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Ancestrality, Migration, Rights and Exclusion: Citizenship in the Indian State of Sikkim

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ABSTRACT

This is the introduction to a special issue of *Asian Ethnicity* that includes six papers on the issue of citizenship in the Indian state of Sikkim, from the perspectives of anthropology, political science, sociology and history. These contributions explore the entanglement of migration and ethnicity that defines political membership and exclusion in Sikkim, as it does in other parts of India. They give a central place to the consequences of the combination of the 1961 Sikkim Subject regulation (that remained valid after Sikkim became a part of India in 1975) and 'group-differentiated citizenship' in a context where Sikkim's population – formed through people's mobility within a region that has long been a crossroads between Nepal, Tibet, Bhutan and India – was brought into the frame of a territorial concept of the nation. These papers also explore the means used by people in Sikkim to contest their categorisation by the state.

The publication of a new National Register of Citizens in July 2018, and the amendment to the Citizenship Act in December 2019, have foregrounded modifications to the principles underlying the definition of the nation and of political membership in India. While the imagination of the Indian nation based on Hindu sacred geography is not new,[1] the recent exclusive definition of modern Hinduism as the religion of the nation has been assessed by scholars as a 're-creation',[2] and as shaping a 'new national identity in India'[3] that supports a 'Majoritarian state'.[4] It also appears to be an extension of the shift 'from a *jus soli* or birth-based principle, to an increasingly, if covertly, *jus sanguinis* or descent-based principle'[5]; the latter principle is now merely reduced to a religious criteria; and this more by the state than by the people.[6]

This special issue focuses on the Indian state of Sikkim, in the north-eastern part of the country. The unfolding of the issue of citizenship in Sikkim sheds light on recent developments in the rest of India, in particular as it concerns the ways state territorialisation, indigeneity and ethnicity – in the sense of group identification based on a shared language and history – can interact to define political membership as well as patterns of exclusion. From the mid-seventeenth century until 1975, when it was incorporated into the Indian Union as a distinct state, Sikkim was an autonomous kingdom; since 1975, the Indian form of 'differentiated citizenship' has combined with pre-1975 conditions of access to citizenship status and rights so as to differentiate insiders from outsiders, and

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define differential rights among the former.[7] As in other parts of Northeast India,[8] groups' historical bonds to place lie at the core of the issues and claims of citizenship. The embedding of territorial and non-territorial forms of recognition are central to academic discussions on citizenship in Northeast India.[9] It unfolds in various ways:

Firstly, whereas 'differentiated citizenship' was enshrined in the Indian Constitution, which enabled the creation of states on an ethno-linguistic basis,[10] the granting of differential rights on an ethno-territorial basis is specific to Northeast India.[11] Scholarship on the topic shows that this uniqueness has more to do with history and politics than with the marked linguistic, ethnic and religious diversity in the region. The legacy of colonial rule in the region – this region was 'fragmented' and differentiated from other parts of British India[12] – informed federal restructuring between the 1960s and the 1980s, which involved the granting of differential civic, political and economic rights to communities presumed to be autochthonous.[13]

Secondly, groups recognized as Scheduled Tribes (ST) form the majority of the population in the region,[14] and 'tribes' have multifaceted relations to indigeneity. On the one hand, '"indigenous" people turns "tribe" upside down', in the sense that 'There is no sense of backwardness, wildness, isolation from the mainstream' attached to the term.[15] In South Asia since the 1980s, the term 'indigenous people' has been the main contender to 'tribe'.[16] Indigeneity has more recently been redefined as a relation to dominant powers and to particular territories.[17] On the other hand, in Sikkim and Darjeeling region, groups claiming ST recognition (unlike those already recognized as indigenous such as the Lepcha, as we will see below), associate indigeneity with the notion of 'tribe' based on the idea that, for state officials in charge of assessing if a group is entitled to be listed as a tribe, indigeneity is an implicit criteria of recognition as tribal in addition to the official criteria of 'backwardness' defining 'tribalism'.[18]

Claims and 'status' of tribal and indigenous share common features, and have distinct implications as well. Claims for recognition as 'indigenous' can be a means to safeguard local people from capitalist exploitation of the natural resources on which they depend for their living – as, for example, for the Khasi in Meghalaya.[19] More generally, the revival of traditional institutions and the discourse of indigeneity 'offer a possible nonviolent route to enhanced sovereignty', and celebrate 'non-Western or pre-colonial forms of political organization as alternatives to the bureaucratic workings of the modern state'. This promises to strengthen democracy at the grassroots level, and commonly entails supporting environmentally sustainable solutions.[20] Additionally, the 'idiom of 'tribe' versus rulers" conveys rights claims in negotiations with the state,[21] and forms the ground of the development of political subjects.[22]

Scholars, however, have also highlighted the negative effects of policies of differentiated citizenship, as well as of the claims and categorisation of people as tribal or indigenous; such studies resonate with the issue of citizenship in Sikkim. Jayal attributes the negative effects of group-differentiated citizenship to 'definitional ambiguities that increasingly fuel contestations and inform conflicts over citizenship'[23]; meanwhile, the affirmative action system 'by all accounts, is overburdened, under-resourced, and severely out of date'.[24] Additionally, top-down definitions of indigeneity and of 'tribalism' do not take into account marginal people's concepts of nature, geography and territorialisation, and this 'minimizes local affective senses of place, dwelling, and boundary'.[25] The protective purpose of these forms of recognition is thereby limited,

all the more so in that, in several regions, the state is one of the agents extracting natural resources and/or enabling the commodification of nature.

In Sikkim, as in other parts of India, the Scheduled Tribe policy leads to the 'cascading of group claims for recognition'[26]; additionally, the 'romantic celebration of indigeneity [...] may produce an intensification of the "politics of belonging"'.[27] A central question in this regard is 'how to square notions of "indigenous" self-determination with notions of territorial and political inclusiveness'.[28] The 'legal tools for achieving territorial autonomy', which are 'more robust in Northeast India than in other parts of India',[29] have also nourished a concept of the 'ethnic homeland', which allows the political class of 'iconic' local ethnic communities to secure for themselves durable political control of the territory, playing into pre-existing inequalities in several Northeast Indian states.[30]

In Sikkim, as the Scheduled Tribe 'status' provides preferential access to political rights and economic entitlements, in addition to entailing recognition as indigenous, most communities claim state recognition as a Scheduled Tribe.[31] Consequently, the local state can bargain its support for tribal recognition against votes.[32] These outcomes of the reservation policy finally show that, for the state, these ethnological classifications as well as the regime of recognition that give them (social) life are a means of governmentality that shapes the relationship between these groups and the state as much as people's self-identifications, whereas the capacity of tribal and indigenous recognition to provide emancipation appears limited.[33]

