

**ETHNIC NATIONALISM AND FEDERAL FRAMEWORK:
CASE STUDY OF QUEBECOIS AND NAGAS**

**Dissertation submitted to Jawaharlal Nehru University in partial fulfillment
of the requirement for the award of the degree of**

MASTER OF PHILOSOPHY

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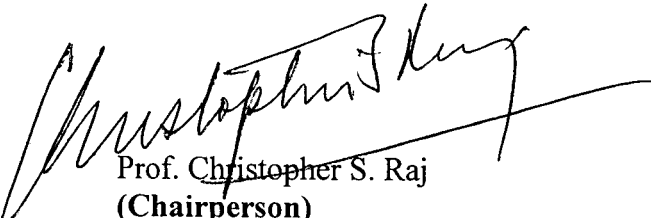
DECLARATION


I declare that the dissertation entitled “**Ethnic Nationalism and Federal Framework: Case Study of Quebecois and Nagas**”, submitted by me for the award of the degree of **Master in Philosophy** of Jawaharlal Nehru University ^{is} my own work. The dissertation has not been submitted for any other degree of this university or any other university.


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CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.


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ABBREVIATIONS

AFSPA	Armed Forces (Special) Powers Act
BNA	British North America Act
BQ	Bloc Quebecois
ECOSOC	UN Economic and Social Council
FGN	Federal Government of Nagaland
FLQ	<i>Front de Libération du Québec</i>
GPRN	Government of the Peoples Republic of Nagalim
IHRAAM	International Human Rights Association of American Minorities
IWGIA	International Working Group for Indigenous Affairs
JCPC	Joint Committee of the Privy Council
NATO	North Atlantic Treaty Organisation
NDP	New Democratic Party
NNC	Naga National Council
NSCN	National Socialist Council of Nagaland
NORAD	North America Air Defence
OAS	Organisation of American States
PCP	Progressive Conservative Party
PQ	<i>Parti Québécois</i>
RIN	<i>Rassemblement pour l'Indépendance Nationale</i>
RN	<i>Ralliement Nationale</i>
TADA	Terrorist and Disruptive (Prevention) Act
UN	United Nations
UNPO	Unrepresented Nations and Peoples Organisation
WCIP	World Council of Indigenous People

CHAPTER 1: UNDERSTANDING ETHNIC NATIONALISM

Introduction

Ethnic nationalism is a modern phenomenon affecting people with far-reaching consequences. The problem of ethnic nationalism which has become an undeniable reality of the post-colonial world can be emblematised as a form of identity-assertion. It refers to the epitomization of collective identity mobilisation in culturally distinctive territories based on attitudes, memories, local attachments and identities. Ethnic nationalism centres around constructing nationalism upon an ethnicist framework. Nationalism has been the most powerful political idea of the past several hundred years. As an idea, it has induced millions to willingly die in its name. It represents the union of a political phenomenon with the identity of the human being and hence, it is a frame of reference for individuals and their societies.

Ethnic nationalism is a social movement which challenges the authorities and boundaries of existing states, demands control over the political and economic systems, and justifies these demands in terms of the inherent rights of the ethnic group to self-determination. There is little evidence that ethnic nationalism is a voice from the past. In many contemporary instances and in varied circumstances, there has been a pronounced and sudden increase in the insistence on the part of the people on their group distinctiveness and identity. However, ethnic nationalism can never be rationally explained.

Ethnic nationalism is a potent force in both India and Canada. The challenge which these states face is whether ethnic nationalism will function as a positive force rather than as a factor which limits equality of opportunity for ethnic groups. A democratic society could and should protect and provide opportunities for ethnic diversities. Ethnic diversity should be viewed as a positive, integral ingredient. Ethnic pluralism contributes towards societal cohesiveness and survival provided ethnic

identification is optional for individuals and equality of opportunity is afforded to members of all ethnic groups. It is inconsistent with democratic ideology to mandate ethnic affiliation. Individuals should be free to choose their own allegiances which may or may not be of an ethnic nature. Ethnic pluralism does not only respect diversity but it may establish, across ethnic lines, social bonds that contribute to the strength and vitality of society.

In liberal democratic countries like India and Canada, with its federal frameworks, it is possible to resolve ethnic issues to a large extent. But even in such countries it has not been possible to build a strong state-society relationship so as to contain ethnic mobilisation. The failure of the democratic states in the consolidation of various ethnic identities is due to the majoritarian politics on the one hand and the constraints of modernisation and development on the other. A possible way for the resolution of ethnic conflicts is democratisation of polity.

I. Ethnicity

The origin of the word “ethnicity” can be traced to the Greek word “ethnos”. It was used to describe the people who were not included among the Greeks. Broadly, ethnicity means belonging to a particular group on primordial considerations. According to James G. Kellas, “ethnic groups are essentially exclusive or ascriptive, meaning that membership in such group is confined to those who share certain inborn attributes”.¹ The members of an ethnic group share commonness due to descent, religion, language or culture. In contemporary political usage, the term ethnic group is frequently used to describe a quasi-national kind of ‘minority group’ within the state which has somehow not achieved the status of a ‘nation’.²

According to T.H. Eriksen, ethnicity is an aspect of a relationship between groups who have a minimum regular contact and who considers themselves as culturally

¹ Panda, A. N. (2001), “Politics of Ethnicity and Regionalism and the State in India”, in Kousar J. Azam, *Ethnicity, Identity and the State in South Asia*, South Asian Publishers: New Delhi, p. 28.

² *Ibid.*, p. 29.

distinct.³ It is an *emic* (native) category for describing oneself. Hence, objective cultural factors per se do not automatically lead to ethnicity. Rather, to the extent that these cultural differences have any significance in the groups social interaction that an ethnic element colours their relationship. Hence, ethnicity is also linked to politicisation of cultural differences through ethnic organisations.

The first fact of ethnicity is application of systematic distinctions between insider and outsiders, between us and them.⁴ Thus, ethnicity is a means of classifying people in group based on criteria like fictive kinship, shared history, religion, or shared ancestry. Ethnicity is not limited to territorial basis all the time as it can transcend political boundaries, as in the case of Nagas. It is a reactive awareness and seeks to mobilise those people as a group who share certain common characteristics in a given situation. Therefore, ethnicity identity is situational and can be constructed for a collective action in order to attain certain definite goals.

Joshua Fishman claims that ethnicity is a matter of 'being', as well as 'knowing' and 'doing', and that

Ethnicity has always been experienced as a kinship phenomenon, a continuity within the self and within those who share an intergenerational link to common ancestors. Ethnicity is partly experienced as being 'bone of their bone, flesh of their flesh, and blood of their blood'. The human body itself is viewed as an expression of ethnicity and ethnicity is commonly felt to be in the blood, bones and flesh.⁵

The concept of *ethnie* can in turn be defined as 'a named human community connected to a homeland, possessing common myths of ancestry, shared memories, one or more elements of shared culture, and a measure of solidarity, at least among the elites'.⁶ Marxists generally view ethnicity as a remnant of a pre-capitalist phase of societal evolution, with class consciousness deemed the only 'legitimate' basis of group's

³ Eriksen, T. H. (1993), *Ethnicity and Nationalism*, Pluto Press: London, p. 18.

⁴ Ibid.

⁵ Cited in Smith, Anthony D. (2001), *Nationalism: Theory, Ideology, History*, reprinted 2003, Polity Press in association with Blackwell Publishing Ltd.: Cambridge, p. 72.

⁶ Ibid., p. 13.

identity or solidarity.⁷ For Brass, ethnicity is a kind of consciousness about the status and problems of an ethnic group.⁸ It also connotes mobilisation of an ethnic group in order to assert for its share in economic resources and the power structure which they consider to have been denied due to the discriminatory policies followed by the state.⁹

Ethnicity takes shape on the basis of primordial characteristics such as religion, race caste, etc. These characteristics differentiate a particular group from other groups in the society and also determine their status. On the other hand some scholars believe that ethnicity is situational or contextual. In this case, ethnicity is multi-dimensional and is used for collective action.¹⁰ Ethnicity may also be used by the advantaged groups in order to pressurize the power structure for the fulfillment of the rising aspirations and expectations. It is thus a purposive mobilisation of group of people.¹¹

Ethnicity is a phenomenon that emerges through the process of interaction between groups or communities that regard each other as culturally distinct. In this interaction, economic, social and political factors impinging on power and dominance in the social set up come to be underlined by the common dominator of cultural differences as ascribed to each other by the people involved. So ethnicity is a political principle or organisation which draws on symbolic traits to inspire great emotional commitment to the community which generally cannot be found in any interest based (exclusively) association. Ethnicity, unfortunately, used to refer to negative and divisive forces and the study of ethnic groups consisted of the examination of problems such as prejudice, racism, discrimination and exploitation.

⁷ Parming, Tönu & Mee-Yan Cheung, L. (1980), "Modernization and Ethnicity", in Jacques Dofny & Akinsola, Akiwowo (eds.), *National and Ethnic Movements*, Sage Studies in International Sociology, Sage Publications: California and London, p. 132.

⁸ Brass, Paul R. (1991), *Ethnicity and Nationalism: Theory and Comparison*, Sage Publications: New Delhi, p. 19.

⁹ Azam, Kousar J.(2001), *Ethnicity, Identity and the State in South Asia*, South Asian Publishers: New Delhi, p. 14.

¹⁰ Urmila Phadnis (1995), *Ethnicity and Nation Building in South Asia*, Sage Publications: New Delhi, Pp. 14-15.

¹¹ *Ibid.*, p. 20.

II. Nationalism

In ethnic nationalism, the focus primarily is on the collective level of identity and the idea of a community. Herein lies the key to the explosive power of nationalism. Nationalism is widely regarded as one of the most influential ideologies, yet the precise meaning of the term remains controversial. Here, nationalism is taken to mean the claims in the name of or on behalf of the nation.

To Hans Kohn, “nationalism is a state of mind, permeating the large majority of a people and claiming to permeate all its members; it recognises the nation-state as the ideal form of political organisation and the nationality as the source of all creative cultural life and economic well-being, as his own life is supposedly rooted in and made possible by its welfare”.¹² Here nationalism is equated with resistance to outside rule and the rejection of standards imposed from outside. Nationalism may refer to the doctrine or ideology of an aspiring class, or to the policy orientation of a state, or to a praiseworthy sentiment of attachment to one’s own nation or state. Nationalism may also refer to a socio-political movement for state-formation or any anti-imperialist movement, or to the nation-building activities or mobilisation of a government or class. Both as ideology and movement the concept could be used either in speaking of a state, a group of ethnic communities or a single ethnic community.¹³

It was only during the last century that the term nationalism acquired the range of meanings that we associate with it today. Of these usages, the most important are¹⁴:

- (a) a process of formation, or growth, of nations;
- (b) a sentiment or consciousness of belonging to the nation;
- (c) a language and symbolism of the nation;
- (d) a social and political movement on behalf of the nation;
- (e) a doctrine and/or ideology of the nation, both general and particular.

