

Neighbours Yet Strangers: A Critical Analysis of Naga Peace Accord

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Abstract

The signing of the 'Framework Agreement' between the Government of India (GOI) and the National Socialist Council of Nagaland (Isaac-Muivah) (NSCN-IM) on 03 August 2015, that pledges to restore 'pride and prestige' of the Nagas, took place after more than six-and-a-half-decades of violence and militarisation of the Naga society. The Agreement has been signed at a moment when the Naga society is marked by enormous fragmentation from within. The recent Accord, which has remained silent on those issues, however, has shifted the Naga national discourse from exclusive sovereignty of the Nagas in Nagaland to that of shared sovereignty of the Nagas within the Union of India. Two aspects of the Agreement have become public. It appears that the Indian Government has accepted the 'uniqueness of Naga history and culture' and the NSCN-IM has accepted the primacy of the Indian Constitution. The NSCN-IM had submitted a 20-point Charter of Demand in which it had suggested that relationship between India and Nagalim would be based on the concept of shared sovereignty and the principle of 'asymmetric federalism'. The

accord has far reaching consequences not only for Nagaland but also for other North East (NE) states. The potentiality of the 'Framework Agreement' to restore peace in Nagaland needs to be examined by a critical scrutiny.

The Origin

The Naga tribes are reported to have migrated to their present

places from further east a few thousand years ago. The Naga settlements in the region are mentioned in the Royal Chronicles of Manipur and also in the Ahom Buranjies.¹ The British who were acquainted with Nagas since in the early 19th century (1832) studied the different tribes of Naga people. The Nagas are different in many aspects from other tribes in Northeast India² and are found in Nagaland, four districts in Manipur, one district in Assam and two districts in Arunachal Pradesh. In addition to this, many Nagas inhabit Western parts of Myanmar (Burma). In Myanmar, Nagas are concentrated in the Somrah Tract bordering India, which comes under Kachin state and Saging Sub-division. SR Tohring lists 66 Naga tribes. The 1991 census of India listed 35 Naga groups as Scheduled Tribes: 17 in Nagaland, 15 in Manipur and 3 in Arunachal Pradesh.³

There are a number of theories of Naga scholars that state that their origin was either indigenous or that they came from Burma or Thailand. In these theories they were called 'Nok', 'Na Ka' (Burmese "pierced Ear") or 'Nakari'. The British anglicised their name into Naga. These theories have created more confusion to the whole problem. The Naga struggle for the independence started well before the independence in 1947 and in some form still continues. The present canvas is somewhat different than what it was when it started. A lot of

water has flown down the river Kohima and the environment has also changed. The Naga struggle, however, maintains the original concept but with altered or watered-down narrative.

Framework Agreement: 2015

The Framework Agreement was signed by the government and the Naga leaders in 2015, making it a landmark agreement which is likely to pave way for permanent solution to the age-old Naga problem. Signing of the 'Framework Agreement' between GOI and NSCN-IM, on 03 August 2015, is perceived as a step towards restoration of peace in Nagaland in India.⁴ The present Framework Agreement is in continuation of the series of peace accords over a period of time but will it succeed or will it fail again like other (Nine Point Agreement in 1947; Sixteen Point Agreement in 1960 and Shillong Accord in 1975) agreements?

The idea of a "Framework Agreement" is not new. In fact, during the talks held in Bangkok, in December 2006, both the GOI and the NSCN-IM had agreed on a broad framework to define a relationship that could end Naga insurgency. Among the basic principles that were proposed included recognising the uniqueness of Naga history and culture. The NSCN-IM had submitted a 20-point Charter of Demand in which it had suggested that relationship between India and Nagalim would be based on the concept of shared sovereignty⁵ and the principle of 'asymmetric federalism'.⁶ It also asked for a separate Naga Constitution within the framework of the Constitution of India. The NSCN-IM had recommended that the separate constitution of Nagalim should be included 'in a separate chapter' of the Indian Constitution. The NSCN-IM also wanted the Agreement to set out the division of competencies between the Union of India and Nagaland, the details of which was to be incorporated in the Constitutions of both India and Nagaland.⁷