However, as Middleton puts it, 'People categorize back'.[34] Recent scholarship on citizenship in India has highlighted ways in which the state formulation of citizenship is contested, as well as the attempts by various groups to monopolize the political process[35] – these groups include, among others, Muslim women in Gujarat,[36] Maoists in Jharkhand State,[37] Adivasis in Madhya Pradesh,[38] Dalits in Uttar Pradesh[39] and Musahar landless labourers in Bihar.[40] As we shall see, in Sikkim, to a certain extent as in Nepal, 'People come to set the terms of their own recognition, and work to transform the state itself'.[41]

Categorising citizens in colonial and post-colonial Sikkim

Unlike other states of Northeast India whose histories haves been determined by 'a series of ad hoc decisions made by national-security-minded managers of the postcolonial Indian state,'[42] the kingdom of Sikkim was consolidated in the seventeenth century by an alliance between members of the ethnic communities then living in the area after having been founded by Tibetan lamas. This alliance between the Bhutia, Lepcha and Limbu, recognized the leadership of a Bhutia king (or 'Chogyal'), belonging to the Namgyal dynasty, which ruled until 1975.[43] During the first two centuries of this rule, the borders of Sikkim shifted several times, and the centralisation of power remained fragile, while political power in the various parts of Sikkim was exercised by local landlords, the ensemble forming a system resembling Tambiah's 'galactic polity'.[44]

The contributions in this special issue discuss the construction of political membership in Sikkim from the early days of the monarchy till today. The paper I co-authored with Buddhi L. Khamdhak, 'Loyalty, Resistance, Subalterneity: A History of Limbu "Participation" in Sikkim' discusses the pre-colonial background of citizenship status and rights in Sikkim in the case of one of its indigenous groups, the Limbu. The present-

day's starting point for this discussion is the two-fold and interconnected claims of the Sikkimese Limbu: namely, their claim for reserved seats in the Sikkim legislative assembly, and their endeavour to cease being considered as 'Nepali'. After the settlement of the Sikkim–Nepal border in the nineteenth century, Limbu became transborder people, and were subsequently all categorized as Nepali settlers. The paper shows that the present-day social identity of the Limbu, which affects their access to political rights, has roots in precolonial times[45] and in the resistance of some Limbu sub-groups to the Namgyal rule; this was a period in which social groups were likely not defined based on cultural specificity, but on personal loyalty to the king. The paper shows that whereas ethnicity is considered by today's political actors to be a pre-existing organisational principle, along whose lines the distribution of powers and benefits were organised, ethnic boundaries are actually constructed precisely through the conjoint processes of distribution and governance.

The borders of Sikkim were gradually fixed in the first half of the nineteenth century as part of colonial expansion in the region, and Sikkim was effectively controlled by the British from 1888 to 1918, when its internal autonomy was restored to the Chogyals. During this period the land revenue system was transformed and local landlords' powers and functions became similar to that of many *zamindars* in colonial India. Colonial expansion, also transformed demography in Sikkim, as it favoured the settlement of a large number of Nepalis from the 1860s[46]; these settlers came to outnumber the local population within a few decades. The colonial organisation of Nepalis in Sikkim was not only driven by economic concerns, but also aimed at turning the local Bhutia and Lepcha, whose elites initially opposed colonial rule, into a minority.[47] In other words, Nepali migration in Sikkim was 'weaponized' by the colonial administration, setting the ground for a reification of antagonistic relations between the 'settlers' and the 'natives'.

In the early twentieth century, as relations between the colonial administration and the Sikkimese ruling elite became more pacific and the administration of the kingdom itself was 'rationalised,' the differentiation between 'native' and 'settler' was durably installed in law and policy.[48] As I discuss in more detail in my paper 'The 1961 Sikkim Subject Regulation and "Indirect Rule" in Sikkim. Ancestrality, Land Property and unequal Citizenship', the law firstly divided the taxpayers into two groups: Bhutia-Lepcha, defined as 'hereditary subjects', and 'Paharia' (from the Nepali word *pahāṛ*, 'hill, mountain'), who had to pay higher taxes. It then forbade Bhutia-Lepcha to sell their lands to 'Paharia'. A conceptual frame was simultaneously elaborated combining the Sikkimese ruling elite's view of Nepal and Nepalis as invaders along with the trope of 'social Darwinism',[49] shaping relations between the groups in terms of cultural incompatibility and the danger to the 'natives' represented by the numerical majority.

Strikingly, this dichotomous view reified by the law was constructed at the same time as the settlers' participation in the state administration increased: Sikkimese Nepalis landlords were appointed, which reinforced the landed elite at the expanse of the ruling elite; Newar and Gurung ran the minting production; there were Marwari and Bihari bankers, money lenders and shopkeepers from the late 19th century. There were also Sikkimese Nepalis in the state council and the state administration At the economic level, however, as I argue in my paper, these categories were not framed as excluding each other, but as complementary, both benefitting the political economy as it stood at the time.[50] As time passed, the settler/native divide became increasingly at odds with the

actual network of multifarious connections – through kinship, religion, labour and so forth – that was growing and becoming denser within the transnational region including West Bengal, Nepal, Bhutan, and Sikkim.[51]

After India's Independence, Sikkim was treated as a 'special case' compared to the Indian Princely States,[52] and retained its autonomous status, although India inherited the British control over its foreign relations.[53] Thus, between 1918 and 1975 political developments in Sikkim were directly determined neither by the colonial power nor by India. The form taken by the relations between Sikkim and India in the decades preceding the integration of Sikkim into the Indian Union is the focus of Alex McKay's contribution to this special issue: 'Indian Structures, Sikkimese Processes: On Being Unprepared for the (Indian) Nation'. This contribution highlights the divergent post-colonial path taken by Sikkim in comparison to India, explaining in particular why Sikkim's population did not identify with India even though its administrative institutions had been shaped by the influence of the Indian state ever since Sikkim became a protectorate of India through the 1950 Indo-Sikkim treaty.

During this period the first 'citizenship' law of Sikkim was implemented: the 1961 Sikkim Subject regulation. The basic principles, formation and outcome of this regulation are discussed in all the contributions to this special issue. The 1961 Regulation firstly excluded all persons settled in Sikkim after 1946 – this exclusion being reinforced by the condition of land property to access 'subject' status – and established differential access to subject status among eligible candidates: 'natural' subjects were differentiated from naturalised ones; the colonial divide between 'native' and 'settlers' had left its deep imprint in the administrative categorisation of the population.[54] Additionally, the Regulation reflected the conflictual context of its birth: the struggle for the abolition of the landlord system, the generalisation of the commodification of the land in the kingdom following this abolition, and the increased Indian control over Sikkim's administration.[55] A first version of the Regulation triggered a popular uprising, whose outcome established 'ancestrality' in Sikkim as a basis of citizen-subject status. Thus Bhutia-Lepcha and Nepalis who had been settled for long 'enough' and could claim 'immovable property' could become Sikkim Subjects.[56]