¹² Suntharalingam, R. (1983), *Indian Nationalism: An Historical Analysis*, Vikas Publishing House Pvt. Ltd.: Delhi, p. 3.

¹³ G. Aloysius (1997), *Nationalism without a Nation in India*, Oxford University Press: Delhi, p. 10.

¹⁴ Smith, Anthony D. (2001), *Nationalism: Theory, Ideology, History*, n. 5, Pp. 5-6.

Nationalism, for John Breuilly, is best seen as a modern and purely political movement; and politics in the modern world is about control of the state. Nationalism is an argument for seizing and retaining that control. Its importance lies in its ability to offer a common platform for various sub-elites through the mobilisation, coordination and legitimisation of their goals and interests. Nationalist movements aim either to unify the state or to renew it to, most commonly, to oppose an existing state. As Brueilly puts it:

[A nationalist argument] is a political doctrine built on three assertions:

- (a) There exists a nation with an explicit and peculiar character.
- (b) The interests and values of this nation take priority over all other interests and values.
- (c) The nation must be as independent as possible. This usually requires the attainment of at least political sovereignty.¹⁵

Smith defines nationalism as “an ideological movement for attaining and maintaining autonomy, unity and identity for a population which some of its members deem to constitute an actual or potential nation”. This definition ties the ideology to a goal-oriented movement, since as an ideology, nationalism prescribes certain kinds of action. According to him, the basic proportions of nationalism are few but far-reaching. They can be summarized as follows:

- (a) the world is divided into nations, each with its own character, history and destiny;
- (b) the nation is the sole source of political power;
- (c) loyalty to the nation overrides all other loyalties;
- (d) to be free, every individual must belong to a nation;
- (e) every nation requires full self-expression and autonomy;
- (f) global peace and justice require a world of autonomous nations.¹⁶

¹⁵ Ibid., p. 75.

¹⁶ Ibid., p. 22.

Smith defines the concept of nation as ‘a named human community occupying a homeland, and having common myths and shared history, a common public culture, a single economy and common rights and duties for all members’. National ideologies have well-defined goals of collective self-rule, territorial unification and cultural identity, and often a clear political and cultural programme for achieving these ends.

Nationalism is more than national sentiment or nationalist ideology. It is also a form of public and politicised culture, based on ‘authenticity’, as well as a type of political religion seeking to promote the national identity, autonomy and unity of a sacred communion of citizens in their ancestral homeland. In other words, nationalism seeks to create nations in the ‘authentic’ spirit and image of earlier ethnic and religious communities, but transformed to meet modern geopolitical, economic and cultural conditions.¹⁷

At the heart of all nationalisms, defining themselves either territorially or culturally, there lies a persistent cultural core problematically defined as ethnicity. Questions of nationalism are highly value-loaded and are expressions of interests and power positions of individuals and even nation-states. Therefore to expect a consensus on contested political realities or a single, overarching paradigm explanatory of all manifestations of the national phenomenon is illusory, at least for the time being.¹⁸ That a political process such as nationalism takes place within a relatively homogeneous cultural entity described problematically as ethnicity, seems to be the implication of most of the important writers – Gellner, Anderson, Smith and others.

Nationalism is thus a complex of congruence between power and culture. The principle that power should be congruous with one’s own culture itself can be viewed in two ways; either as resistance to the threat of existing congruence, or as a struggle to

¹⁷ Ibid., p. 133.

¹⁸ G. Aloysius (1997), *Nationalism without a Nation in India*, n. 13, p. 14.

regain lost congruence, accompanied with the concomitant attempt to refit culture-power relations in a specifically modern way.¹⁹

II.1 Nationalism as Ideology

Theorizing on nation, nationality and nationalism in general has proceeded rather exclusively along the subjective or the objective factors that constitute such phenomena. Nations are presumed to have certain objective characteristics such as language, race, religion, territory or history which either singly or in combination distinguish them from other nations. Protection and promotion of these, in competition and conflict with other nations, then becomes nationalism. Alternatively, nations are considered as collectivities built on the subjective consciousness of identity of kind, commonality of interests, and a will to be nation. Here political assertion and actualization of such a consciousness or will becomes nationalism. Most scholars see Western nationalisms as political and Eastern ones as cultural. The alternate classification of the nineteenth century nationalisms as political and the twentieth century-ones as cultural, alters the above geographical, dichotomy only marginally. Outright moral evaluation of nationalisms is also noticeable; Western nationalism are considered genuine, progressive and secular while those of the East, are imitative, conservative and primordial. This is so because, we are told, nationalism is a doctrine invented in the West and subsequently transported to the rest. The terms East and West, originally applied to intra-Europe differences were later transferred to the halves of the globe.²⁰

II.2 Theories of Nationalism

1. Benedict. Anderson²¹: Nation-ness is the most universally legitimate value in the political life of our time. According to him, nationalism is a cultural artefact created towards the end of the 18th century. It was the spontaneous distillation of a complex

¹⁹ Ibid., p. 93.

²⁰ Smith, Anthony D. (2001), *Nationalism: Theory, Ideology, History*, n. 5, p. 127.

²¹ Anderson, Benedict (1983), *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, revised edition, 2003, Verso: London.

'crossing' of discrete historical forces; but that, once created these become 'modular', capable of being transplanted, with varying degrees of self-consciousness, to a great variety of social terrains, to be merged with a correspondingly wide variety of political and ideological constellations. He goes on to define the nation as an imagined political community – and imagined as both inherently limited and sovereign.

Anderson proposition of a nation as imagined is based on four arguments: (a) it is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion. (b) the nation is imagined as limited because even the largest of them, encompassing perhaps a billion living human beings, has finite, if elastic, boundaries, beyond which lie other nations. (c) it is imagined as sovereign because the concept was born in an age in which enlightenment and revolution were destroying the legitimacy of the divinity-ordained, hierarchical dynastic realm. (d) finally, it is an imagined community, because, regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. This consciousness was preceded by change in the concepts of time and space. Like, the dominance of linear history over cosmology, advances in logical scientific thought and technology, and print capitalism. These development introduced simultaneity of events. More importantly they helped build solidarities through shared communication.

Anderson distinguishes three kinds of nationalism: (a) Creole in the Americas, (b) linguistic or vernacular – Europe, and (c) official nationalism. In the context of ex-colonial countries, Anderson feels that the native intelligentsia played a crucial role in spreading nationalist consciousness. Their bilingualism and access to western model of nationalism, according to Anderson, facilitated their efforts in mobilising nationalism.

Anderson fees that the deep sentiments attached to nationalism give it an imperative force. This is because, like the family, the nation is also interest-less i.e. they appear as non-instrumental entities *vis-à-vis* the individual. They are also natural i.e. beyond choice and hence primordial. Anderson can be criticised on the same ground as

Gellner, that he ignores the impact of local culture on non-European nationalism. He also explicitly lays down that other (than western) nationalisms are only a replay of the original model of western nationalism.

2 Ernest Gellner²²: For Gellner, “nationalism is a political principle based on consequence between culture and power”. Nationalism has been defined as the striving to make culture and polity congruent, to endow a culture with its own political roof, and not more than one roof at that. It is a theory of political legitimacy which requires that cultural boundaries coincide with political boundary. For Gellner, Nations and nationalisms are modern construct which can be discussed only in the context of industrial age marked by rationality, efficiency and the spirit of analysis. Gellner describes the features of a nation as: (a) shared culture in the sense of system of ideas, signs, and associations and ways of behaving and communicating; (b) Recognising each other as belonging to the same nation. At the same time, the nation is maintained by the state which alone has the monopoly of coercion over the people.

Three things crucial to Gellner’s nationalism are access to power, education and ethnic division. Their various combinations are listed in five possible nations. (a) power holders only have access to education and high culture. (b) classical liberal western nationalism both power holders and laymen have access to education. (c) only non-power holders access to high culture, e.g., the diaspora nationalism of Jewish variety. (d) where neither groups enjoys access leading to rural life. (e) agrarian society - where power holders alone have access to education and high culture. Gellner’s own conception of nationalism subscribe to the second possibility i.e. classical western nationalism.

Anderson criticizes Gellner’s assumption that there are true communities which can be contrasted to fabricated ones, like the nation. Rather, Anderson believes that no community exists beyond the face to face interaction, all communities bigger than that are imagined. Again it may be argued that Gellner overlooked the impact of colonialism in Asian and African nationalism.

²² Gellner, Ernest (1983), *Nations and Nationalism*, reprinted 2004, Blackwell Publishing: Oxford.

2. Eric J. Hobsbawm²³: His idea of nation and nationalism may be summed up in his statement that 'nationalism comes before nations'. According to him both subjective and objective factors defining nationalism like language, religion, culture or region - are misleading. Rather nation is any sufficiently large body of people whose members regard themselves as members of a nation will be treated as such. Nationalism operates two levels, official and at individual or common man's level. There is always a difference between official notion of nationalism and individual perception because we cannot assume that for most people national identity excludes or is superior to the remainder set of identities which constitutes the social being.

He lists some universal elements of a nation, citizenship and participation or choice. But while revolutionary ideas of nation revolve around the central concept of sovereign people equal to the nation equation, the official version of nationalism revolves around the equation of state equal to nation which is equal to the people. Thus, in the second instance, the state is the distinguishing feature of the community versus the rest of humanity.

According to Hobsbawm, in theory proto-national sentiments could be classed as nations, but in practice there are only three classes of nations. They are (1) historic association with a current state, example England. (2) existence of a long cultural elite with a written national literacy and administrative vernacular, example Italian nationalism. (3) proven capacity for conquest.

He pursues the question as to why is it that proto-national sentiments (which are largely cultural) are not enough to form a nation state. Hobsbawm considers the historical nation as the strongest pro-national element as it is the consciousness of having belonged to a lasting political entity. More than proto-national sentiments, it is the setting up of the state that results in the formation of nations. But Hobsbawm goes further and point out

²³ Hobsbawm, Eric, J. (1990), *Nations and Nationalism since 1780: Programme, Myth, Reality*, reprinted 1991, Cambridge University Press: Cambridge.

that state by itself is also not enough. It faces two political problems in its power; (a) technical and administrative questions of the best way of implementing new forms of government, in which every member is directly linked to the state government, (b) citizen loyalty to and identification with the ruling system and the state. These imperatives arise for the state because electoral politics has turned the citizen into subjects with political rights or claims.

According to Hobsbawm, the second half of the 20th century witnessed an increasing trend of geographical migration, and the theoretical transformation of the concept of race. Race is no longer a simple division of people according to colour of skin, but is now used to distinguish people of approximately the same colour, like Aryans and Semites. Here ethnicity and language become useful as markers where linguistic purity is often equated to racial purity.