On shared sovereignty, NSCN (I-M) general secretary Thuingaleng Muivah said, “Both negotiating sides, however, agreed to share the competencies by respecting people’s wishes on “sharing sovereign power” as defined in the competencies where both sides agreed on a peaceful co-existence. Under the devolution in UK constitution, Scotland has a separate parliament, supreme court and greater autonomy and Hong Kong and Taiwan have separate flags and constitutions. The idea of shared sovereignty is not new, however, the Naga groups have to analyse the consequences of this special arrangement because Nagas need Indian help in many spheres.

Two aspects of the Framework Agreement have become public. It appears that the Indian Government has accepted the ‘uniqueness of Naga history and culture’ and the NSCN–IM has accepted the primacy of the Indian Constitution.⁹ Confusion persists on the two critical issues of Naga sovereignty and integration of the Naga ancestral domain. On the issue of sovereignty, it appears that NSCN-IM has moved away from their earlier declared position that, “We cannot accept the Indian constitution”. To be fair, Muivah had also said that, “We are not totally opposed to having some important sections of the Indian constitution incorporated in the Naga constitution”.

The final Accord will spell out permanent resident status for the Nagas, like in Jammu and Kashmir. Only permanent residents will have the right to vote and acquire land in Naga territory. The union government will create an autonomous district council with financial autonomy, on the lines of the Bodoland Territorial Council, for the four hill districts of Manipur (Senapati, Tamenglong, Chandel and Ukhrul). Whether it will be done under 6th Schedule of the Constitution or a state is yet to be discussed.⁹

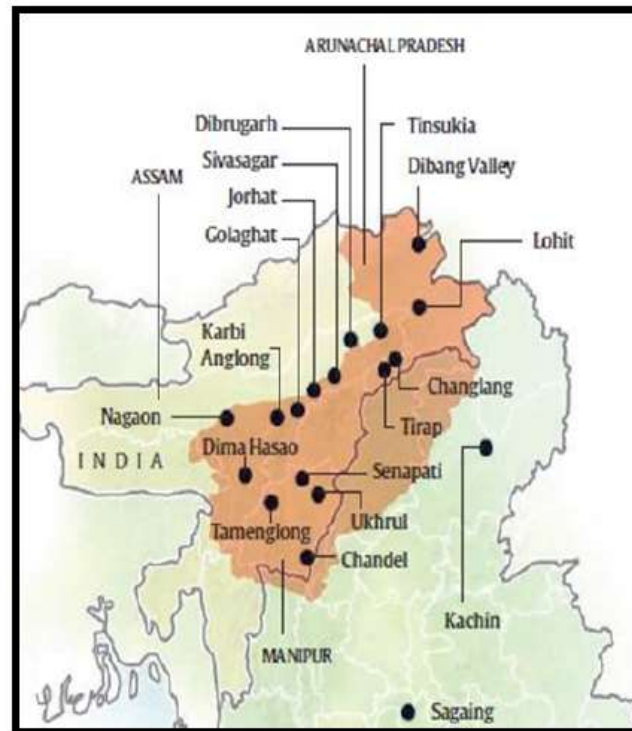
The Peace Accord was to be signed by 31 October 2019 but has got delayed. The GOI and the Naga representatives have agreed to have a separate flag which may be allowed for non-government purposes and both sides have agreed to drop the Naga constitution for the time being.¹⁰

The exact details of the Framework Agreement have not yet been made public but there is much excitement on the final outcome as the aspirations and territorial integrity of Naga settled areas of states neighbouring Nagaland is at stake.