This distinction bears commonalities with that between 'tribals' and 'non-tribal' in other parts of South Asia.[57] However, 'history' more than 'indigeneity' then defined insideness in Sikkim; 'history' became defined more particularly as a long-term connection to the kingdom. This precedence of history over geography as basis of political membership can be explained by the particularly complex situation in regard to indigeneity of most groups in Sikkim: the groups to which the ruling elite belonged, the Bhutia and Lepcha, are not on equal footing regarding their indigeneity; as their clans' names attest, Bhutias originated from Tibet and Bhutan. Some of them arrived in Sikkim before the foundation of the monarchy in the seventeenth century, but present-day Bhutia descend from people who likely came to Sikkim in different groups and arrived at different times – albeit in the very distant past – and who came later to be assembled under the common ethnic label 'Bhutia' (they call themselves 'Lhopo', meaning 'southern people', the point of reference being Tibet). The foundation myth of the Namgyal monarchy is so far the only known source of information about their settlement history.[58]

Lepcha and Limbu, on their side, are indigenous to Sikkim. As for the Sikkimese Nepalis, some arrived in Sikkim as early as the 1860s.[59] The settlement history of Sikkim is made even more complex by the facts that the borders were drawn relatively recently, and that human mobility across these borders was never interrupted; the region including east Nepal, Darjeeling and Sikkim is best described as 'a complex socio-political space with multiple layers of cross cutting identities', connected by economic, kinship, cultural ties, and a shared history.[60]

Adding to this complexity, written historical sources are scarce and are written either in Tibetan, which was the language of the ruling elite, or in old Nepali and Kiranti scripts, whose comprehension requires specific learning. Constant reinterpretations of history are therefore a means of political struggle, while academic history is also changing rapidly as new archival sources are regularly brought to public knowledge.[61]

Between 1961 and 1975, political groups defined as representatives of the 'Sikkimese' and the 'Nepalese' were engaged in political struggle against each other.[62] The ruling elite's view of Sikkim as a Buddhist nation,[63] and its simultaneous attempt to foster a 'Mongoloid identity'[64] did not favour the membership of the 'Nepalese' category, linked as a whole to Hinduism (despite the de facto religious diversity among the ethnic communities included in this category).

In May 1973, after a popular uprising, a treaty was signed between the Sikkimese ruler, local political parties, and the Indian government, setting the ground for a 'more democratic Constitution'.[65] The treaty was contested; the Tsong notably contested their assimilation to the Nepalis made in the treaty. Additionally, the stigmatisation as foreigners, and the consecutive inequality of their rights still existed for the Nepalis settled in Sikkim after 1946. Additionally, as the terminology reflected, 'Sikkimese' and 'Nepalese' continued to be differentiated based on their migration history. Nevertheless, the 1973 treaty recognized as 'insiders' the Sikkimese Nepalis Sikkim Subjects as a result of their political struggle.

Sikkim in India, and the reformation of eligibility to rights and entitlements

Sikkim was integrated into the Indian Union in 1975.[66] A key factor in the transformation of the issue of citizenship in Sikkim, which remains relevant today, is that the validity of the 1961 Regulation was maintained as a basis for the granting of Indian citizenship: all persons registered as Sikkim Subjects before 26 April 1975 were granted Indian citizenship, and their descendants (those who could prove that their father or brother or paternal grandfather were listed in the Sikkim Subjects Register) were issued Certificates of Identification, hereafter 'COI' (Sikkim Citizenship Order of 1975).[67]

This was part of the more general frame of the inclusion of Sikkim into India, as defined by article 371 F. This article was added to the Constitution and, among other special provisions, guaranteed that all laws in force immediately before the integration of Sikkim into the Indian Union 'shall continue to be in force therein until amended or repealed'.[68] Thus, like article 371A for Nagaland, article 371 F allowed legislation that was distinct from the rest of India. This had three enduring consequences:

Indian citizens and stateless from Sikkim

A first direct consequence of the process of granting Indian citizenship was the denial of civic rights after 1975 to a number of persons living in Sikkim. This concerned people qualified to be Sikkim Subjects but whose names were for various reasons not entered in the list before 1975, as well as their descendants, people who had lands in Sikkim before 1975 but were not registered as Sikkim Subjects, people who had no land in Sikkim but had resided in the kingdom for more than five years before 1975, and Sikkimese women who had got married to non-Sikkimese between 1961 and 1975.[69] These persons were not included in the voter lists, and were consequently considered as 'left out' and 'stateless'. A delegation from Sikkim, which included the state's chief minister, approached the central government in 1978 to demand the granting of Indian citizenship to all persons who had resided in Sikkim for five years prior to Sikkim's 'Merger'. The issue was followed up by the next government, which identified around 30,000 'stateless' in Sikkim.[70]

In 1990 and 1991, 73,431 'stateless' people were granted Indian citizenship through an amendment to the Sikkim Citizenship Order 1975 after examination of their land revenue documents on rural cultivable land.[71] Whereas some welcomed the end of an odd situation in which people without the Sikkim Subject Certificate had no nationality, others contested the reality of old Sikkimese citizens being stateless, the legality of this retroactive recognition as Sikkim Subject, and highlighted the risk that 'immigrants be wrongly recognised as Sikkim Subject or dual citizenship granted in the process'.[72]

The issue resurfaced a decade later with two correlated government announcements: that a new form of identification of 'Indian citizens of Sikkim' was being prepared, and that there were 31,180 cases of 'fake Sikkim Subject Certificate holders' in the state.[73] The access to the new 'Residential Certificate' (also called 'Pink Card') was based on conditions recalling those proposed in 1978 and by the 1981 Citizenship Committee, which included recognition as Indian Citizen of Sikkim for all persons residing in the state before 1970.[74] In 1978 and 1981, this form of recognition was proposed as replacement for the Sikkim Subject Certificate.[75]

The proposal was strongly condemned by the opposition on the ground that it was unclear – the wording of the text suggested that all persons settled in Sikkim from 26 April 1975 could get a Pink Card – and that it was intended to replace the Sikkim Subject Certificate, to open rights to tax exemption to 'non-Sikkimese', and to challenge the rights over government jobs and land that the Sikkim Subject Certificate permitted. The Pink Card was, however, advertised as aiming at protecting the Sikkimese's rights.[76]

Redefining insidedness

Secondly, through the reservation policy that was introduced into Sikkim, Bhutia and Lepcha were recognized as Scheduled Tribes in 1978[77]; however, the Sikkimese Nepalis were not. Consequently, in 1979 the seats reserved in the Legislative Assembly for the Sikkimese Nepalis were removed; the assembly then included reservations for the Scheduled Tribes (Bhutia and Lepcha), for the Scheduled Castes, and for the 'Sangha' (representative of the Buddhist monastic community). The remaining seats were included in the category 'general' and open to all the other communities, including

people called 'plainsmen', i.e. people coming from other parts of India.[78] This put an end to the organisation of people's representation framed in the 1950s.