We saw that all the theorists have some common elements. They emphasise the role of the state most in engendering nations in the 20th century. Though cultural elements like ethnicity and language are important, it is ultimately the native's identification with an abstract national identity fostered through state apparatus (like education and mass media) that nations are framed. In other words, citizenship builds nations. Thus, nationalism and nation are political principles associated with the state and civic rights under citizenship. However, this does not mean a fading away of cultural or ethnic and linguistic ties. As pointed out by Hobsbawm, the duality of national identity is predominant to the exclusion of all other identities of social person

Anthony Smith, an outstanding theoretician on 'nationalism' classified Nagas and Québécois as nations while listing the 'current' movements of ethnic groups such as the Kurds, pan-Arabists, Austrian Tyrolese and Palestinians. The power of nationalism, argues Smith, should be attributed to the fact that membership in a nation provides "a powerful means of defining and locating individual selves in the world through the prism

of the collective personality and its distinctive culture”.²⁴ The power of nationalism, according to him can be attributed to the following four features:

- (i). Membership in a nation promises individuals redemption from personal oblivion;
- (ii). Identification with a nation gives individuals hope of personal renewal through national regeneration;
- (iii). Membership in a nation offers rescue from alienation, solitude and anonymity; and
- (iv). National membership assures individuals that as members they enjoy equal status.

Nationalism is a product of the growth of social and intellectual factors at a certain stage in history. Hence, nationalism is first and foremost, ‘a state of mind’, and ‘an act of consciousness’.²⁵

III. The Nagas Quest for a Nation

The Nagas living in geographical contiguity, broadly speaking, belong to the Mongoloid stock. The term ‘Naga’ is a generic name for a list of 40 tribes.²⁶ These tribes with an area distribution spreads over four states of north-eastern India (Nagaland, Manipur, Assam and Arunachal Pradesh) and over the north-eastern part of Myanmar, in Siangiang division, clustering in the hill villages around Kamhti, LayShe and NanYun townships,

²⁴ Shimray, A.S. (2005), *Let Freedom Ring: The Story of Naga Nationalism*, Promilla & Co., Publishers in association with Bibliophile South Asia: New Delhi & Chicago, p. 52.

²⁵ Ibid.

²⁶ The tribes found in the State of Nagaland are: Angami, Ao, Chakhesang, Konyak, Khamniungan, Phom, Lotha, Rengma, Pochury, Sangtam, Sumi, Yimchunger, Zeme, Liangmei and Rongmei. The last three tribes come under the common name of Zeliangrong. In Manipur, four hill districts are inhabited by: Mao, Poumai, Maram, Tangkhul, Tangal, Maring, Anal, Lamkang, Moyong, Monsang, Chote, Chiru, Taroa, Koireng and the Zeliangrong. In Arunachal Pradesh, Tangsha, Wancho and Nocte tribes are concentrated in Tirap and Changlang districts. In Assam, there are the Zeme and Rengma tribes. Myanmar has the following Naga tribes: Konyak, Tangkhul, Moyon, Hemi, Hkalak, Tsaplo, Htangan, Lainung, Sangphur, Pangaw, Pyangoo, Rangpan and Khamniungan.

down to the Chindwin river in the east, and in Kachim state in western Myanmar.²⁷ They also share a common faith and their languages spring from the Tibeto-Burman group.

The Nagas occupy a geo-political strategic region where India, China and Myanmar intersect. Nagalim translated in the English language means “Nagaland”, referring to the whole Naga homeland. Nagalim is the political vision that transcends all state boundaries shaping India and Myanmar; and represents the sovereign rights and will of all Nagas to live as one unified political entity which is free from all forms of external subjugation, exploitation and domination. The Nagas live in a compact contiguous area of about 120,000 sq. kms. It starts from the Patkai Range that spreads approximately between the longitudes 92.5E and 97.5E and latitudes 23.5N and 28.5N. It is bounded in the north by China, in the west by Assam, in the south by Manipur valley and Mizoram and the Chin Hills (Myanmar), and in the east beyond the Chindwin River and along its tributary Uyu river (Myanmar).

The genesis of Naga nationalism could be traced to the First World War, when nearly 2000 strong Naga tribal men were recruited by the Britishers to serve as labour corps on the French front in 1917.²⁸ With the experiences they gained during the war and from their contact with others, the Naga soldiers came to believe in their own ethnic, linguistic, social and cultural uniqueness. This realisation helped the Nagas organize themselves into a small unit called the Naga Club in 1918. The formation of such an exclusive ethnic club by the different Naga tribes was a significant landmark. It brought the sense of unity and oneness among the various Naga tribes.²⁹ Thus, the Nagas’ association with the First World War helped enlighten the spirit of the Nagas which in later years spearheaded an upsurge leading to the birth of Naga ethnic national movement.³⁰

The Nagas political struggle for independence has proved to be one of the first popular revolts, which directly challenged the post-colonial Indian state. What initially

²⁷ Vashum, R. (2000), *Nagas’ Right to Self-determination*, Mittal Publications: New Delhi, p. 10.

²⁸ Aosenba (2001), *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, Regency Publications: New Delhi, Pp. 33-34.

²⁹ Ibid.

³⁰ Yonuo, Asoso (1979), *The Rising Nagas*, Vivek Publishing House: New Delhi, Pp. 125-126.

appeared to be a demand for autonomy aimed at safeguarding the Nagas 'way of life' soon snowballed into a people's revolt led by the Naga National Council (NNC).³¹ The movement which is now close to a century old is presently spearheaded by the National Socialist Council of Nagaland (NSCN).

The Nagas search for a political recognition is an inseparable part of Naga nationalism. The ethnic sources of Naga nationalism are unquestionable. It derives the force from the inner and dormant resources of the Nagas being an ethnic community and the perceptions and sentiments they aspire.³² The belief in common identity has provided the Nagas a plank for self and other identification. The importance of historical memories is always highlighted in ethnic nationalism; and in the case of the Nagas, a shared culture is equally important. The cultural components, which have promoted nationalism among the Nagas, include dress, food, music and craft as well as customs and mode of village administration.

The contemporary phase of Naga movement started with the formation of Naga National Council (NNC) in 1946. It is this 'organisation which expressed and modulated' the Naga sense of nationhood in contemporary times.³³ In April 1946, the British government had sent Cabinet Mission to India to study the political situation in the country. The NNC had informed the Cabinet Mission that the Naga future would not be found by any arbitrary decision of the British government, and that no recommendation would be accepted without consultation. The Nagas reiterated their position of wishing to have a separate political identity when India got its independence in 1947. Since then, the Indian government has tried to find a suitable solution to the Naga political assertion through varieties of means and mechanisms – both political and military.

The Naga nationalist sentiment is based on the assertion that Nagas are ethnically different from both the Indians and the Burmese. The Naga leaders of all camps have

³¹ Misra, Udayon (2000), *The Periphery Strikes Back: Challenges to the Nation-State in Assam and Nagaland*, Indian Institute of Advanced Study: Shimla, p. 14.

³² Yonuo, Asoso (1979), *The Rising Nagas*, n. 30, p. 53.

³³ Maxwell, Neville (1980), *India: The Nagas and the Northeast*, Minority Rights Group: London, p. 6.

always projected these differences.³⁴ The Federal Government of Nagaland (FGN) in exile had stated that Nagaland has always been an independent territory adjoining to India and Burma. Purely from a historical perspective, Shimray agrees with Balgoving Baboo that “historical and legal documents show that before British rule, ‘Nagaland’ was in no way a part of India”.³⁵ Further, ethnically, culturally and linguistically the Nagas are not Indians.³⁶

On its part, the Indian state, partly in recognition of the same, has shown marked resilience in trying to accommodate the Nagas political aspirations within the ambit of the Indian Constitution. The constituting of Nagaland as a state in Indian Union in 1963 has however not satisfied the Naga aspirations. Indeed, it was found that Nagaland state was not what the Nagas had by and large wanted. In the first place, the representatives for formulating and creating the state did not include the ‘undergrounds’. The Government of India also resorted to military activities against the armed underground movement as well as civilians to thwart their quest for a separate nation. Various parliamentary acts were passed to tackle the Nagas separatism. Meanwhile, the result of these acts did not satisfy the Naga people.

The First Indo-Naga Peace Process initiated in 1964 and lasted till 1972. The Peace Mission was aimed at finding a political solution to the Nagas problem. However, it could not achieve much although it accepted the struggle of the Nagas. One of the reasons for the inaction of the Indian Government towards the struggle of the Nagas during this period was that it was confronted by the Sino-India war of 1962 and the subsequent war with Pakistan in 1971.

Some years later, the Government of India tried to solve the problem through the so-called Shillong Accord of 11 November 1975. The Accord was entered into by a section of the NNC leaders who were willing to abide by the Constitution of India. Yet, it did not solve the problem as the Naga representatives did not represent the overall views of the Nagas. Another reason for its failure was that it was not meant for ensuring any

³⁴ Horam, M. (1988), *Naga Insurgency*, Cosmo Publications: New Delhi, p. 37.

³⁵ Shimray, A.S. (2005), *Let Freedom Ring: The Story of Naga Nationalism*, n. 23, p. 56.

³⁶ *Ibid.*

permanent solution to the problem as it was agreed upon that enough time had to be given for the underground outfit to discuss the issues in the future. The Accord was insignificant since the objectives of resolving the Indo-Naga conflict was not meant to bring about a permanent solution. In fact it was meant to temporarily ease the pain and provide space for an eventual political solution. The aftermath of the Accord saw the emergence of the strongest and the largest nationalist outfit in the north-eastern part of India. The Nagas struggle has in course of time become much more politicised and internationalised than it used to be in the past.

The Second Indo-Naga Peace Process, which began in August 1997, has a better prospect for resolution of one of the world's most protracted conflicts as representatives of both the Nagas and the Indian government are keen and more committed to settle the problem as compared to the earlier Peace Mission. The Ceasefire Agreement between the two sides has further brought relief and hope that solution to the problem can be brought about. The representatives of both the Nagas and the Indian counterparts have shown greater optimism that the outcome of the present talks will be acceptable to both the Nagas and that the interest of India will be positive unlike in the previous years. It has been agreed upon by both the Government of the Peoples Republic of Nagalim (which is in exile) and the Indian governments that a negotiated political solution to the Nagas struggle would be assured without hurting the integrity of the Indian Union.

IV. Emergence of Independence Movement in Quebec

Historians, drawing on examples ranging from the *Patriotes* of the 1830s to the Alliance Laurentienne of the 1950s to the Parti Quebecois in the 1970s and 1980s, make the observation that nationalism has been an enduring feature of Quebec politics since pre-Confederation days.³⁷ Quebec nationalism found its first serious expression in the rebellion of *Patriotes* in 1830s. The leader of the rebellion, Louis Joseph Papineau proclaimed that “one nation should never govern another”; and it is as a symbol of

³⁷ Gingras, Francois-Pierre & Neville, Neil (1984), “The Evolution of Quebec Nationalism, in Alain G. Gagnon *Quebec: State and Society*, Methuen Publications: Toronto, p. 2.

French-English antagonism that the insurrection is remembered in Canada.³⁸ The French linguistic community through its distinct history, religious traditions and language, views itself as a 'nation'. Based on this premise, a political movement has grown that wants to endow Quebec with sovereign status or larger autonomy within Canadian federation.