Analysis

The Accord has far reaching consequences not only for Nagaland but also for other North Eastern (NE)¹¹ states where it would pave the way for lasting peace. Few issues need ironing out and the most important is aspirations of the people, especially Naga population in different states other than Nagaland and about autonomy/shared sovereignty and territorial integrity.

The Naga leadership, over a period of time, has toned down their demands on various issues, like sovereignty/constitution/separate flag/autonomy etc., clearly indicating their intention of resolving the issue and restoring peace to this age-old insurgency termed as 'mother of all insurgencies'. Speaking at the 69th Independence Day of the Nagas in Dimapur, Muivah did not address the issue of integration directly. Muivah has said that the Framework Agreement would pave the way for the final accord. While promising that 'Nagas will have their rights' he added that, "We should also respect the rights of the neighboring states".¹²



Greater Nagalim, as Originally Sought by NSCN(IM)¹³

Presently, the environment and the thinking have changed and even the old guard has understood the change in mind set of their rank and file, and second rung leadership. The splitting of the mother organisation, i.e. NSCN¹⁴, is weaning the charisma of the yesteryear's leaders and probably is the reason for the watered-down demands in a bid to come to a deal. The NSCN (KK), a breakaway group from NSCN (K) in 2011, has a ceasefire agreement with the Centre.¹⁵ The charismatic authority of Isak Swu and Thuingaleng Muivah is waning, especially with the youth. They are too old and may not be in sync with the aspirations of the present generation. They realise the futility of growing less charismatic and their authority does

not diffuse a positive energy with regard to bringing about social solidarity among the Naga tribes.¹⁶

Strategic Dimension

During the last five years, the government at the centre has laid more focus into 'Look East' policy and modified it to 'Act East' in order to bolster the economic status of the NE states. This policy should give impetus to other initiatives like the economic corridors and connectivity projects mooted by forums such as the Association of Southeast Asian Nations (ASEAN); the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC); the Bangladesh-China-India-Myanmar Forum; and so on. These, along with the special accelerated road development programmes for NE India, frontier highways in Arunachal Pradesh and the development of trilateral highways¹⁷, promise development in the region. Delay in the finalisation of the accord may affect these initiatives. Any local protest or agitation against the Accord by the constituents of other states i.e., Arunachal/Manipur/Assam/Nagaland, who fear losing territory, may jeopardise the 'Act East' venture. The launch pad i.e. 'North Eastern States' or 'the fulcrum' – 'Manipur' have strategic bearing on the engagements with Myanmar and other Southeast Asian countries on infrastructure development and security related subjects. The NE Region in general and Manipur in particular have the potential in the matrix of Look East/Make in East concept. To ensure the policy takes off, there is an urgent need to bring the East closer home geographically and attitudinally.

The solutions are not easy to come but we need to make a start to get all warring factions and the political parties on board to end this strife. Once the Naga integration is handled to an acceptable level in time bound frame work, the rest of the dominoes will fall in place.

Regional Security Equation

The North Eastern states are vulnerable due to the ongoing issues affecting the state and the overall security equation of the region. The non-state actors, outside players and the warring disgruntled factions within the region make it unstable and vulnerable to outside interventions. The strategy in the region should be to address all the factions simultaneously and come to some acceptable solutions and continue discussions on the contentious issues in the background of peace. The government interlocutors have reportedly developed a consensus for discussing this further with the state governments of Assam, Manipur and Arunachal Pradesh.

A Naga Peace Accord has far reaching security implications for the entire Northeast. It is being seen as the game changer in ensuring everlasting peace and paving way for the future development of the region. The government has a path well set where it got Bodoland Peace Accord signed, thereby inspiring other leaders to follow suit. The government would be contemplating to approach the non-talk faction of Paresh Baruah's United Liberation Front of Asom-Independent (ULFA (I)) in Assam and Meitei insurgent leader RK Meghan in Manipur to come forward while the Suspension of Operations (SoO) in Manipur with Kukis is already in force. The abolition of Article 370 and introduction of citizens' amendment bill is likely to have some repercussions. The Union Home Minister Mr Amit Shah addressing the 68th Plenary Session of North Eastern Council, at Administrative Staff College in Guwahati on 08 Sept 2019, had said that, "Article 370 was clearly temporary in nature but Article 371¹⁸ is about special provisions in the North East and there is a vast difference between the two. Shah further said that, "I have clarified in Parliament that this is not going to happen and I am saying it again today in the presence of eight chief ministers of North East that Narendra Modi government will not tamper with Article 371 in North Eastern states as the Opposition tried to project".¹⁹