In response to the removal of the reservations for Nepalis, in a court case that lasted from the early 1980s to 1994, the leader of an opposition party from Sikkim challenged the legality of the reservation of seats for the Bhutia and Lepcha.[79] The complainant eventually lost the case. Challenging all seat reservations in Sikkim, rather than defending reservations for Sikkimese Nepalis, therefore did not prove a successful strategy, while the removal of the Sikkimese Nepalis seat reservation was contested by most of the political parties in Sikkim.[80] The rhetoric during this court case highlighted the post-Merger redefinition of the categorisation of Sikkimese people: the reservation of seats for the Bhutia and Lepcha was justified firstly on the ground that these groups constituted a minority, whereas the majority Sikkimese Nepali was deemed able to secure its political representation on '[its] own electoral strength'.[81] The court also referred to the distinct culture and tradition of the Bhutia and Lepcha and justified their positive discrimination on the ground that they were the 'original inhabitants of Sikkim'.[82] During hearings in 1984, the situation of Assam was mentioned to support the reservation of seats for the Bhutia and Lepcha, implying that the Nepalis were recent migrants in Sikkim.

In brief, after 1975, Bhutia and Lepcha had been given a place as 'internal others'; their belonging to India was conceivable as 'original inhabitants of Sikkim', under the racial category 'Mongoloid',[83] and as a minority. However, the Sikkimese Nepalis' citizenship became vulnerable.[84] The distinctions made before 1975 between various migratory histories among Nepalis settled in Sikkim – in particular between those settled before 1946 who had severed all economic connections with Nepal, and those moving from one to the other side[85] – were ignored once Sikkim became a part of India. All Sikkimese Nepalis' membership of Sikkim was now being challenged; and as their belonging to Sikkim was in question, their belonging to India was as well. When Sikkim entered India, Sikkimese Nepalis were thus put on the same level as the Nepalese in North Bengal, in Northeast India and in Bhutan.[86] The narrative of Indian Nepalis taking advantage of a secret double citizenship became a theme of their stigmatisation in Sikkim as well, as shown in the following statement[87]:

> The international border between Nepal and India has been made effective in recent years. But simple rural Nepalese are unable to understand the nuances of legal citizenship or the distinction between Nepal's Nepalese and Indian Nepalese [...] The Nepalese dependents of local chiefs have to register as voters and every legal settler who claims to be Indian has to be allowed to exercise his constitutional right. However, a number of Nepalese enjoy multiple citizenship – of Nepal, India and possibly also of Bhutan. Given this situation, the expectations of the hill communities of north-east India are bound to clash with traditional privileges of Nepalese settlers.[88]

Thus, whereas Sikkim's population did not identify with the Indian nation, as McKay shows,[89] from another perspective, the Indian nation did not recognize all people settled in Sikkim as Indians.

To assert a specific identity within India, Indian Nepalis of Darjeeling chose the label 'Gorkha' rather than that of 'Nepalese' or 'Nepali' used in Sikkim. Sikkimese Nepalis, however, never adopted this label for themselves, thus preserving the connection with their initial categorisation in Sikkim. The label 'Nepali' also highlights the necessity of being recognized as Sikkimese in order to be full Indian citizens. With the cancellation of

their seats in the Sikkim assembly, Sikkimese Nepalese were put on equal as the 'plainsmen', which they strongly contested. The term 'plainsmen' or '*madishey*' then referred both to people of Indian origins settled in Sikkim since before 1975, and to post-75 new comers from other parts of India. This strong opposition of Sikkimese Nepalis to being connected in one way or another to 'plainsmen' is due to the fact that being directly recognized as Indians would actually reinforce their vulnerability. As a response to their re-categorisation as outsiders of Sikkim, Sikkimese Nepalis claimed recognition as 'sons of the soil'.[90]

In the 1980s, the Mandal commission made specific recommendations for Sikkim, notably to grant recognition as Other Backward Classes (OBC) to a number of ethnic communities which were part of the Sikkimese Nepalis.[91] The then government in Sikkim did not implement these recommendations, on the ground that it would divide that group. But the next government, elected in 1994, implemented the recommendations, and gave its support for the recognition of the then OBC as Scheduled Tribes.[92] All ethnic groups included under the label 'Nepali' then started to seek their recognition as tribal.[93]

Limbu and Tamang were recognised as Scheduled Tribe in 2003. More recently, a new category was framed in Sikkim: the 'Eleven Indigenous Ethnic Communities of Sikkim' (EIECOS).[94] The EIECOS included groups formerly categorised as 'Nepalese' following the recommendation of the 2008 Burman Commission; this new name given to an old category explicitly aimed at enforcing the indigeneity of the Sikkimese Nepali in Sikkim.

A large part of the people concerned by the recognition as EIECOS are, however, either holder of a Sikkim Subject certificate, or of a Certificate of Identification, and they are all Indian citizens. Today, these statuses give access to a wide range of state benefits,[95] but only in addition to the recognition as a 'tribe' do they provide access to the fullest possible share of collective resources and to political participation, as well as secure the recognition as historical Sikkimese. Thus, the recognition as 'local' remains a feature of Sikkim politics as well as a central concern for people, kept alive by the law and state policies.[96]

The preferential access to rights for locals

A third consequence of the maintenance of the Sikkim Subject status as the basis of citizenship after 1975 was that the status of 'local' gave access to an increasing number of civic and political rights as well as economic entitlements as the distributive function of the state increased. The 'locals' today are, firstly, the Sikkim Subject certificate holders, as well as – since this certificate is no longer issued – COI holders. The preference given to 'locals' is shown in Table 1:

As the recognition as 'local' depends mostly on descendance and land property acquired in the past, the access to these entitlements is 'locked' – with the exception of acquisition through marriage (and this concerns only women's marriage to male Sikkim Subject or COI holders, as women Sikkim subjects married to a non-Sikkim subject lose most of their rights[101]).

The access to political representation is, however, defined solely by the reservation policy. Sikkim Subject status and ST recognition therefore complement each other, and, once combined, provide the highest possible level of recognition. This situation in Sikkim

Table 1. Reservation for studies in various post-metric professional courses in different educational institutions in and outside the State[100].