Quebec was settled by the French. The French-men called themselves as "*Canadien*" and attached great importance to their customs, laws and religion. Canada was itself called "New France". Since the French Canadian society became confined to Quebec, the bulk of its francophone population today comprises of the descendants of the original 10,000 French colonists who had landed in Quebec before 1760.³⁹ Britain which took possession of Canada in 1763 passed the Quebec Act in 1774, which besides setting up of the province of Quebec, promised the people that their language, laws, customs and religion would not be interfered with. Quebec was granted self government in 1841. Not till the British North America Act (BNA) of 1867 introduced a truly federal system, was any portion of political sovereignty transferred to the exclusive control of the French majority in Quebec.

The emergence of a self-determination movement in Quebec has been the conviction that the present federal system has been a disadvantage in terms of economic development.⁴⁰ But the background to it is that for more than 200 years, French-Canadians have understood themselves as a "nation" with a strong sense of common fate and a common purpose (for much of the time survival). The sense of history, continuity and community is real. Therefore, right from the day of the establishment of the Canadian Confederation in 1867, there had been different perceptions about the purpose and nature of Canadian federalism. One view is cultural and the other is economic. However, some others like Simeon and Robinson see the cultural and economic questions as related ones. Thus, in Canada there had been two competing traditions of federalism. Highly schematically one is built on a liberalism that emphasizes individual liberty, views the state as a means to protecting liberty, and typically looks to the national government for

³⁸ Corbett, Edward M. (1967), *Quebec Confronts Canada*, The Johns Hopkins Press: Baltimore, p. 17.

³⁹ Rioux, Marcel (1978), *Quebec in Question*, James Lorimer & Co.: Toronto, p. 3.

⁴⁰ Narang, A. S. (2002), "Sovereignty Campaign in Quebec", in K. R. G. Nair & Romey Borges (eds.), *Discovering French Canada*, Allied Publishers Pvt. Ltd.: New Delhi, p. 47.

leadership. The other stresses the value of community, is more likely to encourage collective choice, and tends to recognize the importance of provincial governments as the guardians of regional identities.⁴¹

The Quiet revolution of the 1960s brought about dramatic change in Canada. Before the Quiet Revolution, Quebec tried at various times throughout history to develop a new Canadianism that would embrace the cultures of both founding nations and provide the keystone for a stable, bicultural country.⁴² The Quiet Revolution brought about an ideological change, a transformation of mentalities. As a consequence, the influence of the Catholic Church declined dramatically. Though the culture of self preservation was still strong, the Québécois francophones had come to believe that in order to maintain their identity, they would have to take control of their own destiny and initiate rather than submit to innovations by others. This led to transformation of the cultural spectrum of Quebec from defensive, conservative nationalism to the ideologies of liberalism, socialism and radicalism.⁴³ The Quiet Revolution soon became a challenge to Canadian federalism. In fact, the Québécois francophones had become increasingly eager in determining the political, social, economic and cultural arrangements that would best fulfill their needs and aspirations. This also led to the change in the relationships between Francophones and Anglophones on the one hand, and between the federal and Quebec governments on the other.

The rise in Quebec national consciousness, ushered in by the Quiet Revolution, directed and channeled economic, social and political change. The 1960s also witnessed real change in the structure and role of the Quebec state. The overall impact of the reforms brought about by the Quiet Revolution was, however, uneven. The promise of the heyday of the Quiet Revolution was not realized for the traditional middle class

⁴¹ Ibid., p. 7.

⁴² Boucher, Marc T. (1997), "The Struggle to Save Canada: A Quebec Perspective", *Orbis*, Vol. 41, No. 3, Summer, p. 450.

⁴³ Bharadwaj, P. K. (1992), "The Separatist Movement in Quebec", in Rattan, Ram (ed.) *Canadian Political System in the 1990s*, Kalinga Publications: New Delhi, p. 264.

either. The political frustration and disaffection of the middle classes was to be channeled into a political movement in favour of Quebec's independence.⁴⁴

For Quebecers, the challenge today is immense. They are gambling that it is possible for Quebec to survive as a vibrant, relevant, North American entity and still maintain its language and culture. Before the Quiet Revolution, Quebecers could deal effectively with crises like the Boer War by joining forces to exclude the outside world with the same intensity as the pressures exerted on them to conform. Until the 1960s they had basically given themselves the option of living in the nineteenth century or being assimilated.⁴⁵ The Quiet Revolution radically changed that perception. Quebecers discovered the twentieth century with enthusiasm and imagination, then redesigned their society to accommodate it. A new spirit of entrepreneurship swept through every sector of the province and, not unlike a religious wave, kindled within Quebecers self-confidence and a determination to succeed. It was no longer sufficient to preserve a cultural relic; the new Quebec had to grow in order to keep abreast of the innovative opportunities that materialised daily.⁴⁶

Confederation was the reluctant compromise. On the upside, Quebec would have constitutionally-protected powers over affairs in a territory in which French Canadians were dominant and could thereby survive as a distinct culture; and on the downside, French Canadians would be a permanent minority in a political order where their rights and power would be subject to the actions of the English-speaking majority.⁴⁷ Survival of the French nation was the greatest concern for confederation era French Canadians, and the prime motive for their joining the confederation.

The failure of the post-confederation attempt to build bi-communal west, equally English/Protestant and French/Catholic, gave rise during the 1880s to an enclave-creating French Canadian nationalism. The leaders of this movement, notably Honoré Mercier

⁴⁴ Ibid., p. 265.

⁴⁵ Boucher, Marc T. (1997), "The Struggle to Save Canada: A Quebec Perspective", n. 42, p. 454.

⁴⁶ Ibid.

⁴⁷ Narang, A. S. (2002), "Sovereignty Campaign in Quebec", n. 39, p. 49.

(Premier of Quebec 1887-91) took the view that the only effective protection for their religion, language and culture was constantly to re-affirm the autonomous constitutional status of Quebec, fighting for the respect of “provincial rights” against federal intrusions. Political autonomy offered cultural protection enabling those French-Canadians who lived in Quebec to withdraw to a larger extent from the mainstream of North American life - both the economic and cultural. For the French Canadians, political nationality – being a British subject or a Canadian citizen – was distinct from cultural nationality – being French Canadian. There went on a process of demands and province building.

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Canadian federalism, accordingly, has been shaped by the conflicts between collectiveness which vied for control over – or influence within – the Canadian state. Each has sought to shape the state and society according to its vision of political community and social justice. The differences in vision of collectivities are by no means self-evident, nor are they determined simply by “objective considerations” such as the primary language, region of residence or class position debate, compromises and agreements, and conflicts and cooperation within and between the major collective actors. Therefore, as the relative economic and political power of the collective actors changed, there have been corresponding changes in the Canadian state, and in the division of powers between two orders of government.⁴⁸ One result of this has been the emergence among Quebecers of the perception of “recognition denied”, Anglophone’s insensitivity to their existence in North America and intolerance of the minority. This has led to deep frustration among the Quebecers.

Conclusion

The Quebecers and Nagas have commonalities from the sociological point of view. Both groups are national minorities because they see themselves as ‘nations’ in the sociological sense of being complete societies, occupying a historic territory or homeland, and sharing a distinct language and culture. Whereas Naga political aspirations are dependent on the dynamics of the political negotiation process, with

⁴⁸ Simeon, Richard & Robinson, Ian (1990), *State, Society and the Development of Canadian Federalism*, University of Toronto Press: Toronto, p. 2.



constitutional framework having not resolved the problem, the Quebec demands hinge on the provision of constitutional guarantees by the Canadian state. Nonetheless, the political aspirations of both the Quebecers and the Nagas heavily depend on the response of the respective governments.

In trying to resolve both these nationalist aspirations, the Canadian and the Indian governments have initiated measures under the provision of their respective Constitutions. In comparing the two, the Canadian counterpart has done more to accommodate the separatist tendency of Quebec through its flexible federal framework. On the other hand, India having been faced with various separatist tendencies has been more tilted towards providing a solution within the ambit of the Indian Constitution. In the Canadian case, the federal government has initiated Constitutional changes and constituted various accords and commissions to accommodate the separatist move of Quebec. Not satisfied with the provisions under the Canadian Constitution, the Quebecers have gone through two referendums in their struggle for separation from Canada. Yet, these initiatives for separation were without much success as both failed to get the required votes.

The Indian government on the other hand, constituted a separate state of Nagaland for the Nagas with special provisions under the Constitution. However, this move was objected by the Nagas as the creation of a separate state divides the Nagas. The creation was an attempt at resolving the issue. Nevertheless, in the attempt, the Nagas were dispersed into four different states in India. This has resulted in the Nagas now wanting to bring all of them under one of their demands i.e. 'Greater Nagalim'. The question of a separate nation for the Nagas is deemed more critical as it has to confront with two countries: India and Myanmar.

In the following chapters, the nationalist aspirations of Quebec and Nagas have been dealt with in details. In Chapter 2, the Quebec ethnic nationalism from the time of Confederation has been examined. It looks into the hostility between the two founding nationalities and highlights the various federal government's responses to tackle and accommodate French Canadians. Finally, the outcome the federal mechanisms and

Québécois responses will be assessed critically. In Chapter 3, the question of the Nagas *vis-à-vis* the Indian government is examined. The constitutional and various other political agreements initiated by the government of India and the military measures involved in to tackle the underground outfits of the Nagas are highlighted. It also looks at how the various Accord/Agreements and Peace processes have come up and the responses and reactions it received.

Federalism is understood to work as a mechanism to provide greater freedom and autonomy to the distinct ethnic groups within the framework of the state system. Federalism is also regarded as an effective tool of political integration in multi-ethnic states. Nevertheless, modern nation state system has been found wanting to cope up with the increasing pressure from ethnic conflict situations. The federal structure today, in fact, has been witnessing tremendous pressure due to the increasing ethnic cleavages. In Chapter 4, federalism as an accommodating factor to these two nationalist aspirations has been critically examined. The federal governments of both the countries have been viewed upon on the basis of their ability to resolve nationalists' aspirations. The threats that the nationalist aspirations poses to federal states like Canada and India have been viewed in the light of the Quebecois and Nagas political quest.

CHAPTER 2:
**QUEBEC ETHNIC NATIONALISM: POLITICAL AND CONSTITUTIONAL
DEVELOPMENTS**

“I found two nations warring in the bosom of a single state: I found a struggle not of principles but of races”

Lord Durham, 1837.

