue entry permits for a period of ten days during the course of which we would like to associate ourselves with our holy places in Dzongu...we trust you will appreciate our sincere intentions and thus honour and uphold our constitutionally guaranteed rights and freedoms under Articles 19 and 25 of the Constitution. (Tamsang-Lepcha, Letter)<sup>12</sup>

Article 19 of the Indian Constitution concerns the right to freedom and states that all citizens have the right to freedom of speech and expression, to assemble peaceably and without arms, to form associations or unions, to move freely throughout the territory of India and to reside and settle in any part of the territory of India. Article 25 concerns the right to freedom of religion and the protection of human rights regarding freedom of speech and conscience, and freedom of profession, practice and propagation of religion.

Lyangsong Tamsang-Lepcha's letter and its reference to the Indian Constitution contained a carefully constructed message to Pawan Chamling; permission to enter Sikkim wasn't for the Sikkim Government to grant, and to withhold permits to visit Dzongu would contravene the Constitution. It would therefore, be undemocratic to try to stop the pilgrimage.

### **Insiders and outsiders**

Sikkim is in some respects a society of insiders and outsiders. The varying status accorded to its people forms a patchwork of 'rights' which stem from its history as a Kingdom ruled by a Bhutia King who wanted to ensure that the rights of the first Sikkimese subjects - Lepchas, Bhutias and early Nepali settlers - were protected when Sikkim merged with India in 1975. There are different tax arrangements for 'Sikkimese Individuals' and 'non-Sikkimese Individuals'. Some may sell land to whomever they please, others may not. Some can enter all of Sikkim; others need special permits for certain areas. Some hold Nepali citizenship, some may not marry a non-Sikkimese and keep taxation-related and social and financial benefits. Some are members of scheduled tribes; others wish to be to avail themselves of the social and financial benefits this brings.

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<sup>12</sup> The letter from Lyangsong Tamsang to Sikkim's Chief Minister is reproduced in Aachuley magazine 12.1, April 2008, published by The Lepcha Literary Organisation, Kalimpong, pp. 24-29.

The Lepcha Association in Sikkim has applied for ‘primitive tribe status’ which would recognise their indigenous connection to Sikkim and therefore accord them the status of ‘first insider’<sup>13</sup>.

Within Sikkim, groups position themselves as insiders in order to gain political leverage, their insider status strengthened by their tribal tenure on the land. The insider/outsider frame is a common measure of someone’s identity and rights in Sikkim.

Prior to the 1973 agitation against the monarchy and consequent elections in 1974, Sikkim’s elections were held under a system of balanced representation of different communities based on the principle of ‘communal parity’. Ranjan Gupta noted that the parity formula was ‘bitterly resented’ by the Nepali Sikkimese, for a successful candidate for the State Council had to obtain at least a minimum of 15% of the votes from a community other than his own.

In addition, under the election rule proclaimed in March 1953, the Sikkim Council consisted of six Nepalese members, six Bhutias and Lepchas and five members nominated by the Chogyal ‘in his discretion’. The declared object of this system was to safeguard the rights of the minorities. But the political parties argued that it was really intended to stop a predominantly Nepalese majority Government from taking office. (786-98)

The agitation for more representative government was successful, reflected in the 1974 election which was held under the guidance of the Chief Election Commissioner of India and which effectively ended the parity formula. The National Party, predominantly Nepali Sikkimese, long treated as outsiders despite their majority numbers in Sikkim, won a clear majority and the King, who remained the secular and religious head, was sidelined. The outsiders had become insiders and were now running Sikkim. The following year, Sikkim joined the Indian Union.

Sikkim’s history and the shifting ground under the feet of various rulers and leaders hold significance in contemporary political and social debate. While the official message is one of communal harmony, the status and special concessions for various tribes is an important thread running through Sikkim’s political narrative. The Sikkim Bhutia and Lepcha Association (SIBLAC), when arguing for the rights of Bhutias and Lepchas, regularly cites Article 371F of the Indian Constitution which allows for special provisions with respect to the state of Sikkim including: that the privileges of the Lepcha-Bhutia groups are assured as minorities, that their rights and interests will be protected and that the

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<sup>13</sup> This move has not been welcomed by all Lepchas. Those opposing the application believe that the label of primitive tribe counters their progress.