	2004[97]	2009[98]	2013[99]
Merit (Local with Sikkim Subject Certificate/Certificate of Identification).	21%	10%	10%
Scheduled Tribe (Local with Sikkim Subject Certificate/Certificate Identification)	33%	(excluding Bhutia and Lepcha) 14%	13%
Most Backward Classes (Local with Sikkim Subject Certificate/Certificate of Identification)	21%	21%	20%
Other Backward Classes (Local with Sikkim Subject Certificate/Certificate of Identification)	14%	21%	20%
Scheduled Castes (Local with Sikkim Subject Certificate)	6%	7%	7%
Other (Children of business community and state government Employees who do not fall under category 1 above)	5%	5%	5%
Bhutia and Lepcha (Local with Sikkim Subject Certificate/Certificate of Identification)	N.E.	22%	20%
Primitive Tribe (Local with Sikkim Subject Certificate/Certificate of Identification)	N.E.	N.E.	5%
Total	100	100	100

thus contrasts with other parts of India where, since recently, 'marked citizenship', that is, belonging to a special category such as 'poor' or 'woman' or 'Dalit', adds to the stigmatisation of the bearers by giving them access to different entitlements to those accessible to 'unmarked citizens'.[102] In Sikkim, the 'amount' of accessible rights and entitlements is graded on a scale stretching from 'local' (Sikkim Subject and COI holders)/Scheduled Tribe, who get the maximum, to non-Sikkimese. Between both these ends stand several intermediary levels of access to entitlements, which form all together a hierarchy of access to 'public resources' (i.e. civil and political rights, and economic entitlements). This is a situation described by Dorjee as 'so many kinds of Sikkimese': COI holders, who have access to the largest range of state resources; citizens of India due to their owning land in rural areas, who do not enjoy central income tax benefits; the old business community; migrants to Sikkim holding residential certificates; and Sikkimese women married to non-Sikkimese.[103]

In his contribution to this special issue, 'Subject and Citizen: The "Sikkim Subject" in Indian Democracy', Sunil Pradhan compares Sikkim with Goa, which, with Sikkim, is one of the two last territories added to India after 1956 not as the result of internal border reorganisation; this comparison highlights the similarity between, on one side, the coexistence of the Sikkim Subject with Indian citizenship and, on the other, dual citizenship: the pre-1975 citizenship alone gives access to entitlements, and ST recognition increases these rights. Pradhan additionally shows that, whereas in Western Europe the 'citizen' has been conceived as emancipated from the status of 'subject' as part of a conception of the individual as the locus of rights, in Sikkim it is 'subjecthood' which is vested with an emancipatory capacity, and as the principle *jus sanguinis* took precedence over *jus soli*, this emancipatory capacity of the Sikkim Subject status also increased.

Pradhan's analysis shows that the recognition as Scheduled Tribe do not replace the Sikkim Subject status but is a complementary condition to access full citizen rights; this explains the cascading of group claims for tribal recognition in Sikkim. The preferential access to public employment, land ownership and education for 'locals' that tribal recognition allows, as well as the participation in decision making, are central elements

of the issue of citizenship in Sikkim today. They are, for example, the main concerns of the Sikkim Subject Committee founded in 2010 by Nawin Kiran Pradhan.[104]

However, in addition to creating hierarchical categories of citizens, the 'dual system of recognition' also excluded from new rights those groups long settled in Sikkim who had become ineligible for these rights after 1975, highlighting both the inequality this dual system of recognition causes, and the arbitrary criteria on which it is based. The claims of the Marwari settled in Sikkim before 1975 exemplify this point, as discussed Naina Thatal's contribution to this special issue: 'Rights, Distribution, and Ethnicisation: The Marwari's Claims for Recognition as "Old Settlers" in Sikkim'.

In line with recent anthropological approaches of citizenship as 'processual, practice-based, and contested'[105] – Thatal's, as well as Jenny Bentley's contribution, highlight people's contribution to the 'manufacture' of citizenship.[106] Thatal's contribution focuses on the means employed by the Marwaris and other 'Sikkimese of Indian origins' (this includes Bihari long settled in Sikkim) to challenge their classification by the state.

Bentley's contribution to this special issue, 'Protectors of the Land and Water: Citizenship, Territory, and Vulnerability Among the Lepcha in Sikkim and West Bengal' discusses a situation of contestation of state territorialisation in the context of the opposition to a hydro-power project in north Sikkim from the only group in Sikkim officially recognised as indigenous.

Reframing state categories, transforming the state: The cases of the Marwaris and the Lepcha

As Thatal explains, the first Marwaris settled in Sikkim at the end of the nineteenth century. In the years following their settlement in Sikkim, the law kept their activity as moneylenders under strict control and forbade them from buying land, confining them to town and to trading activities.[107] None of them were recognized as a Sikkim Subject following the Sikkim Subject regulation. The reasons behind this situation are central to the issue of recognition as local for the 'Sikkimese of Indian origins' today. The most common explanation, which is not denied by all Marwaris in Sikkim, is that as the 1961 Regulation did not allow dual citizenship, and candidates had to give up all properties in their country of origin to be eligible to the Sikkim Subject status, Marwaris and Biharis did not apply for Sikkim Subject status. However, archival documents show that non-Sikkimese traders were declared non-eligible for Sikkim Subject Status.[108] After 1975, the increase in the state's distribution of economic entitlements to locals increased the differential access to collective resources by the 'Sikkimese of Indian origins' and the 'Sikkimese'.

From 2008, an association of 'Sikkimese of Indian origins', formerly called 'Old Traders Association', changed its name to 'Association of Old Settlers'. As Thatal shows,[109] this new label reflected this people's identification with a particular criterion defined by the state as a condition for recognition as 'local': ancestrality. More than social unity, this label aims at bringing the group's history in Sikkim to the fore, and comparing it in particular to that of the Sikkimese Nepalis, highlighting that the oldest Marwari families settled in Sikkim as early as Nepalis who obtained Sikkim 'citizenship' after 1961. Another aim of this self-reclassification is the difference it established between 'Sikkimese of Indian origin', settled in Sikkim before 1975, and Indians settled recently in Sikkim.

Otherwise, Marwaris are on equal ground with them as regards access to rights and entitlements. This again lends credence to Pradhan's approach to citizenship in Sikkim as 'dual citizenship': still today, one cannot be simultaneously Sikkimese and Indian.

The Marwaris' adoption of the state's classifications goes further than this, however, and entails other transformations; firstly, of the timeframe used to define 'oldness'. The leaders of this movement count four hundred families as falling within the category of 'Old Settlers', whereas in fact reliable statistics on the number of 'old plainsmen' are lacking. It is likely that not all of these families had settled in Sikkim in the nineteenth century, although they had arrived before 1975. Therefore, the new label 'old settlers' reveals a concept of 'ancestrality' no more defined as having settled in Sikkim before 1946, as stated in the 1961 Regulation, but before 1975. Thatal's ethnography suggests that this accommodation allows the construction of the 'old settlers' as a 'quasi-ethnic' community, reducing the definition of ethnic community to its minimal possible characteristic as well as to its most functional one: ancestrality in the territory.