Introduction

The separatist movement in Quebec has deep roots in Canada’s political history. Ever since the discovery of Canada by Jacques Cartier in 1534 and founding of Quebec by Champlain in 1608, the problem of Quebec has remained an issue in Canadian politics. The question raised by Quebec unfolds an unending series of Centre-Province and intra-province political confrontations. While comprehending the separatist movement in Quebec in its proper perspective, it becomes necessary to have a look at its history and geography which have placed the people of Quebec in an area dominated by two peoples of Anglo-Saxon descent, the Americans to the south of Quebec and the English Canadians everywhere else in and around Quebec. It is the prolonged political domination of Quebec by these people which has primarily been responsible for making the position of Quebec quite uncomfortable.¹

The French-English cleavage in Canada is one of the strongest affirmations of the old aphorism that, in politics, the more things change, the more they remain the same.² The fundamental difference between the French and the English lies, in their respective perceptions of the term “nation”. While the French tend to define the term ‘nation’ to simply mean “people” or society, to the English Canadians it means the “nation-state”. Thus, while the latter view Canada as one nation, with an enclave of French Canadians in

¹ Bharadwaj, P. K (1992), “The Separatist Movement in Quebec”, in Ram Rattan (ed.) *Canadian Political System in the 1990s*, Kalinga Publications: New Delhi, p. 261.

² Van Loon, R. J & Whittington, Michael S. (1987), *The Canadian Political System*, 4th Edition, McGraw-Hill Ryerson Limited: Toronto, p. 73.

Quebec, the former have the dualistic conception of a political system of “Quebec” and the rest of the country. The conception of Quebec as a separate nation can be traced in the history of this province. Whether Canada is one nation or two is a matter of definition. Constitutional expert Eugene Forsey has expressed the two conflicting view points thus: “in the ethnic, cultural, sociological sense, Canada is two nations ... In the political, legal, constitutional sense, Canada is one nation”.³

The initial survival of French culture in Canada did not depend upon provincial autonomy, a belief which is such an inseparable and insistent part of present opinion in Quebec. In the critical early days after the concession, and to a lesser extent down to 1867, the French were subjected to an alien rule. The social institutions, the religion, and the language of the people were a sufficiently cohesive force, under the policy of Britain, to ensure the continuance of the group, even though ultimate political power lay elsewhere. French-Canadian nationalism was identified with the Catholic religion, a new French-Canadian ‘race’ and the French language.

Contemporary Quebec nationalism is a product of the modernisation and secularisation of Quebec society. The intensity for separate nation from Canada became strong after the Second World War, particularly in the 1960s. The Quebec nation in the sixties transformed itself into a civic society. The French-Canadian nationalism of the pre-1960s transformed itself into Quebec nationalism. The secessionists maintain that Quebec was forced into the confederation with British Canada and therefore, there is no constitutional obligation to remain so.

I. The Political Dimension

Historically, the British conquest of 1759 had resulted in effectively severing Quebec’s umbilical cord from the mother country. The settlers in New France represented the feudal conservative segment of the French people. Consequently, a kind of Catholicism dominated Quebec. French Canadians had long thought of themselves as a ‘distinctive’ society. The growth of French Canadian nationalism in Quebec has been associated with

³ Cited in Bharadwaj, P. K (1992), “The Separatist Movement in Quebec”, n. 1, p. 262.

the emergence of the label *Québécois* to personify the collectivity. Literally, *Québécois* means a resident of Quebec but the psychological meaning of the label is unclear.⁴ Interestingly, it would seem that the label “French Canadian”, which denotes linguistic distinctiveness, is not the label preferred by many in the French community. Instead, the label *Québécois* is evoked; one which makes no explicit reference to linguistic heritage.⁵ We shall now take a look at the various phases of Quebec nationalism and their demands in particular and the federal response to accommodate the nationalist aspirations.

I.1 Phases of Quebec Nationalism

The origins of the first phase of organised attempt to achieve independence can be traced directly to the parliamentary struggles in the Assembly of Lower Canada between 1791^{*} and 1837.⁶ Disagreements over who should control the finances of Lower Canada culminated in an armed uprising and a *Patriote* declaration proclaiming Lower Canada an independent republic in 1838.⁷ The *Patriote* led by Louis Joseph Papineau became the dynamic force for radical politics.

As colonisation was an economic matter for the British, they wanted the province to be administered in a way that would favour mercantile capitalism. But the Francophone majority wanted sufficient autonomy to control and improve their own economic situation within a traditional, essentially pre-capitalist social structure. The ideological division within the Assembly was fairly clear. The British wanted economic liberalism but was politically conservative. The British efforts were opposed by *Parti Canadien* and later by *Parti Patriote* whose members were economically conservative

⁴ Taylor, Donald M & Sigal, Ronald J. (1985), “Defining “Québécois”: The Role of Ethnic Heritage, Language, and Political Orientation”, in Rita M. Bienvenue & Jay E. Goldstein, *Ethnicity and Ethnic Relations in Canada*, 2nd Edition, Butterworths & Co. (Canada) Ltd.: Toronto, p. 125.

⁵ Ibid., Pp. 125-6.

⁶ Gingras, Francois-Pierre & Neviite, Neil (1984), “The Evolution of Quebec Nationalism, in Alain G. Gagnon (ed.) *Quebec: State and Society*, Methuen Publications: Toronto, p. 4

⁷ Ibid.

but politically reformist.⁸ The British government's consistent backing of the governor's opposition to *Patriote* demands galvanised *Patriote* orientations into a nationalist stance.⁹

However, in view of the Britain's consistent support to the governor, Church's condemnation of the revolution, Papineau's weak military leadership, the failure to marshal peasant support and ineffective military organisation, the *Patriote* resistance subsided.¹⁰ The rebellion was crushed and a new, more centralised, regime was installed under the governorship of Lord Durham.

The defeat of the *Patriotes* had significant consequences for the leadership of French Canada and the development of Quebec nationalism over the next century. The most remarkable efforts of this rebellion was that it marked the beginning of the French Canadian nationalism, which henceforth, became the permanent feature of Canadian as well as Quebec politics.

The second French Canadian nationalist upsurge occurred in the 1870s and 1880s, and it is associated with Louis Riel and Honoré Mercier. Honoré Mercier became Premier of Québec as leader of the *Parti Nationale* after the provincial elections of October 1886. The Progressive Conservative Party, which Mercier had defeated, counter-attacked by trying to discredit the nationalist leaders and their ideas. The federal Progressive Conservatives increased their pressure against the Mercier government by having the lieutenant-governor of the province, former Conservative Minister Real Angers, refuse to sign financial warrants proposed by the nationalist governments. Eventually, in the provincial elections of 1892, the Progressive Conservative Party (PCP) regained power in Québec, and the defeat of the *Parti Nationale* marked the end of the second explosion of nationalism in French Canada.¹¹

⁸ Jain, Sharda (1992), "The Problem of Quebec: Issues and Trends", in Ram Rattan (ed.) *Canadian Political System in the 1990s*, Kalinga Publications: New Delhi, p. 279.

⁹ Ibid.

¹⁰ Young, Brain & J. A. Dickinson (1988), *A Short History of Quebec: A Socio-Economic Perspective*, Copp Clark Pittman: Toronto, p. 148.

¹¹ Bernard, André (1985), "Nationalism in Québec", in Rita M. Bienvenue & Jay E. Goldstein, *Ethnicity and Ethnic Relations in Canada*, 2nd Edition, Butterworths & Co. (Canada) Ltd.: Toronto, Pp. 310-11.

In the early part of the twentieth century, several nationalist movements appeared in French Canada. The most important of these was led by Henri Bourassa. At the time, the term “nationalist” implied more power for the government of Québec in cultural matters and more independence of Canada from the British connection. Although Bourassa stopped short of any call for the separation of Quebec from Canada, this was not necessarily true of his followers, just as it had not been true of several members of the previous nationalist movement, the *Parti Nationale*, in the 1880s.¹²

During World War I, Canada came close to civil war then at any other time in its history, as two issues combined to bring tensions to the boiling point. The first was yet another school crisis, brought on by a 1913 Ontario regulation limiting the use of French in Ontario schools. The second was the battle over conscription for war service. At a time when national unity was vital, the agitation about schools made it impossible. For Quebec, traditionally inward-looking, the educational issue was far more important than fighting a foreign war.

The third outburst of French Canadian nationalism was prompted by the 1917, wartime federal elections and conscription debates, which made the headlines during the 1920s and the 1930s. It gained strength under the impact of the depression and found expression in the rise of a new Quebec provincial party, *l'Union Nationale*, led by Maurice Duplessis.¹³ Duplessis was elected in 1936 on a programme of provincial rights and opposition to the federal government and to English-owned business. Unable or unwilling to legislate the reforms he had promised, Maurice Duplessis, the new Premier, tried to placate those interests which opposed reform but approved of nationalism.¹⁴ With one exception, in 1939, this appeal led him to victory in every election until his death in 1959.

Under his leadership, conflict between the Quebec and federal governments often took the form of provincial protests against alleged federal encroachments on provincial

¹² Van Loon, R. J & Whittington, Michael S. (1987), *The Canadian Political System*, n. 2, p. 77.

¹³ *Ibid.*, p. 79.

¹⁴ Bernard, André (1985), “Nationalism in Québec”, n. 11, p. 311.

jurisdiction, especially federal anti-depression measures. The only sharp crisis in Canadian ethnic relations during the Duplessis years came during World War II on the issue of conscription. However, by 1950s, the hold of traditional elites on Quebecois began to loosen. The Asbestos strike of 1949 in Quebec set popular opinion against Maurice Duplessis's *Union Nationale*.¹⁵ The death of Duplessis in 1959 and defeat of his *Union Nationale* in 1960 by Jean Lesage's Liberals can be cited as the beginning of Quiet Revolution which radically changed the reactionary, priest-ridden, rural, poor and tradition-bound society and politics of Quebec.

The emergence of right-wing Alliance Laurentienne founded in 1957 was the last expression of a dying reactionary separatist tradition. Its activities were not very wide and were limited to a small segment of traditional middle-class. It favoured independence as the only way to protect the values of French civilization from English-speaking North America. But its ideology could not find support among most of the Quebecois and it lost validity in the 1960s.¹⁶

I.2 La Survivance

The ideological content of traditional nationalism revolved around the idea of *la survivance*. It was a staunchly anti-liberal nationalism that idealised an organic French-Canadian community life centred around the parish, the school, and the family, all operating in the larger context of a traditional rural economy. A larger role for government was deemed unnecessary given the dominance of religious institutions in the province's infrastructure. That dominance not only helped to fuse French-Canadian

¹⁵ Technically, it was an illegal strike because when the negotiations broke down the workers set up picket lines instead of following provincial procedures and waiting for arbitration. The companies involved appealed to the provincial government, and Duplessis responded by denouncing the strike and sending in his provincial police to break up the picket lines and arrest the strike leaders. The workers, nonetheless, held firm and stayed out for four months until a new contract was signed. In the history of Quebec's industrial relations, the Asbestos Strike was no more violent and no more significant than many other strikes, but it has since been given a huge symbolic importance and has come to be seen as a turning point in the history of the province. It was noteworthy that one of the unions was a Catholic union and that this union was among the most militant in its defiance of its employer and of the provincial government. Even more unusual was the fact that leading clergymen, including Archbishop Charbonneau of Montreal supported the strikers.