Government of Sikkim make provision for the number of seats in the Legislative Assembly of the State of Sikkim for them<sup>14</sup>. When supporting the Lepcha protest against the dams, SIBLAC often refers to the ‘protectionery [sic] provisions in the Indian Constitution viz, Article 371F’ (SIBLAC)<sup>15</sup>. Similarly, they often reference this Article when putting their case against what they describe as ‘displacement and dilution of the Indigenous minority tribal Bhutia-Lepcha people of Sikkim’<sup>16</sup>.

When people enter Sikkim from outside the state it allows everyone living within the state to become rhetorical ‘insiders’, for the Government often uses the insider/outsider frame to discredit the opposing views of those from outside Sikkim. The ‘dangerous outsider’ threat is often invoked and the pilgrimage by Lepchas from West Bengal to their Dzongu holy land was met with suspicion. The Sikkim Government painted them as ‘outsiders who spread false and misleading propaganda’ and who ‘risk the peace and tranquility of Sikkim’ (*Sikkim Reporter*).

The request for a Dzongu permit by the pilgrims proved a major headache for the State Government which switched between several access options including: no permit; permits for just five people; a permit that allows five pilgrims at a time escorted by police; and finally, a permit for everyone but conditional on them crossing into Dzongu, walking to the traditional Lepcha House at Nampringdang (where many Lepcha festivals and prayers are held), conducting their prayers and then immediately leaving the Reserve. Despite eventually granting permission for the pilgrims to travel to Dzongu, the Sikkim Government stated in a press release: ‘these groups have now attempted to create fear and alarm amongst different sections of the people on grounds of religion, race and caste for their narrow self interest’ (*Sikkim Express* 1).

The pilgrimage by West Bengal Lepchas to their ancestral land which began with much enthusiasm on 14 April 2008 ended ingloriously just two days later. The Sikkim Government and its supporters created a climate so hostile that the pilgrims had no choice but to leave.

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<sup>14</sup> Article 371F was inserted into the Constitution of India in 1975 when Sikkim became the 22nd state of India. It is designed to protect the old laws of Sikkim and the rights of Sikkimese people. Article 371F also provides that the Government of Sikkim shall have special responsibility for peace and for an equitable arrangement for ensuring the social and economic advancement of different sections of the population of Sikkim and in the discharge of his special responsibility under this clause, the Governor of Sikkim shall, subject to such directions as the President may, from time to time, deem fit to issue, act in his discretion.

<sup>15</sup> Letter to Sonia Gandhi sent 25 October 2006 by SIBLAC.

<sup>16</sup> An analysis of article 371F and related issues can be found in Biraj Adhikari’s self-published book, *Sikkim: Wounds of History* (2010).

## The Long March

They called it ‘the long march’. They had walked for hours, from Triveni in West Bengal on the banks of the Teesta River, to the bridge at Rangpo, at the border between West Bengal and Sikkim. As they set out, a Bongthing (Lepcha shaman) offered prayers for their holy land Dzongu. There were approximately 500 marchers, wearing traditional clothes and carrying banners that gave tribute to Dzongu. They arrived hours later than expected, for the rain and wind had hampered their progress and also because, as one of the organisers told me when I phoned him from Rangpo to check their progress, ‘we are Lepcha, we are always late’.

Greeting them on the West Bengal side of Rangpo were some 300 Lepchas from Sikkim, also dressed in traditional clothes; also soaking wet, for the rain fell relentlessly and it was heavy, sleet, steamy rain; testing their resolve perhaps, but not their kinship, for the welcome party had waited patiently for hours. A lama, Lhazang Lepcha, who is the father of one of the hunger strikers, Dawa Lepcha, stood resolutely by the side of the road. An old man, he seemed impervious to the weather and the weight of his lama’s robes which were soaked through and fell heavily around him. Water streamed through the weave of his white wool cap forming rivulets along his face. He greeted everyone, not moving from his post until the last pilgrim from West Bengal crossed the bridge into Sikkim.