The shift from the label 'Old Traders' to 'Old Settlers' reflects both an endeavour to *become* an ethnic minority, and the idea that this might be possible. The case of the Old Settlers shows that rather than 'becom[ing] a part of the self-identification of people only in their occasional interface with government',[110] the category of 'ethnic community' or 'tribal' can gradually *become* part of their self-identification through transformation of identity practices or discourses in order to conform to it. To put it simply, a form of ethnicity conforming to the state's definition of it is given reality by the adoption of the term 'Old Settlers'.[111] This also shows that, in this region, emancipation is only sought in terms defined by the state – in this case, ethnicity and 'indigeneity' (or ancestrality). Thus the 'plains people' strive to become 'hill people' to earn equality of rights.

Thatal shows that Marwaris, by adopting the state's formulation of citizenship based on 'ancestral settlement', not only negotiate their membership in the political community with the state – as opposed to contesting the modes of access to this membership – but also claim the strict application of the democratic principle of equality of all citizens. The 'Old Settlers' of Sikkim remind us of Brazil's 'insurgent citizens' who appropriate state-defined political categorisations not to challenge the principles of democracy, but the diversion of the principles of democratic representation by the state and its agents.[112] The situation of the Marwari thus confirms Chettri's analysis of ethnic politics in the region of Sikkim and Darjeeling, which 'represents a movement towards a regional form of governance and democracy that is dependent on tangible expressions of ethnicity as instruments for negotiations with the state'.[113] It is an example of a vernacularisation of democratic practice through resorting to ethnicity.[114]

The 'manufacture' of modalities of citizenship through 'acts of citizenship'[115] is central to Bentley's contribution, 'Protectors of the Land and Water: Citizenship, Territory and Vulnerability among the Lepcha in Sikkim and West Bengal'. As part of their movement opposing the construction of a hydro-power project in Dzongu, the Lepcha 'reserve' in north Sikkim, Lepcha activists from West Bengal joined forces with Sikkimese Lepcha to claim rights over Dzongu, legitimizing these claims by reference to ancestral territorial belonging. In this process, Dzongu was redefined as a holy land for the entire Lepcha community, including that beyond the Sikkim state's borders. Bentley shows that 'the anti-dam activists reconceptualised citizenship as something not defined by the Indian national government or the subnational states of Sikkim and West Bengal, but as derived

from the indigenous relations of the Lepcha to their ancestral territory, which spans present-day borders'. By doing this, they shifted the status quo firstly concerning the place of Dzongu and of the Lepcha in the Sikkimese national narrative, and secondly regarding who is entitled to define meanings and practices of belonging and othering. Faced with the pre-defined and fixed spatial categorisations of the state, the activists resorted to the Lepcha's historical multileveled experiences and conceptions of belonging and membership; they also resorted to a source of legitimisation of their right other than the state, namely the global movement for indigenous rights.[116]

The official recognition of the Lepcha as indigenous clearly provided Lepcha activists with the liberty and the rationale to counter-formulate the state-defined frame of political membership. However, the anti-dam protestors did not claim any form of autonomy, but sought rather the redefinition of Dzongu as the holy land of all the Lepchas.

Bentley analyses the opposition of many Dzongu residents to the involvement of West Bengal Lepcha protestors. Among other things, this involvement was interpreted as introducing alternative claimants to rights over territory in Sikkim: the state-supported narrative was the only accepted frame within which to define the territorial imaginary of the region. Bentley explains this firstly by reference to the strong legacy of local state institutions as providers of welfare. Additionally, the non-representation of the Lepcha people's experience and representation of belonging by the state gives ground to a sense of vulnerability of their Sikkimese citizenship status.

Conclusion

More than calling into question the specific forms of autonomy and recognition granted to its peoples, the situation in Sikkim interrogates the true capacity of the regime of differential rights, implemented in the state, to act as a form of protection against inequality and exclusion. When Sikkim was absorbed into India, a conceptual framework born out of a different post-colonial trajectory informed the reframing of governmentality in Sikkim. In particular, the 'plains people' versus 'hill people' divide, which in large part determined the form given to the tribal policy in Sikkim, excluded people formerly recognized as insiders. In particular, it did not fit with a demographic constitution that had been shaped by pre-nation-state territorialisation and by migrations; and the mismatch became ever more acute as the local regime of political membership gained in importance.[117] In other words, the territorial form of recognition became strengthened in Sikkim, reflecting a general tendency in India more broadly; borrowing Itty's book title,[118] we can say that, after 1975, Sikkim *became* territorial. Therefore, inclusion and exclusion in Sikkim, despite the maintenance of the 'old laws', are determined less by the pre-1975 understanding of ethno-territoriality or by supposedly ethnic incompatibilities than by post-1975 reinterpretations of Sikkim history and identity, and the consecutive redefinition of who is entitled to local resources.

In particular, the tribal policy framed an economy of rights disconnected from the legal status of 'Sikkim Subject'.[119] The point here is not that Sikkim and its citizenship regime were more inclusive during the monarchy: a number of people were excluded, and the 1973 Agreement did not entail equality in the modern democratic sense of the word – in particular, the Bhutia-Lepcha minority got the same number of seats reserved in the state council as the Nepali majority – but it was the result of a beginning of

a consensus. The political equilibrium found in 1973 was not based on the numerical proportion of each group in the population, since the Nepalis were more numerous, nor on cultural grounds, but on the date of the settlement that allowed someone to be considered as an 'insider'. History had started to overtake ethnicity as the criteria of Sikkimese political membership. The cancelation of the seats reserved for the Sikkimese-Nepalis in 1979 responded, however, to a different logic: that of the Indian reservation policy and its aim to protect cultural minorities. Without replacing the legal status of Sikkim Subject and the rights stemming from it, the reservation policy introduced a hierarchy of rights, different degrees of insidedness, and finally, competition between groups that were moved at the lower end of this hierarchy after 1975.

This dual regime of recognition contributed to enhancing the feeling of inequality and vulnerability for many groups in Sikkim. The Sikkimese Nepalese in particular, by being denied specific political representation in 1979, experienced the tension between the possibility of differentiated recognition, and a concept of the Indian territories as culturally bounded. Their 'nationality' – to Sikkim, and consequently to India as well – was questioned after 1975, leading to an alteration of their political rights. In other words, they, and in a different way the Marwaris, became 'denizen' in the sense of given a restricted access over rights as a result of not having been granted full recognition in the protective discrimination regime.[120]

The cause of this process exclusion is not the maintenance of the Sikkim Subject certificate in itself, but rather the principle of defining 'nationality' as the basis of rights that this maintenance allowed. This kept the door opened to a redefinition of this 'nationality' – from being based on history to territory – while, simultaneously, new principles of access to rights were introduced that did not take into account people's ideas and feelings of belonging.

