This is not to say that their status is not recognised by the Bangladeshi state today. In fact, their status as 'indigenous', 'aboriginal' and 'adibashi' is already recognised in several legal instruments, including the Chittagong Hill Tracts Regulation of 1900, the State Acquisition and Tenancy Act of 1950, the Finance Acts of 1995 and 2010, and in the Small Ethnic Groups Cultural Institutes Act of 2010 ("Khudro Nrigoshthhi Sanshkritik Protishthhan Ain", 2010). These laws are however deemed insufficient to protect their identity and rights because they are ordinary laws that often remain unimplemented or under-implemented and subordinated on the basis of the political exigencies of succeeding governing coalitions or on account of discrimination by state functionaries (whether based upon intolerance, bias or ignorance). At other times, legal provisions that contain safeguard measures are subject to constitutional challenges under threat of being declared ultra vires of the Constitution or otherwise illegal (as happened to the Regional Council Act of 1998, parts of the CHT Hill District Councils Acts of 1998 and parts of the CHT Regulation of 1900, on the ground that they violated the Equal Rights and Non-Discrimination clauses of the concerned constitutions). Thus Adibashis demand the recognition of their status as Adibashis, constitutional protection of safeguard measures like the aforesaid CHT laws of 1900 and 1998, and re-interpretation of the Equal Rights clauses to protect affirmative action measures that might otherwise be deemed unconstitutional. A mere reference to non-discrimination on the basis of "religion, race, caste, sex or place of birth' (Articles 28 and 29, Constitution of Bangladesh) was recently deemed, by a Division Bench of the High Court, to be insufficiently objective to accommodate affirmative action provisions for quotas for tribals in class III and class IV jobs in the hill district councils of the CHT! We thus need to spell out in unequivocal terms that procedural equality is not substantive equality and, that differing administrative measures to accommodate disadvantaged groups like Adibashis do not offend the spirit of non-discrimination.

Constitutional reforms for Adibashis would also help ensure that the protection of the identity and rights of Adibashis is part of the regular policy of the Bangladeshi state, as opposed to the fickle policies of successive governments with wavering levels of interest or apathy towards indigenous issues. Thus, after the hitherto repealed article on *National Culture* (article 9) is re-introduced, it is perhaps cogent to consider replacing the term "Bangalee Nationalism" with suitable alternative language.

Recent initiatives for constitutional reform

The present Awami League-led government has been showing interest in incorporating measures to protect Adibashi interests. Leading members of parliament from the ruling Awami League, including Suranjit Sengupta (also the Co-Convenor of the Constitution Reforms Committee), Dipankar Talukdar (State Minister, Ministry of CHT Affairs) and Promode Mankin (State Minister for Culture), have openly announced their support for constitutional reforms on Adibashi issues, and have even referred to positive signals from none other than the prime minister herself! It is to be hoped that such expressions find fruition. Other Awami League and left-leaning party MPs who recently formed the Adibashi Parliamentary Caucus, including such respected political leaders as Rashed Khan Menon and Hasanul Haque Inu, have also added their voices for the Adibashi causes. Equally vociferous prominent civil society figures include Justice Golam Rabbani (retired), Advocate Sultana Kamal, Selina Hossain, Ajoy Roy and Abul Maksud, to name a few. Such dedicated individuals would surely not have supported the Adibashis' demands if there were any risks of compromising the interest of the people of Bangladesh.

Constitutional recognition as 'adibashi'

Despite the spate of positive interest mentioned above, the issue of 'adibashi' or 'indigenous' identity has also on occasion sparked controversy and sensitivity and given rise to misconceptions. This is perhaps grounded in the misplaced belief that constitutional recognition of adibashis as 'adibashi' would somehow compromise national unity and adversely affect the rights of citizens who are not Adibashi. Such fears are baseless and misconceived. Similar recognition of indigenous peoples has been provided in national constitutions in several countries of the world, including in Asia (Nepal, Malaysia, Indonesia and the Philippines, for example). In all of the aforesaid countries, such recognition has helped reduce discrimination and conflict, integrated indigenous peoples into the national 'mainstream' without artificially assimilating their identities and cultures, and promoted overall development and stability. Bangladesh would not be an exception to this trend.

International human rights standards and Adibashi rights

Constitutional recognition of Adibashis would also be in accordance with Bangladesh's international obligations under such global human rights