¹⁶ Gagnon, Alain G. (ed.) (1984), *Quebec: State and Society*, Methuen Publications: Toronto, p. 6.

religious and national identities to the point that religious rights became a surrogate for national rights, but it has also been held responsible for the retardation of Québec's social, economic, and political development. The ideology of the *la survivance* resulted in a cultural isolationism that took refuge behind provincial autonomy.¹⁷ The stability and lifespan of traditional non-independentist nationalism can be explained in large part as the result of an understanding between French Canada's traditional elites and the elites of Anglophone Canada, reflected in exhortations to respect law and order, and the grip of French Canada's secular and non-secular elites on a relatively passive population.¹⁸

La survivance is premised on the idea that Québec's national culture faces continual threats and the threats, historically, have been perceived as taking many forms. There have been infringements by federal and other provincial governments on the rights and privileges of French Canadians outside Québec. Canada's links to Britain meant the participation of French Canadians in imperial campaigns. Within Québec, the forces of industrialisation challenged traditional anti-materialism and the rural ideal. Although French Canadians established control over their political, social, cultural, and religious institutions, the economic penetration of Québec-led by foreign interests attracted by the low labour costs and government policies-resulted in the progressive exclusion of Québécois from increasingly powerful economic institutions. In the larger context of the Canadian political system, demographic trends have operated to the disadvantage of Francophones. For nationalists, their minority status in federal institutions offers insufficient protection for Québec's interests, notwithstanding the significance of Québec support for the electoral success of federal political parties.¹⁹ The collective impact of these and other threats have given traditional nationalism its "culture under siege" quality.

¹⁷ Gingras, Francois-Pierre & Nevitte, Neil (1984), "The Evolution of Quebec Nationalism, n. 6, p. 5.

¹⁸ Ibid.

¹⁹ See Gingras, Francois -Pierre & Winn, Conrad (1976), "Bicultural Cleavage", in Conrad Winn and John McMenemy (eds.), *Political Parties in Canada*, McGraw-Hill Ryerson: Toronto, Pp. 50-70.

I.3 Quiet Revolution

The fourth upsurge of nationalism in Quebec developed in the 1960s. Regarded as Québec's "coming of age", its belated emergence into the modern era, the Quiet Revolution is viewed as the important development in Québec's history. With the election in 1960 of the Liberal government of Jean Lesage, in which the francophone new middle class was a major presence, liberal forces had a new foothold in the Quebec state and the period of the Quiet Revolution began.²⁰ At the same time, the discourse of the Lesage Government was also resolutely nationalist. The government proclaimed that the Québécois had to become '*maîtres chez nous*' - 'masters in our own house'.²¹ Lévesque opines that "Quiet Revolution gave us our first heady dose of collective self-reliance".²²

Until Quebec underwent its so-called "Quiet Revolution" in the 1960s, French Canadian nationalism was seen as the ideological embodiment of a set of social structures and a value system that presumably isolated the province from the modernisation process and from the rest of North America. This insulation was said to have allowed the descendants of fewer than 10,000 French pioneers to survive.

Ushered in by the Liberal Premier Jean Lesage, the Quiet Revolution galvanised a Quebec mired in outdated agrarian and theological traditions – a Quebec in which Francophones comprised 80 per cent of the province's population but owned a mere 22 per cent of its manufacturing businesses and only 26 per cent of its financial institutions.²³ The Quiet Revolution was a cultural revolution in the business-averse Catholic Quebec and among its hallmarks was the establishment of the *Société générale de financement du Québec*, a state-owned investment agency targeted to francophone businesses, and the *Caisse de dépôt et placement du Québec*, the provincial investment corporation that invests savings (mainly public sector pension funds) in Quebec

²⁰ McRoberts, Kenneth (1997), *Discovering Canada: The Struggle for National Unity*, Oxford University Press: Toronto, Pp. 32-33.

²¹ For details, see Lévesque, René (1970), "To Be Masters in Our Own House", in William Kilbourn, *Canada: A Guide to the Peaceable Kingdom*, Mcmillian of Canada: Toronto, Pp. 242-250.

²² *Ibid.*, p. 245.

²³ Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, University of Toronto Press: Toronto, p. 4.

enterprises. These moves were augmented by the nationalisation of about 82 per cent of the province's hydroelectric resources under the aegis of the crown corporation Hydro-Québec.²⁴ Other crown corporations were also established.

The Quiet Revolution signaled Quebec's emergence from a relatively poor, largely agrarian population to a modern industrialized society. It finally managed to bring about the internal unity of French society in Quebec. After all, it was in the 1960s that a sizable and politically important middle class emerged and a whole range of traditional social, economic, cultural and political institutions, which had been pillars of a traditional conservative style of nationalism, came under sustained attack. It is hardly surprising, then, that the electoral success of the *Parti Québécois* (PQ), the most widely supported vehicle of contemporary nationalism, is directly related to the changes implied by the Quiet revolution.²⁵ It succeeded in ending the division which had persisted for quite some time between the old rural society and the new urban one whose attitudes and values were now asserting themselves everywhere. The Revolution therefore, completed the homogenisation of French society, a process which had really started in the mid-1950s with the advent of television. In several ways, journalists and media played a key role in this last phase of Quebec's modernisation: by vigorously denouncing the vestiges of the Duplessis's regime, by preparing the population for a more active role on the part of the state, by spreading new ideas of progress and social organisation, and most of all, by promoting new forms of collective awareness.²⁶

The Quiet Revolution gained momentum after the visit of Queen Elizabeth II in October 1964. Nationalist demonstrators were beaten by police in Québec City, during the Queen's visit, and that event focused attention on the new movement. The subsequent formation of two new national parties, the *Rassemblement pour l'Indépendance Nationale* (RIN), led by Pierre Bourgault, and the *Ralliement Nationale* (RN), led by

²⁴ Ibid.

²⁵ Gingras, Francois-Pierre & Neville, Neil (1984), "The Evolution of Quebec Nationalism, n. 6. p. 3.

²⁶ Clift, Dominique (1982), *Quebec Nationalism in Crisis*, McGill-Queen's University Press: Kingston & Montreal, p. 33.

Gilles Grégoire, which pooled close to 9 per cent of the votes in the 1966 provincial election, fuelled the movement.

Already vigorous, the new nationalist movement virtually exploded in 1967. Even as the country was celebrating the Expo 67, France's president, General Charles de Gaulle, one of the many heads of state to visit Canada, contributed to the visibility of the movement. De Gaulle was moved by the idea of a French nation on the North American continent. During his visit to Montreal in July of that year, the general ended his address with the words, "*Vive Montréal! Vive le Québec! Vive le Québec libre!*". The finale exhortation, an apparent endorsement of separatism, drew cheers from the placard wavers and stunned gasps from federal officials.²⁷

In October, a former Liberal minister, René Lévesque, left the Québec Liberal Party to form a new organisation called *le Mouvement Souveraineté-Association*. In November 1967, while gathered for what was called *Les Etats généraux du Canada français*, a majority of the 2,500 delegates representing several hundred French Canadian associations voted in favour of a proposition claiming full sovereignty for Québec. From then on events multiplied, leading to the unification of the nationalist forces under the banner of the Parti Québécois led by former Liberal René Lévesque.²⁸

It may be noted that, much of the publicity relating to the Quiet Revolution focused on the clashes between the Quebec and Ottawa. Disputes between the two levels of government were inevitable. Under Lesage, the provincial government was now required to take the initiative in economic and social matters. The province was to carry out important changes focusing upon the modernisation of education, government planning of industrial development and voluntary secularisation of society. Accordingly, the Quebec provincial government dramatically increased the scope of its activities, replacing the Church. In the process, the demography of language and the definition of

²⁷ Hillmer, Norman, Granatstein, J. L. (1994), *Empire to Umpire: Canada and the World to the 1990s*, Coop Clark Longman Ltd.: Toronto, p. 283.

²⁸ Bernard, André (1985), "Nationalism in Québec", n. 11, Pp. 311-2.

the political community acquired a much greater salience to many Quebec French Canadians.

This, according to Kenneth McRoberts, was due to some of the important effects of modernisation. One was that urbanisation destroyed the physical separation of French Canadians from English Canadians which had marked rural Quebec. Second, French Canadians elites had to compete directly with English Canadians for power in the upper levels of the industrial economy. Third, French Canadians were drawn into open conflict with immigrant groups opposing the standing tendency of immigrants to integrate with the English-speaking community. Fourth consequence was the intensification of the class conflict among French Canadians. Consequent to all these effects, French Canadian nationalism was largely supplanted within Quebec, by a new Quebec-centred nationalism.²⁹ Thus, Quiet Revolution fostered a stronger Quebec identity and greater economic and political power for French-speaking Quebecers. In turn, Quebec nationalists grew more confident that they could take concrete steps to protect and promote the French language and culture.

I.4 Demands of the Quebecers

Alain Gagnon points out that from the 1960s onwards, all Quebec governments have attempted to maximise the province's autonomy within the federation. In general, they have made five claims³⁰:

- (i) Recognition of Quebec as a distinct society;
- (ii) Reform of the constitution that guarantees Quebec a veto power and maximises the scope of Quebec's jurisdiction in most policy fields;
- (iii) Re-appointment of federal-provincial fiscal resources to reflect Quebec's needs;
- (iv) A reduced federal role in the development, implementation and financing of provincial policies/programmes; and

²⁹ Narang, A.S (1995), *Ethnic Identities and Federalism*, Indian Institute of Advanced Study: Shimla, Pp. 110-11.

³⁰ Gagnon, Alain G. (1989), "Canadian Federalism: A Working Balance", in Murray Forsyth (ed.), *Federalism and Nationalism*, Leicester University Press: Leicester, p. 153.

- (v) An increased role for Quebec both in determining the composition and operation of federal institutions, and also in decisions regarding the development, implementation and financing of federal policies programmes.

I.5 The Separatist Option

During the 1960s, advocates for Quebec separatism began to emerge. One wing of the separatist movement, the *Front de Libération du Québec* (FLQ), believed that the normal political process was not responding quickly enough to the demands of the Quiet Revolution, and resorted to violence. Its periodic bombings killed two people and injured many others. In October 1970, two small cells of the FLQ kidnapped a British diplomat, James Cross, and abducted and murdered Quebec Cabinet Minister Pierre Laporte.³¹

In response to the killings, Trudeau invoked the War Measures Act, giving the police and armed forces special powers to quell the violence – arresting over 400 innocent, peaceful separatist supporters in the process.³² By crushing the FLQ, by giving French Canadians more clout in Ottawa, and by guaranteeing pan-Canadian bilingualism in the Constitution in 1982, Trudeau hoped to undercut any Quebec demand for special status or separatism in the defence of French Canada.

Quebec nationalism is thus not only a verbal protest against a situation judged to be unacceptable, but an attempt to change the “rules of the game” by making it easier for Francophones to have greater role in Canadian politics. Even though the Quiet Revolution marked a significant change that redirected the course of mainstream Quebec nationalism, it is unlikely that the changes of the 1960s were as complete or as sudden as many interpretations of the Quiet revolution would have us believe.³³ By the end of the 1960s, the effort to accommodate Quebec nationalism was initiated. All the major parties were united around a strategy of confronting and undermining Quebec nationalism. This

³¹ Dyck, Rand (2002), *Canadian Politics*, 2nd Edition, Thomson & Nelson Canada Ltd.: Scarborough, p. 48.