There they were met by a different greeting party of around 100 police. Although the police were armed, they were clearly not expecting any danger. They slouched and smoked nonchalantly in doorways to escape the rain before escorting the group onto the Singtam Road. The Lepchas from both sides of the border walked and sang together. The choir of pilgrims sang folksongs, and shouted *Auchuley*, which in Lepcha language means ‘hail to the Himalayas’. The atmosphere was festive, happy, uplifting even, until they reached Singtam to find that they had been locked out of their guest house and left to wait in the street. Hungry, cold, wet, with their feet blistered from eight hours walking in wet shoes, it appeared they had already worn out their welcome in Sikkim.

One of the activists from Dzongu, Mayelmit Lepcha, travelled to the border to meet the Kalimpong pilgrims. She described the moment she saw them approach the bridge at Rangpo: ‘It was my biggest memory ... being a minority in Sikkim, when the majority of Lepchas from Kalimpong in their attire and all came marching, I felt very proud, very happy to see their smiling faces’. Mayelmit was perplexed by the police presence at Rangpo:

I don’t know what the Sikkim State Government thinks about Lepcha people, because we are the peace-loving people, we are the nature

believer, we don't go for violence and all, but that day the number of police persons they kept for security, I feel they wasted their time. We are in the peace rally; our aim was just to go on peace rally to Dzongu along with the Lepchas from Bengal.

'Still,' she reflected, 'we have to thank the police personnel because they walked with us, although it was raining and they were giving the best service to the people of West Bengal.'

'We all walked through to Singtam,' Mayelmit recalled:

When we reached there something happened, because it was totally silent, all the shops were closed and the place we had booked for the long marchers was locked. They [the West Bengal Lepchas] were our guests, they were walking all the way, almost 70 kilometers, old men, old women, elders were there, they had to face problems because the place was closed. People might have threatened the owner of that lodge. Some people wanted to upset our peace march.

Eventually the marchers in Singtam gained access to the guest house and slept there. The next day, the pilgrims left Singtam with the intention of marching through Gangtok on their way to North Sikkim. Mayelmit waited until the pilgrims had left Singtam, then came by car back to Gangtok to sit her exams. While juggling activism and education is at times a struggle she is certain of the importance of both:

We are the first generation from our village in Dzongu getting a little bit of education. With education, we can study, we can work, we can earn for ourselves, but education also allows us to explain to the people what is right, what is wrong. If you can't fight for this movement ... I don't want the coming generation to point at us and say these sisters were there, these brothers were there when this was happening and they didn't do anything. I don't want this statement to come from the coming generation.

The next two days of the march were confusing and heartbreaking for the pilgrims. The Government decided at the last minute that the pilgrims could not enter Gangtok and diverted them around the capital towards Dikchu, a town near Dzongu which is the site of a recently completed 510 MW dam. The Government took the unusual and extreme step of imposing a 'Section 144' in Gangtok, to be enforced for one week from the day the pilgrims were due to pass through the town (15 - 21 April 2008). Section 144 is an old British law

that restricts free assembly<sup>17</sup>. It was drawn up in British India following the First World War in a futile attempt to put an end to the growing movement for Indian independence from British rule<sup>18</sup>.

According to the Sikkim Government, Section 144 was invoked ‘in light of the proposed rally through Gangtok by the group of Lepchas from the neighbouring hills on their way to Dzongu and its potential to create a law and order situation in the capital’ (*NOW*, ‘Section 144’ 1). However, there had been no sign from the pilgrims that they intended to cause trouble; the march was peaceful.

An analysis of Section 144 published by Chinmayee Prasad from the National Law Institute University in Bhopal states that the scope of Section 144 is anticipatory, and utilised to restrict certain actions before they actually occur. He points out that ‘anticipatory restrictions are imposed generally in cases of emergency, where there is an apprehended danger of some event that has the potential to cause major public nuisance or damage to public tranquility.’ He also points out that:

The order must state the facts on the basis of which the Magistrate has decided to invoke the section. The mere statement of a Magistrate that he considered the case to be imminent is not sufficient to give him jurisdiction, if the facts set out by him show that really there was no urgent necessity for action in this connection (Prasad).