The government is very clear in its aim to reach out to NE states to resolve all the issues amicably and set in an attitudinal

change and bring them closer. The region is porous and open to interference from non-state actors with external influences and with such vulnerable issues pending it has a security angle to it. North Eastern states together form a launch pad to Southeast Asian region and are a major player in Act East policy. Therefore, a holistic approach has been set in motion to bring home, ULFA (I) and Meitei groups in Manipur along with Naga integration after signing the Bodo Accord. All these are interconnected to Naga integration issue and overall security of the region.

Conclusion and Way Ahead

The Naga peace process is the major initiative in the NE. If seen critically, it has an all-round effect on the lives of all the states and promises peace and security. Naga movement within its ranks is the “clash of ideologies” between old guard and young Turks. Therefore, even the leadership wants to come to consensus within all Naga people, organisations and all factions of Naga society and actors in the play. The only other insurgency in the NE, in Manipur, has become more of an industry rather than any ideology backed focus. However, Manipur has ethnic issues more than any insurgent issues which need to be handled at a different plane and level. The Naga peace process will have effect on the region as well as our engagements with Myanmar in particular. The following issues merit serious consideration in order to address the issue:

- Implementable Confidence Building Agreement—a prelude to Final Naga Peace Agreement—with all states and actors included to the process to bring to rest the concerns of the states.
- Time bound plan to implement certain non-contentious and implementable issues. The Accord should not be derailed or delayed for want of decision on few issues while others can be implemented.

- Inclusive approach and consensus to be arrived at for all contentious issues in a time bound manner.
- Maintain territorial integrity of the states.
- Simultaneous handling and commencement of talks with players in Assam and Manipur to arrive at convergence point to bring peace in the NE region.
- Special Economic Package to the entire region for infrastructure development and kick start the Act East Policy.²⁰

The Naga Peace Accord is the main issue which is being seen as turning point in the troubled history of the NE. The NE region plays an important role in the Look East and Act East Policy. Much of India's Look East Policy involves Southeast Asian countries through Myanmar, which is the only Southeast Asian country that shares a border with India and is seen as India's gateway to Southeast Asia. This is the opportunity which must be seized by both GOI and the leaders to 'ink' the deal as fast as possible. It has not only regional but strategic implications.

Endnotes

¹ H. Srikanth & C.J. Thomas, "Naga Resistance Movement and the Peace". Peace and Democracy in South Asia, Volume 1, Issue 2, 2005. Accessed Jun 10, 2020 from <https://core.ac.uk/download/pdf/1325214.pdf>

² R.B. Thohe Pou, "The Myths of Naga Origin", E – Pao, webcasted on 28 March 2006. Accessed from http://www.e-pao.net/epSubPageExtractor.asp?src=manipur.Ethnic_Races_Manipulr.The_Myths_of_Naga_Origin

³ U. A. Shimray Naga population and integration movement. (Delhi: Mittal Publications, 2007), pp. 25–33.

⁴ Prof Akhil Ranjan Dutta, "The Naga National Struggle, 'Framework Agreement' and the Peace Prospects", Space and Culture, India, Volume 3, Number 2.2 (2015): p 6.