³² Ibid.

³³ Rioux, Marcel (1978), *Quebec in Question*, James Lorimer & Co.: Toronto, Pp. 73-111; Dion, Léon, “Towards a Self-Determined Consciousness”, in Dale Thomson (ed.) (1973), *Quebec Society and Politics*, McClelland and Stewart: Toronto, Pp. 27-33.

radical reversal was made possible by a new political phenomenon: a Francophone from Quebec who insisted that accommodation of Quebec nationalism was necessary, wrong-headed and, in fact, immoral. In its place, Pierre Trudeau proposed to incorporate Quebec Francophones into a new Canadian identity.

I.6 Parti Québécois (PQ) and Movement for Sovereignty-Association

The first parties committed to independence, the *Ralliement Nationale* (RN) and the *Rassemblement pour l'indépendance Nationale* (RIN), formed in the early 1960s, were joined together to form *Parti Québécois* (PQ) under the leadership of René Lévesque in 1968. During the eight years before the accession to power in November 1976, the PQ detailed many aspects of the social, economic and political organization of an independent Quebec.

Relating its economic programme to independence, PQ aimed at the expansion of the role of Quebec as a planner and initiator of Quebec-based development by the “representatives, in equal numbers, of workers and other parts of the population, of which enterprises of public powers”.³⁴ For Quebec, PQ suggested a mixed economy that would preserve private enterprise and a spirit of competition. After assuming office in November 1976, PQ quickly moved to implement its programme.

On the question of independence, the party presented a new nation-state model. Its preamble declared that the good of Quebec, as well as the interests of Canada, necessitate that “in the measure compatible without collective interests, the nation accedes to sovereignty in a perspective of economic continuity”. Quebec would finally assume the powers of a state, but would maintain a relatively high level of economic integration with the rest of Canada. A number of economic and political steps were outlined in the White Paper, including the following:

³⁴ McRoberts, Kenneth (1988), *Quebec: Social Change and Political Crisis*, 3rd Edition, McClelland & Stewart: Toronto, p. 249.

- (i) Both Quebec and rest of Canada would function as fully sovereign states in the relations with each other and with the outside world;
- (ii) All the assets and liabilities currently vested in the government of Canada would be proportionately divided up between the two successor States;
- (iii) The Quebec portion of the St. Lawrence Seaway and the Quebec based assets of all federal crown corporations would come under its control;
- (iv) In addition to its Canadian counterparts, there would be a Quebec military, a Quebec diplomatic corps; a Quebec mission to United Nations; as also Quebec citizenship and passport; and that
- (v) The National Assembly, Cabinet and Judicial System would be on the model of Canada.

Despite presenting such mode of Quebec's political sovereignty, the PQ softened its attitude and did not go to the length of demanding a complete break up with Canada. Its vision was that in order to exist as a nation, Quebec needed control on the process of political decision-making. It thus, laid stress on sovereignty rather than on independence and liberation.³⁵ At the same time, it also stressed the need of agreed economic interdependence with Canada. It also proposed the establishment of a Canada-Quebec common market, with governments of Quebec and Canada as equal partners. It was also ready to have a common currency for both the successor states. Thus, while proposing a flexibility in Quebec-Canada relations, the White Paper also admitted that the association of the two demographically and economically unequal partners would certainly raise some difficulties in the course of negotiations.

I.7 Implications of Sovereignty-Association

PQ's concept of sovereignty with economic association with Canada generated a lot of confusion among both the Quebecois and the other Canadians, whether English or French. The talk of sovereignty for Quebec meant that it would have all the powers both internally and externally. Such a situation could lead to conflicts and deadlocks and could

³⁵ Jain, Sharda, "The Problem of Quebec: Issues and Trends", n. 8, p. 285.

be devoid of the international leverage presently wielded by the federal government. The devolution of major powers to new Quebec sovereign state would also intensify pressures for decentralisation of powers within the remaining Canadian state.

The concept of Sovereignty-Association would mean a Quebec partly with Canada and partly out of it, creating a lot of confusion to other international entities. The confusion would arise as Sovereignty-association would allow Quebec's representation in the United Nations (UN), North Atlantic Treaty Organisation (NATO), North America Air Defence (NORAD), the Organization of American States (OAS), *La Francophonie*, and many other international organizations. It would allow for much greater latitude in passing legislation in all sorts of areas formerly under federal jurisdiction. It would require a restructuring of its statute books, or system of criminal laws, to better reflect the Quebec reality.³⁶ In clear terms, a sovereign Quebec can only mean an independent Quebec, not an autonomous Quebec.

I.8 Referendum of 1980

The Lévesque government waited until its fourth year in office to announce the date of the referendum on Quebec sovereignty – 20 May 1980. The delay seems to have been caused by tactical considerations, such as the hope that the referendum might have a better chance of winning once Trudeau had been replaced by a non-Quebecer, Joe Clark³⁷

The Lévesque government defined the purpose of the vote itself as not the actual endorsement of sovereignty-association but a mandate to the Quebec government to negotiate sovereignty-association with the federal government. In the referendum, the “No” side won 59.5 per cent to 40.5 per cent, just enough to allow the claim that a majority of all linguistic groups in Quebec had voted against the mandate.³⁸ The result, with 60 per cent voting against negotiations, could be interpreted as a rejection of

³⁶ Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, n. 23, p. 62.

³⁷ McRoberts, Kenneth (1997), *Discovering Canada: The Struggle for National Unity*, n. 20, p. 155.

³⁸ Narang, A.S. (1995), *Ethnic Identities and Federalism*, n. 29, p. 113.

independence, but it could not so easily be interpreted either as a vote for the existing federal union.³⁹

With the 1980 referendum victory, the federal government felt it could act freely, and the underlying logic of its strategy was now revealed: *Quebec* nationalism was to be defeated by *Canadian* nationalism.

I.9 Referendum of 1995

The 30 October, 1995 referendum in the province of Quebec, in which 50.6 per cent voted against and 49.4 per cent for, with a mere 54,498 votes dividing the two, showed that Canada was most susceptible to break up. Though Canada has no rules for breaking itself up, there is something wonderfully democratic about it allowing one of its major parts to vote freely on its future within or outside the federation. While in 1995, fifteen years after a similar referendum in 1980, a majority of the Québécois, over 60 per cent, believed that they constitute a distinct nation and this nation deserves a state of its own (in 1980 this percentage was less than 50 per cent), indications are that since 1995 support for separation has declined. Whatever the future may hold for the Quebec separatist movement, and even though it will probably fail to make Quebec an independent state.⁴⁰

Compared with the 1980 referendum, this represented a gain in the Yes vote by close to 9 percentage points on a question that constituted a mandate for sovereignty itself, with or without 'partnership', rather than for the negotiation of sovereignty-association.⁴¹ In short, the referendum had made Quebec sovereignty a distinct possibility.

³⁹ Granatstein, J. L., et al., (1990), *Nation: Canada since Confederation (1867-1990)*, 3rd Edition, McGraw-Hill Ryerson Limited: Toronto, p. 508.

⁴⁰ Narang, A. S.(2002), "Sovereignty Campaign in Quebec", in K. R. G. Nair & Romey Borges, (eds.), *Discovering French Canada*, Allied Publishers Pvt. Limited: New Delhi, p. 47.

⁴¹ McRoberts, Kenneth (1997), *Discovering Canada: The Struggle for National Unity*, n. 20, p. 230.

I.10 Post-Referendum

The Quebec government under Premier Jacques Parizeau sponsored a referendum in 1995 that sought a mandate on what is called sovereignty-partnership. The question itself was confusing – polls showed a significant number of those voting ‘yes’ did not understand that this could result in Quebec no longer being a province of Canada. But Parizeau states that he would use a “yes” vote in such a referendum, by however small a margin, as a justification to proceed a unilateral declaration of independence.

In September 1997, nine provincial premiers (excluding Lucien Bouchard) gathered in Calgary and produced the Calgary Declaration. It tried to reconcile the “unique character of Quebec society” with the equality of all the provinces. While substituting “unique” for “distinct” and emphasizing provincial equality might attract some support in English Canada as a recipe for constitutional reform, however, it was less certain that it would appeal to most Quebecers.⁴² Whatever the outcome may be, with the absence of the province of Quebec, any declarations or agreements between the federal and other provinces will be ineffective in its implementations as the party to the problem is absent.

After returning to power for the second time, the Chrétien government referred a hypothetical question to the Supreme Court, asking it to rule on the legality of a unilateral declaration of independence by Quebec. In August 1998, the Supreme Court answered the question previously submitted by Chrétien: “secession of a province ‘under the Constitution’ could not be achieved unilaterally”. In the words of the Court:

“Quebec does not meet the threshold of a colonial people or an oppressed people, nor can it be suggested that Quebecers have been denied meaningful access to government to pursue their political, economic, cultural and social development ... [But] a clear majority in Quebec on a clear question in favour of secession would confer democratic

⁴² Dyck, Rand (2002), *Canadian Politics*, n. 31, p. 58.

legitimacy on the secession initiative which all of the other participants in Confederation would have to recognize”.⁴³

Bouchard was re-elected three months later, and threatened another referendum as soon as “winning conditions” prevailed. This led Chrétien to introduce a controversial Clarity Act, which essentially translated the Supreme Court decision into legislation. The Clarity Act, which gave effect to the opinion by the Supreme Court of Canada, is in keeping with the principle of federalism. The Act respects the autonomy and sovereignty of a provincial government in its areas of jurisdiction and explicitly recognises its right to ask the question it wants in a referendum. But the Act also stipulates that the federal government cannot undertake to negotiate the end of its own constitutional responsibilities toward a part of Canadian population unless that population has clearly expressed its will to effect secession.

II. Constitutional Mechanisms

II.1 Royal Commission on Bilingualism and Biculturalism

During the 1960s, the Lester Pearson government initiated to bring about equality between the Quebec government and the federal government. To give fuller recognition of the French fact in Canada, the Liberal Party in 1963 appointed a Royal Commission on Bilingualism and Biculturalism “to recommend what steps should be taken to develop the Canadian Confederation on the basis of an equal partnership between the two founding races”.⁴⁴ The Commission adopted as basic the principle that Canadian citizens should have the right to be served by the federal administration in either English or French. This was initiated despite the huge numerical difference between the two founding nations. The outcome of this dualist proposal was that it guaranteed the French Canadians its language and its culture.

⁴³ Ibid., p. 59.

⁴⁴ Granatstein, J. L, et al., (1990), *Nation: Canada since Confederation (1867-1990)*, n. 39, p. 481.