Using Prasad’s analysis of Section 144, the Sikkim Government’s order appeared to be a cynical response to the march. There were no signs of agitation from the marchers who had informed the Government of their intention two months earlier and had not been refused. Large rallies are not uncommon in Sikkim and neighbouring West Bengal. The headquarters of the Gorkhaland movement for a separate State is in West Bengal, and the movement enjoys the public support of the Sikkim State Government. The Gorkhaland movement frequently holds political marches, rallies and bandhs (strikes) in the area.

Modern state-making in India emerges out of the intersection of colonial forms of knowledge and the specific rationalities of postcolonial socialist state formation. (Sivaramakrishnan 449). In Sikkim, modern state-making has its roots in plurality management (Phadnis) and a post-democracy desire to rid the state of monarchical policies that disadvantage the dominant Nepali-Sikkimese in favour of the minority Lepcha and Bhutia tribes. Furnivall wrote that plural societies ‘mix but do not combine’. Each group ‘holds by its own religion, its

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<sup>17</sup> Section 144 of the criminal procedure code empowers state-level authorities to declare a state of emergency, restrict free assembly, and impose curfews. Officials occasionally use Section 144 to prevent demonstrations. See [http://www.freedomhouse.org/inc/content/pubs/fiw/inc\\_country\\_detail.cfm?country=2949&pf](http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?country=2949&pf) (Accessed 15 Sep. 2008).

<sup>18</sup> <http://www.derechos.org/saran/bhutan/28.txt> (Accessed 15 Sep. 2008).

own culture and language, its ideas and ways ... [a] plural society, with different sections of the society living side by side but separately within the same political unit' (cited in Malik).

Many see the movement against the dams as a 'Lepcha thing' or a 'Dzongu issue' and do not examine the wider context, by asking whether mega hydro-development is appropriate for Sikkim or India<sup>19</sup>. A pilgrimage by Lepchas to Dzongu is enmeshed with the movement against the dams. The Lepcha activists and pilgrims when talking about Dzongu do not separate their identity from their holy land. Conversely, dam supporters, which include obviously the State Government, do not separate the Lepcha pilgrimage from the activism and therefore viewed the march solely as a political rally. This view is understandable for before the movement to stop the dams there had been little in the way of mass pilgrimage from West Bengal to Dzongu. Even so, it is the Lepchas' democratic right to peaceful protest. The Government's objection to the march out of concern for 'peace and tranquility' appears misplaced when those disturbing the peace are pro government and dam proponents; not the West Bengal Lepchas.

The pilgrims adhered to the conditions of the Section 144 and circumvented Gangtok on their way to Dzongu. However this did not appease their adversaries who ensured the shops on the road to Dzongu were closed so they could not buy food. The rain continued and the pilgrims entered Dikchu wet, tired and hungry where, having silently endured all attempts to thwart their journey, they were met by pro-dam agitators (many of them Lepchas who support the Dzongu government representative and therefore the dams) and 'rent-a-crowd' Government supporters who threw rocks at them and, according to Dorjee Lepcha, 'used provocative and filthy language' (*The Telegraph* 10)<sup>20</sup>. Not wanting to clash with their fellow Lepchas, the marchers turned back. The police took them back over the bridge at Rangpo, which just two days earlier they had crossed with so much hope and enthusiasm.

Not all Lepchas opposed the dams. The Lepcha community in Dzongu were divided in their views and the gap between Lepchas that do or don't oppose the projects has widened over time. The most influential supporter of the dams at the time of the long march was the Dzongu MLA (Member Legislative Assembly) Sonam Gyatso Lepcha, a member of the ruling Sikkim Democratic Front party.

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<sup>19</sup> This was relayed to me by a Nepali-Sikkimese lawyer who supports the movement against the dams because he believes the size of the developments will be bad for Sikkim. He is frustrated by his attempts to engage his social group, mostly educated Nepali-Sikkimese.

<sup>20</sup> Rent-a-crowd support is common in Sikkim among Government and Opposition parties who bring people in from outside to swell numbers and show support for their position. I have been in Sikkim several times when rallies are held and seen jeeps packed with people brought into areas where a show of support is needed. After the Dikchu incident I was told many of the people who were brought into the town were not aware of the reason, just that support was needed for the Government.