The claims for an 'ethnic homeland' that the various contributions to this special issue discuss (even if they do not analyse it using precisely this term) therefore emerged as much from post-1975 policy as from a nostalgia for the monarchy. This is evident in the Limbus' claims to be 'non-Nepali' to reassert their indigeneity in Sikkim, the Sikkimese Nepalis' claims for recognition of their indigeneity in Sikkim, the Marwaris' claims for recognition as 'Old Settlers', and the Lepchas' re-interpretation of Dzongu as a holy place of the pan-state Lepcha community. A common factor within these claims is that none concerns self-determination, nor even greater political autonomy within India; rather, they express a desire that their belonging to the place be recognized – in others words, that their rights reflect their 'belonging' to Sikkim status, and not only as the state defines 'belonging', but also as based on their own sense of it – and that this should entail genuine participation in decision-making as regards sharing local resources and political power.

Notes

1. See for example Assayag, *L'Inde, désir de nation*; Eck, *India: A Sacred Geography*.
2. Chakravarty, 'Why India Follows Modi's Call.'
3. Mookerjee, 'How the National Citizenship Registration in Assam is shaping a new national identity in India.'
4. Chatterji, Hansen, and Jaffrelot, *Majoritarian State*.
5. Jayal, 'Reconfiguring Citizenship,' 34. See also Jayal, *Citizenship and its Discontents*.

6. In Assam in particular, the people's demand was that all migrants be expelled, regardless of their religion; see Deka, 'The Winter of Discontent'; Baruah, 'Who can become an Indian citizen'; Mookerjee, 'How the National Citizenship Registration in Assam.'

7. Regarding the debate over 'differentiated citizenship', see among others, Young, 'Residential Segregation'; Ong, *Neoliberalism as Exception*.

8. Sikkim joined the North Eastern Council (NEC) in 2002. It has however less geographical and historical connections with the other north-eastern states (Assam, Manipur, Meghalaya, Nagaland, Tripura, Arunachal Pradesh, and Mizoram) than these states have among themselves.

9. Regarding the importance of differentiating these two forms of recognition, see Shneiderman and Tillin 'Restructuring States.' About citizenship in Northeast India, see among others, Barbora, 'The Crisis of Citizenship in Assam'; Baruah, *In the Name of the Nation*, 'Politics of Territoriality', 'Citizens and Denizens'; Chettri, *Ethnicity and Democracy*; Cederlöf, and Sivaramakrishnan, *Ecological Nationalisms*; Hutt, *Unbecoming Citizens*; Karlsson, 'Anthropology and the "Indigenous Slot"'; Middleton, *The Demands of Recognition*; Nilsen, 'Real, practical emancipation?'; Shneiderman and Tillin, 'Restructuring States'; Shneiderman, *Rituals of Ethnicity*; van Schendel, 'The Dangers of Belonging.'

10. Dev, 'Human Rights.'

11. Shneiderman and Tillin, 'Restructuring States', 12–15.

12. Baruah, *In the Name of the Nation*, 31.

13. Regarding the colonial and post-colonial construction of Northeast India, see, among others, Karlsson, *Unruly Hills*, chapter 5; Shneiderman and Tillin, 'Restructuring States'; Baruah, *In the Name of the Nation*.

14. Regarding the policy of positive discrimination in India see Galanter, *Competing Equalities*; Jayal, *Citizenship and its Discontents*. As Baruah shows (*In the Name of the Nation*), people's rights in Northeast India are also determined by the implementation of the Armed Forces Special Powers Act; however, this act is not enforced in Sikkim.

15. van Schendel, 'The Dangers', 25.

16. Ibid.

17. Ibid. See also Cederlöf and Sivaramakrishnan, *Ecological Nationalisms*.

18. Xaxa, *State*, 31. About the process of state recognition of groups as Scheduled Tribes in Darjeeling, see Middleton, *The Demands of Recognition*.

19. Karlsson, *Unruly Hills*.

20. Op. cit., 229, 231, 259, 284–287; de Maaker, 'On the Nature of Indigenous Land.'

21. See above 15., 24.

22. Werbner, 'Exoticising citizenship'; Karlsson, 'Anthropology and the "Indigenous Slot".'

23. Jayal, *Citizenship and its Discontents*, 230.

24. Middleton, *Demands of recognition*, 25. For a detailed discussion of the effects of affirmative action policies in Indian and Nepal, see also Shah and Shneiderman, 'The practices, policies, and politics of transforming inequality in South Asia: Ethnographies of affirmative action' as well as the contributions to the special issue of the same title edited by Shah and Shneiderman.

25. Yü, 'Introduction', 15. See also Cederlöf and Sivaramakrishnan, *Ecological Nationalisms*.

26. Shneiderman and Tillin, 'Restructuring States', 15.

27. See above 15., 28.

28. Karlsson, 'Anthropology and the "Indigenous Slot"' as quoted in van Schendel, 'The Dangers', 31.

29. See above 15., 36.

30. Baruah, 'Politics of Territoriality.'

31. See Vandenhelsken, 'Reification'; Chettri, *Ethnicity and Democracy*.

32. Chettri, M. *Ethnicity and Democracy*.

33. Middleton, *The Demands of Recognition*; Mamdani, *Citizen and Subject*.

34. *The Demands of Recognition*, 25.

35. Jaoul, 'Beyond citizenship.'
36. Farhana, 'Islamic "Reform".'
37. Shah, 'The tensions over liberal citizenship.'
38. Nilsen, 'Real, practical emancipation?'
39. Jaoul, 'Citizenship in religious clothing?'
40. Roy, I. 'Emancipation as social equality.'
41. Shah and Shneiderman, 'The practices', 8.
42. *In the Name of the Nation*, 1.
43. Regarding the history of the early period of the Sikkim monarchy, see Mullard, *Opening the Hidden Land.*
44. *World Conqueror*, chapter 7. Regarding the history of Sikkim, see also, among others, Balikci-Denjongpa and McKay, *Buddhist Himalaya*; Jha, *History of Sikkim*; Risley, *The Gazetteer of Sikkim.*
45. On this point, see also Subba, 'Indigenising the Limbus.'
46. Mullard, 'Regulating Sikkimese Society.'
47. *Gazetteer of Sikhim*. For a discussion on these points, see McKay, 'Indian Structures, Sikkimese processes'; Vandenhelsken, 'The 1961 Sikkim Subject Regulation.'
48. Regarding this period of Sikkim history, see, among others, Jha, *History of Sikkim*; Martin, 'Sidkyong Tulku'; McKay, *The View from the Palace.*
49. About the influence of nineteenth century anthropological theories on colonial administration, see van Schendel, 'The Dangers', 20–21.
50. 'From Sikkim Subject.'
51. See Chettri, *Ethnicity and Democracy.*
52. Duff, *Sikkim*, 25. See also McKay, 'Indian Structures.'
53. I thank Alex McKay for his help in clarifying this point.
54. See Vandenhelsken, 'The 1961 Sikkim Subject Regulation' for details.
55. Ibid. and McKay, 'Indian Structures.'
56. For details, see Vandenhelsken, ibid.
57. See van Schendel, 'The Dangers.'
58. See Mullard, *Opening the Hidden land*; Balikci, *Lamas, Shamans and Ancestors.*
59. Mullard, 'Regulating Sikkimese Society.' The English translation of Namgyal and Dolma's *History of Sikkim* mentions Magars in Sikkim even before the 1860s, but this mention is not made in the original Tibetan version of the same text and was added by the translator (personal communication of A. Balikci-Denjongpa).
60. Chettri, *Ethnicity and Democracy*, 18.
61. A recent addition to our knowledge of Sikkim history are the archival documents *Fragments of Sikkim: Preserving and presenting the palace archives of a Himalayan Kingdom, 1875–1975* of the British library: https://eap.bl.uk/project/EAP880/search
62. Regarding the spelling 'Nepalese' and 'Nepali', see Thatal, 'Rights, Distribution', 15 note 2.
63. McKay, 'Indian Structures.'
64. Hiltz, 'Constructing Sikkimese National Identity.'
65. 8 May 1973 Agreement, in Moktan, *Sikkim, Darjeeling*, 54.
66. The conditions for the fall of the monarchy and the integration of Sikkim into India in 1975 also contributed to the specific character of the notion of Sikkimese citizenship: although a referendum on Merger was organised, armed force was also used, which paved the way for a shared and enduring sentiment in Sikkim of not having fully consented to be part of India. Regarding the history of the integration of Sikkim into India (commonly called 'Merger'), see among others Gupta, 'Sikkim: The Merger with India'; Rao, *Sikkim*; Datta-Ray, *Smash and grab*; Das, *The Sikkim Saga*; Sidhu, *Sikkim*; Shukla, *Sikkim*; Raizada, *Merger of Sikkim.*
67. The Indian Citizenship Act 1956 was implemented in Sikkim on 16 May 1975. For details about the conditions of eligibility attached to these statuses, see Thatal, 'Rights.' According to the Sikkim State Socio-economic Census (Department of Economics, Statistics, Monitoring and Evaluation, 13), in 2006, 74.80% of the total population of the State included persons possessing either a Sikkim Subject Certificate, a Certificate of