⁵ Shared and pooled. Just as the office of head of state can be vested jointly in several persons within a state, the sovereign jurisdiction over a single political territory can be shared jointly by two or more consenting powers, notably in the form of a condominium. The idea of “shared sovereignty” is relatively new in political theory. It envisages a federal set up where sovereignty is shared between the Centre and federating units and the federal government has limited powers over the internal affairs of the federating unit. It also considers granting of dual citizenship. Under the Indian constitution the states do not enjoy internal sovereignty. It does not grant dual citizenship.

⁶ Asymmetric federalism or asymmetrical federalism is found in a federation or confederation in which different constituent states possess different powers: one or more of the substates has considerably more autonomy than the other substates, although they have the same constitutional status.

⁷ Tapan Kumar Bose, “Indo-Naga Framework Agreement: The Apprehensions and Expectations” Catch News November 24, 2015, p 2.

⁸ Bose, Ibid, p1.

⁹ Namrata Biji Ahuja, “The Secret Deal”, The Week, April 23, 2017. <https://www.theweek.in/theweek/cover/the-secret-deal.html>

¹⁰ Anurabh Saikia, “Breakthrough in Naga peace talks as NSCN(IM) and government reach an agreement”, Scroll, 31 Oct 2019: <https://scroll.in/latest/942268/breakthrough-in-naga-peace-talks-as-nscn-im-and-government-reach-an-agreement>

¹¹ The Abbreviation NE is used both for ‘North-Eastern’ or North East.

¹² Anurabh Saikia, op sit.

¹³ Accessed Jun 08, 2020 from <https://www.studyiq.com/blog/naga-peace-talk-burning-issues-free-pdf/>

¹⁴ The Mother organisation NSCN over the years have split into the factions as follows: NSCN (IM) – Isak Muivah; NSCN (K) – Khaplang, split from IM; NSCN(KK) – Khole Kitovi split from K, Khole; Konyak & Kitovi Zhimoni; NSCN (NK) – Neopao – Kitovi ; NSCN(R) – Reformation; NSCN(K)(YA) – original

Khaplang(K) and now (YA) – Yung Aung. After Khango Konyak was sacked from Khaplang group.

¹⁵ Ratnadeep Chaudhury, “Peace Deal should be for the Nagas of the Nagaland”, *Deccan Herald*, 22 Aug 2015, <https://www.deccanherald.com/content/496568/peace-deal-should-nagas-nagaland.html>

¹⁶ Lima Longkumer and Ajailiu Niumai, “Beyond the Naga peace accord”, 21 September, 2015, *The Statesman*: <https://www.thestatesman.com/supplements/beyond-the-naga-peace-accord-91506.html>

¹⁷ Raile Rocky Ziipao “Look/Act East Policy, Roads and Market Infrastructure in North-East India”, *Strategic Analysis*, 42:5 (2018), 476-489.

¹⁸ Article 371, falls under PART XXI titled ‘Temporary, Transitional and Special Provisions’ of the Indian Constitution. It extends to 11 states — Maharashtra, Gujarat, Nagaland, Assam, Manipur, Andhra Pradesh, Sikkim, Mizoram, Arunachal Pradesh, Goa and Karnataka. It outlines the special provisions in place for them. Six are from the Northeast where the provisions aim to preserve tribal culture. (<https://www.deccanherald.com/national/after-jks-art-370-focus-on-art-371-special-states-753986.html>)- 13 Aug 2019.

¹⁹ “Centre will not touch Article 371, says Amit Shah in Assam”, *Indian Express*, Sep 08, 2019. Accessed Jun 07, 2020 from <https://www.newindianexpress.com/nation/2019/sep/08/centre-will-not-touch-article-371-says-amit-shah-in-assam-2030690.html>

²⁰ Maj Gen VS Ranade, “Manipur a Pivot in Look East - Act East Policy: Challenges and way ahead”, *Issue Brief No 196, Nov 2019, CLAWS*. The author outlines the steps required to be taken in North East to make Act East policy work and the economic & developmental package which is required. The resolution of Naga Peace Process will have direct bearing on this policy.

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