He campaigned vigorously on behalf of the State Government for support for the projects and was instrumental in persuading many Dzongu residents to sell their land to the developers. He is also able to muster a significant number of people when he needs a show of support for his and the Government's position.

### **Another outsider**

The second 'outsider' to enter Sikkim at that time was the prominent social activist Medha Patkar who is a veteran of another long march, in 1990, from Rajghat town to the site of the Sarvar Sarovar dam in the Narmada Valley, where after eight days she and 3,000 displaced people from the Narmada project were stopped at the Gujarat border by police.

Her visit to Sikkim was planned independently from the West Bengal Lepcha pilgrimage but the arrival of a second 'outsider', so close to the first group, pushed the State Government's anti-protest narrative to the limit. The West Bengal Lepchas were accused of 'creating fear and alarm ... on grounds of religion, race, caste and residence for their narrow self interest' (*Himalayan Mirror* 1) and Medha Patkar was dismissed as 'neither a historian nor an expert on environmental related issues' (*The Statesman* 5).

Medha Patkar stayed in Gangtok for no longer than 12 hours (including overnight) yet her presence was a milestone for ACT and the movement and a morale boost for the hunger strikers who were in hospital during her visit. Her pending arrival was communicated to the media when she was 30 minutes from Gangtok and by the time she reached BL House, there was an enthusiastic waiting party of approximately 50 journalists, activists and supporters.

At her media conference, which she conducted in English, she referred to the failed West Bengal Lepchas' pilgrimage<sup>21</sup>. 'On the way, I met the marchers who were turned back. We were stopped at Nandigram [in Bengal] too, but we ultimately won there' (*The Telegraph* 10)<sup>22</sup>.

The same day, the spokesperson for the ruling Sikkim Democratic Front, K. T. Gyaltsen, had called the march by the West Bengal Lepchas a plot by the Opposition. 'By bringing people from outside and interfering with the internal matters of the state, the Opposition parties are trying to obstruct the development process' (*The Telegraph* 10). The 'outsider as troublemaker' mantra is chanted frequently by the Sikkim State Government, its overuse revealing its sensitivity to unplanned and unscripted attention focused on the state.

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<sup>21</sup> The most common language spoken in Sikkim is Nepali, but English is the language used for official correspondence and as schooling is in English, it is spoken by educated people. Hindi is not widely spoken in Sikkim, but, like English, is understood by educated people and is taught in schools.

<sup>22</sup> Nandigram was the proposed site of a petrochemical hub which has been shifted to the island of Nayachar.

Medha Patkar spoke convincingly and passionately against the Dzongu projects at her media conference and then shifted her focus to the hospital where the hunger strikers Dawa, Ongchuk and Tenzing Lepcha waited. At that time, they each weighed little more than 40 kg and were plagued by headaches. But they wouldn't stop, not without a concession from Government, and they hoped that a visit from such a prominent campaigner for social justice would bring their movement gravitas, publicity and a much needed boost to morale.

I observed her dramatic arrival, through the swinging doors of the adjoining emergency room, a large group from Bhutia-Lepcha House swarming after her. As cameras flashed and the visitors squeezed into the small spaces between the beds, she greeted Dawa, Tenzing and Ongchuk, placing her hand on the forehead of each, enquiring about their health, their treatment, the stage of their hunger strike. She understood exactly what they were feeling for she had been on a 20 day hunger strike two years earlier to protest the raising of the height of the Narmada dam.

'How are you feeling?' she asked Dawa, as she inspected the long tube that hung from his nose and was taped to his temple.

'Now that you are here, we are strong Ma'am,' he responded. 'Now that you are here, we are stronger' said the man who hadn't eaten for 39 days and was 20 kg under his usual weight.

Later, when introduced to a young man from Hee Gyatang village who had been imprisoned after forcibly removing dam workers trespassing on Lepcha land, Medha, who has done her time in police custody said 'you have been cleansed,' to the smiles of his activist colleagues.

She met Opposition politicians who tried to bask in her star power. They spoke indignantly of the undemocratic way the Government had managed the projects. 'What politicians promise in Opposition often changes once they gain power,' she said and everyone knew she had their measure.