Identification or a land record (these groups are called 'Sikkimese' in the report) and 25.20% were non-Sikkimese.

68. https://indiankanoon.org/doc/338,476/
69. *Sikkim Express*, 'Who are the Stateless'; Kazi, *Sikkim for Sikkimese*, 12–13.
70. Kazi, *Sikkim for Sikkimese*, 13.
71. Govt. Gazettes no. 109 of 1990 and no. 70 of 1991.
72. Kazi, *Sikkim for Sikkimese*, 15–17.
73. Sikkim Express Report, 'Flashback-2010.'
74. Govt. Gazette no. 591 of 2010.
75. Kazi, *Sikkim for Sikkimese*, 11.
76. Sikkim Now! Report, 'Pink Cards are for convenience' and Sikkim Now! Editorial, 'Unfortunately.'
77. However, the Sherpa and Yolmo were added to the 'Bhutia', which was contested: the Indian government reorganised the category 'Bhutia' based on cultural and religious criteria rather than on a shared history and sense of community.
78. Kazi, *Inside Sikkim*, 74.
79. The Supreme Court Cases, *R.C. Poudyal versus Union of India*.
80. Kazi, *Inside Sikkim*.
81. The Supreme Court Cases, *R.C. Poudyal*, 16.
82. See Kazi, *Inside Sikkim*, for a detailed report of the political developments of this period in Sikkim.
83. About this racial and colonial category, see Shneiderman, *Rituals of Ethnicity*.
84. Baruah, *In the Name of the Nation*, 36–37.
85. Vandenhelsken, 'The 1961 Sikkim Subject Regulation.'
86. Regarding Indian Nepalis vulnerability and claims, see Chalmers, 'The Quest for Ekrupata'; Dhakal, 'The Urge to Belong'; regarding the loss of citizenship of Nepalis in Bhutan, see Hutt, *Unbecoming Citizens.*
87. Sikkim Express Report, 'Citizenship body.'
88. Sinha, 'The Nepalese in North-East.'
89. 'Indian Structures.'
90. See above 80.
91. See Phadnis, 'Ethnic Dimension of Sikkimese Politics'; Datta-Ray, *Smash and grab*; Vandenhelsken, 'Reification.'
92. See Vandenhelsken, 'Reification.'
93. About claims for tribal recognition in Sikkim and Darjeeling, the process of recognition and its effects, see, among others, Middleton, *The Demands of Recognition*; Shneiderman, *Rituals of Ethnicity*; Chettri, *Ethnicity and Democracy*; Vandenhelsken, 'Reification.'
94. See Vandenhelsken and Khamdhak, 'Loyalty, Resistance, Subalterneity.'
95. See Thatla, 'Rights.'
96. On this point, see also Chettri, *Ethnicity and Democracy*.
97. Govt. Gazette, no. 251, 2004.
98. Govt. Gazette, no. 252, 2009.
99. Govt. Gazette, no. 383, 2013.
100. This refers to the allotment of state quota seats provided for the State of Sikkim in different educational institutions inside and outside the State.
101. See Bhutia, 'Legal Rights of Sikkimese Women'; Dorjee, 'Denials of Identity.'
102. Jayal, 'Reconfiguring citizenship', 45.
103. Dorjee, 'So Many Kinds of Sikkimese.'
104. Also known as Sikkim Subject Bachao Committee; see https://www.facebook.com/sikkim.subject.
105. Caglar, 'Anthropology of Citizenship', 638.
106. For a theoretical discussion about citizenship as practice and process, see among others Bénéïs, 'Introduction. Manufacturing citizenship'; Jaoul, 'Beyond Citizenship'; Neveu, 'Discussion'; for a more complete bibliography, see Caglar, 'Anthropology of Citizenship.'

107. 'Rights, distribution.'
108. See Thatal, 'Rights, distribution' and Vandenhelsken, 'The 1961 Sikkim Subject Regulation.'
109. See above 107.
110. See above 23., 230.
111. This argument is supported by several other field-based studies in the region of Darjeeling and Sikkim, such as Middleton, *The Demands of Recognition*; Shneiderman, 'Reframing Ethnicity'; Chettri, 'Engaging the state'; Vandenhelsken, 'Ethnographic study.'
112. Holston, *Insurgent Citizenship*; on similar processes in Europe, see Cetrà and Liñeira, 'Breaking-Up within Europe.'
113. *Ethnicity and Democracy*, 117.
114. Baruah, *In the Name of the Nation*, 184.
115. Isin and Nielsen, 'Introduction.'
116. Regarding the questioning of the state as the sole source of legitimacy of citizenship in anthropology, see Caglar, 'Anthropology of Citizenship.'
117. For an analysis of this process, see Chettri, *Ethnicity and Democracy.*
118. *How India Became Territorial.*
119. About the distinction between citizenship status and rights, see Caglar, 'Anthropology of Citizenship.'
120. See Baruah, 'Citizens and Denizens.'

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