The next day the State Government claimed her support for the Lepcha activists was 'politically motivated' at the 'instance [sic] of the Opposition parties' and that she 'has always been against the development and prosperity of the country' (*The Statesman* 5).

## **The ,D' Word**

The word democracy is frequently used in connection to protest movements and the rhetoric relating to the movement in Sikkim against the dams has been no exception to this. It was implied in Lyangsong Tamsang-Lepcha's letter to the Chief Minister advising him of their constitutional right to their pilgrimage.

The Government's cry that 'democracy reigns supreme in Sikkim' was curiously employed when they wanted the protestors to stop their hunger strike, which was not undemocratic; quite the opposite, as it is their democratic right to protest. It is understood when Dawa Lepcha says: 'The only law that the Government is currently upholding is the Land Acquisition Act, which allows it to displace people. All other laws are thrown to the winds' (International Rivers).

On a recent visit to Sikkim an Opposition politician, referring to the Lepchas' hunger strike, turned to me and angrily asked: 'Is this democracy? It is not democracy is it?'

While the Opposition politician lambasted the Government for its undemocratic process I couldn't help but wonder if he had been in power instead of in Opposition would he be lured by the big money the dam operators offered? As Medha Patkar had pointed out a few days earlier, 'What politicians promise in Opposition often changes in power.'

The State Government cancelled four of the six Dzongu projects in June 2008. The reason given was that they were 'taking into consideration the sentiment of the local people and the need to conserve the environment'. In reality the Government was under enormous pressure to cancel these projects as they were inside the biodiversity hotspot of Kanchenjunga National Park.

Swain notes that protest reflects the key aspect of political life - the relationship between the rulers and the ruled and that popular protests force policy makers to be accountable to the people for their actions. He argues that 'with the advent of these protest movements, Indian democracy may appear to be 'ungovernable,' or 'disordered' or 'noisy' but it certainly has not weakened. Rather democracy is going through a process of consolidation by enticing greater popular participation' (832). ACT members informally claim to have improved the running of Government. A public service which had operated without attention to process and paperwork was put on notice. When a member of ACT asked for paperwork in relation to due process and the projects, formerly lax Government departments - in particular forestry and energy departments - had to provide it or complete it. Or, as had been the case, claim it had been 'inexplicably' lost. ACT has taken legal action against the Government for illegal land acquisition, ignoring the terms of the carrying capacity report, and for signing illegal Memoranda of Understanding (MOU). The number of MOU signed in the North- East is now referred to as 'the MOU Virus'.

The rush to development puts a strain on democracy; the democratic processes of consultation, compliance, probity and the freedom of people to protest can be at odds with the political expediency desired by governments to reap financial and political gain while they are in power. Sivaramakrishnan noted:



With its impulse to create plural structures of political decision making, democracy combines awkwardly with development, which serves most often as a vehicle for elite nationalism, to create a tense field of force for modern politics ... democracy and development conjure different frameworks of citizenship. (449)

In Sikkim, the nationalist rhetoric in relation to development dangles a promise of self-reliance from the Centre's purse-strings. The State Government in response to ACT's concerns released a statement on its hydro-electric energy policy that 'to develop hydel schemes [is] to utilize its available natural resource to attain self-reliance, which will bring about socio-economical upliftment of the Sikkimese people and shall generate adequate revenue for the State to usher it to the 21st century' (*Sikkim Times*). Self-reliance is a phrase that has a lot of traction in Sikkim where the State's dependence on the Centre for funding is widely known. For those who object to Sikkim's reliance on India for economic survival, the Lepcha activists' campaign to stop the dams is a backward move that is preventing Sikkim from becoming a forward-moving state. However the Sikkimese themselves are overly reliant on the State Government for their livelihood, for the Government is the largest employer in the state and a high proportion of the educated people in Sikkim work in highly sought-after government jobs. In 1995, Ludwig Schaefer, writing about the battle to stop the Rathong Chu dam in Sikkim, noted:

the government employs practically every educated soul, none of whom dares express his opinion for fear of losing his sinecure. As a result there are no independent thinkers, no intellectual circles and only a few isolated individuals capable of openly analyzing and expressing a critical opinion for the benefit of the state's development.

When the ruling SDF party rose to power it beat an incumbent party, Sikkim Sangram Parishad, with a pro-development agenda, determined to dam the Rathong River in West Sikkim. In 1994 the people of Sikkim voted with their feet to stop years of corruption and fear-mongering by the then ruling party. In 1995 Schaeffer wrote that 'Sikkim is well-known for the high level of corruption which plagues its administration and political parties'.

The current State Government has been in power 15 years and has a majority that increased at the 2009 election. It would take a tidal change in opinion for a change in government to occur, however in being forced to address the protest it was also forced to confront the robustness of the democracy it holds stewardship

of. Both sides have a clearly enunciated protest and anti-protest narrative. The activists' narrative points to the impact of the projects on culture, environment, ownership, tradition and religion, often verified by their folklore.

The Government's anti-protest narrative rarely directly addresses the Lepchas' narrative. Instead it repeatedly states that it will 'preserve the sanctity of Dzongu'<sup>23</sup>, at the same time accusing the Lepcha activists of threatening democracy and peace and tranquillity in Sikkim. In September 2008, the Central Government named the Sikkim State Government, 'Safest Small State in India'. Its reputation in New Delhi is one the State Government is understandably very protective of. But to its consternation there is another Sikkimese voice being heard in Delhi, that of the Lepcha protestors who, represented by ACT, have made several visits to the capital in their attempt to communicate directly with the Centre.

After years of talking into silence, the voice of the Lepcha protestors is being heard outside the strip of bitumen that fronts Bhutia-Lepcha House in Gangtok. Medha Patkar's support brought further access to powerful NGOs and offered ACT a powerful and influential voice in government circles in New Delhi. The visibility of the West Bengal Lepchas, heightened by their number and strong, uncensored voice (for unlike Sikkimese supporters they do not have to worry about losing a government job) added an extra layer of muscle to the bones of ACT's protest. These bones have been picked over, stripped bare, kicked and criticised and in the case of Dawa, Tenzing and Ongchuk Lepcha, actually starved of sustenance. But they are morally strong bones, uncompromising and determined to see their Dzongu remain the sacred homeland that is the life-force of identity for Lepchas everywhere. They are also democratic bones, for their journey for all its difficulties has been conducted within the constitutional rights they hold as the indigenous people of Sikkim and citizens of India.

## **Postscript**

On 17 September 2009 ACT and the Sikkim State Government took the first step to resolve the impasse surrounding the dams. ACT called off its relay hunger strike, which had endured for 915 days following an offer of talks by the Chief Minister, Pawan Chamling. At a press conference on 13 October 2009 Chamling said to ACT: 'Let us sit together and talk. Let us search for solutions and not focus on problems only. Whatever the State Government can do to pacify your concerns, we will do,' then he added incongruously, 'the State Government is leaving no stone unturned in developing Dzongu and other parts of North Sikkim'.

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<sup>23</sup> This assurance is repeated frequently in the media and correspondence between the Government and the activists.

Acknowledging the importance of the sacred in political discourse in Sikkim, he announced that he would build a monastery inside a massive rock in North Sikkim, an offer derided by the Lepcha activists.

Mr Chamling also congratulated the ACT for ‘the democratic mode of protest to raise the concerns attached with the mega power projects in Dzongu’ (Hindu Business Line).

Despite the Chief Minister’s seemingly magnanimous offer at the press conference in October 2008 he has not (nor has anyone in his government) responded to a letter from ACT the following month which set out issues to be discussed and requested a meeting<sup>24</sup>. The Chief Minister was the chief guest at the Lepcha Namsong Festival (New Year) held in Dzongu in December 2009 and he used that occasion to reiterate his Government’s commitment to developing Dzongu for hydro-power.

As at February 2010, there had been no further mention of the monastery in the rock.

*Kerry Little is an Australian writer and PhD candidate at the University of Technology, Sydney. Her work involves recording traditional and contemporary Lepcha stories and examining how modernity and globalisation has impacted on Lepchas’ connection to their traditions. Her PhD is non-traditional, enabling her to present her narrative-based work within the framework of creative non-fiction.*

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<sup>24</sup> Letter shown to author by ACT.

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