II.2 Official Language Act

The Act was introduced by Pearson Government to make Canadian public service bilingual. Soon after Trudeau's assumption of power, it was codified into law in 1969. The Act called for notices, regulations, decisions, and similar materials to be published in both official languages; required departments, agencies, and Crown corporations to provide bilingual services in Ottawa-Hull, at its headquarters, in bilingual districts, and to the traveling public anywhere in Canada where demand warranted; stipulated the role of official languages in judicial proceedings; described the procedure for creating federal bilingual districts; and outlined the office, powers, and responsibilities of the commissioner of official languages. Since then Canada has become officially and effectively bilingual in its federal institutions. Ottawa also began to assist francophone minorities in other provinces in order to try to stem their increasing assimilation into the Anglophone majorities as well as to support French immersion educational programmes.⁴⁵

II.3 Multiculturalism vs Interculturalism

The Trudeau government's policy of multiculturalism was a response to, or more precisely a reaction against, the recommendations of the Royal Commission on Bilingualism and Biculturalism. The new multiculturalism policy was announced by Prime Minister Trudeau in the House on 8 October 1971. For Trudeau, multiculturalism was more about freeing the individual from constraints than promoting the development of cultural groups. A multiculturalism Act was not passed until, 1988, 17 years after the original announcement of the policy, and under the Mulroney government.

Not surprisingly, multiculturalism was denounced in Quebec from the outset. Quebec continued to be dominated by a distinctive understanding of Canada that provided clear directions as to how the Canadian political order should be organised and should function. Towards the end of the seventies, in opposition, the Quebec government

⁴⁵ Dyck, Rand (2002), *Canadian Politics*, n. 31, p. 47.

initiated their own version of multiculturalism by introducing “Interculturalism”. Quebec policy was termed ‘interculturalist’ and the preferred metaphor, as opposed to the *mosaic*, was that of the *tree* into which various rootstocks are grafted.⁴⁶

II.4 The Constitution Act, 1982

Canadian nationalism is the principle which inspired the founders of the new constitutional order in 1982, and which they have sought to inject into political culture and custom.⁴⁷ The Charter of Rights and Freedoms entrenched in the Constitution Act, 1982 reflected an emphasis on protecting and promoting individual rights in Canada. Outside Quebec, the Charter is extremely popular. By contrast, Francophone Quebecers continue to emphasize collective rights as a vehicle to protect the French language and culture. The Constitution of 1982 was bitterly resented by the Quebec government because it denied an ‘opting-out’ clause for the province with compensation, which would have permitted a special status for the province, and because it eliminated the veto that Quebec had customarily exercised over constitutional amendments.

The Constitution Act, 1982, was passed without the consent of the Quebec legislature. Not only does the Constitution Act fail to enhance the powers of the Quebec government or to reform central institutions, but under the Charter of Rights and Freedoms the powers of the Quebec government were reduced, directly affecting important Quebec laws. In the light of Quebec’s historical demands, the primary failing of the Constitution Act, 1982, is that it neither gives Quebec a veto over constitutional change nor gives Quebec any new powers.

The Constitution Act, 1982, including the Charter of Rights and Freedoms, was operative in Quebec even though the government of that province refused to endorse it. When he became Prime Minister, however, Brian Mulroney was determined that Quebec

⁴⁶ Mc Andrew, Marie (2005), *Quebec Interculturalism: Convergence and Divergence with the Canadian Model*, International Conference on Multiculturalism: Public Policy and Problem Areas in Canada and India, India International Centre (IIC): New Delhi, p. 7.

⁴⁷ Laforest, Guy (1995), *Trudeau and the End of a Canadian Dream*, McGill-Queen’s University Press: Montreal & Kingston, p. 185.

should symbolically rejoin the Canadian constitutional family with “honour and enthusiasm”. He included several Quebec nationalists in his cabinet, and in 1985, asked Bourassa to outline his conditions for such a reunion.⁴⁸ The Quebec government proceeded to make five demands:

- (i) constitutional recognition of Quebec as a “distinct society” within Canada
- (ii) increased jurisdiction over immigration
- (iii) participation in Supreme Court appointments
- (iv) power to veto constitutional amendments
- (v) right to opt out, with compensation, of national programs within provincial jurisdiction

In an effort to bring about a solution to the demands of the Quebecers, Mulroney called the provincial premiers together at Meech Lake in April 1987, where they agreed to a document that addressed Quebec’s demands and became known as the Meech Lake Accord.

II.5 The Meech Lake Accord and its Failure

The Meech Lake Accord was a proposed set of amendments to the 1982 Constitution Act designed to convince Quebec that it should sign the Constitution. The meeting at Meech Lake in 1987 was attempted to accommodate the only non-signatory to that constitution, Quebec. According to the provisions of the accord, Quebec was to be recognized as a ‘distinct society’, which referred to Quebec’s interest in protecting its distinctive language, culture, and system of civil law.

When the Meech lake Accord was introduced in 1987, all ten premiers and the prime minister supported it. One reason the Accord was well received in Quebec may have been that its significance was interpreted very broadly. In an effort to persuade Quebecers of the Accord, Bourassa and Intergovernmental Affairs Minister Gil Rémillard

⁴⁸ Dyck, Rand (2002), *Canadian Politics*, n. 31, Pp. 52-53.

repeatedly said that Quebec would use the “distinct society” clause to seek substantial new powers in the future, in a broad range of jurisdictions.⁴⁹

For the Quebecois, Meech Lake has been the tremendous advantage of clarifying what is at stake in their collective destiny. The Meech Lake Accord was seen in Quebec as a recognition, though limited and grudging, of the province’s special place in the Canadian federation.

The Meech Lake amendment required unanimous consent. As the June 1990 ratification deadline approached, it unraveled at an increasing pace. Last-minute attempts to save the accord were regarded with cynicism and anger by opponents; its demise sowed bitterness among proponents and, among francophone Quebecers, a sense of rejection.⁵⁰ The provincial leaders pledged that the accord would be ratified in their respective legislatures; however, it collapsed when the Manitoba and Newfoundland had failed to ratify it by the three-year deadline of 23 June, 1990.⁵¹

The Meech Lake Accord was sold badly to the Canadian public by the Mulroney government. To some extent, the failure of many Canadian cultural elites to fully support the constitutional agreement doomed Meech Lake.⁵² This distinct society clause of the Meech lake Accord, which would have balanced the Charter of Rights’ individual rights focus with the collective rights interests of Canada’s francophone minority, was of core importance. This clause was rejected by the majority of non-francophone Canadians who were wary of offering Quebec special powers unavailable in the rest of the nation.⁵³ It

⁴⁹ Hurtig, Mel (1992), *The Betrayal of Canada*, 2nd Edition, Stoddart Publishing Co. Ltd.: Toronto, p. 308.

⁵⁰ Breton, Raymond (1992), *Why Meech Failed: Lessons for Canadian Constitutionmaking*, Observation no. 35, C. D. Howe Institute, Hignell Printing Ltd.: Toronto, Forward by Thomas E. Kierans.

⁵¹ For details see Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, n. 23, p. 20.

⁵² Latouche, Daniel (1995), “Quebec in the Emerging North American Configuration”, in Robert L. Earle & John D. Wirth (eds.) *Identities in North America: The Search for Community*, Stanford University Press: Stanford, p. 135.

⁵³ Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, n. 23, Pp. 19-20.

failed because the public were virtually excluded from the deliberation, as many critics maintain.⁵⁴

After the failure of Meech Lake, a number of Canadians and Quebecois proposed reconstructing Canada on the basis of strong regional governments associated in a decentralised confederation. The ultimate outcome was the setting up of various commissions to look into the matters that have plagued the relationship between the federal government and the province of Quebec.

Prelude to the Charlottetown Agreement

1) The Allaire Report

On 28 January 1991 the Quebec Liberal party released a report (Allaire report) recommending that the rest of Canada be given until the end of 1992 to negotiate a new deal with the province. If these talks were to fail, there would be a referendum on sovereignty. The Allaire report noted that Quebec would negotiate agreements only with Ottawa and not directly with the other provinces. Quebec appeared to be given the rest of Canada one more chance, until fall 1992, to negotiate a radically new constitutional agreement. In practice, according to the Allaire report, Quebec was demanding either complete sovereignty, or sovereignty with an economic association with the rest of Canada.

2) The Bélanger-Campeau Commission

On 7 September 1990 a Quebec commission on the political and constitutional future of the province, the Bélanger-Campeau Commission, was created with a mandate to receive statements and briefs concerning Quebec's constitutional and political future from a wide

⁵⁴ See for example, Bowker, Marjorie. (1991), *Canada's Constitutional Crisis: Making Sense of it all*, Lone Pine Publishing: Edmonton; Cameron, D. and Smith, M. (eds.) (1992), *Constitutional Politics*, James Lorimer & Company Ltd.: Toronto; Drache, Daniel and Perin, Roberto. (eds.) (1992), *Negotiating with a Sovereign Quebec*, Toronto: James Lorimer & Company Ltd.

variety of groups and individuals. With this information, the commission was to make recommendations to the provincial legislature. The preamble of the law establishing the Commission states: 'Quebecers are free to choose their own destiny, to determine their political status and to ensure their economic, social and cultural development'.⁵⁵

Coupled with the Liberal Party's Allaire Report, the Bélanger-Campeau Commission report made clear that Quebecers could be persuaded to remain in Canada only if the federal government were to give up far more of its powers to Quebec, and probably to the other provinces as well.

3) The Spicer Commission Report

The government of Canada faced challenges from the rest of Canada and Quebec. The widespread public dissatisfaction in Canada with both the process and the content of the Meech Lake Accord demonstrated the profound changes in the distribution of political power in the country since the early 1980s and 1982 Constitution and Charter of Rights. These changes have had repercussions throughout Canada.

The Spicer Commission was an effort to address these issues. Chaired by Keith Spicer, this blue-ribbon panel had a mandate to evaluate proposals for constitutional change and to consider strategies for negotiating with Quebec or other provinces. The Commission was there to listen to grievances and demonstrate the federal government's concern. Most Quebecers decided not to participate in the work of the Spicer Commission. The Spicer Commission, for them, was a vehicle whereby the rest of Canada could articulate its views.⁵⁶

The report revealed that Canadians were confused and angry about the government's economic policies, were less enthusiastic about official bilingualism or multiculturalism, and were not yet ready to grant Quebec special protections and powers.

⁵⁵ Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, n. 23, p. 58.

⁵⁶ *Ibid.*, p. 40.

For most respondents outside Quebec, Quebec's continued presence in Canada could not be assured if it would mean the sacrifice of individual or provincial equality. Spicer did find, however, that Quebec's linguistic and cultural distinctiveness could be recognised so long as its government did not create two different definitions of the rights and obligations of Canadian citizenship.⁵⁷

4) The Federal Government's Proposals

The federal government's response to the Quebec's constitutional challenge was the subject of great anticipation across Canada. Entitled *Shaping Canada's Future Together*, the proposals, addressed a number of issues brought out in the Spicer report. They included a 'Canada clause' which identified in specific terms what constituted a Canadian identity and Canadian values. They addressed the issue of an elected Senate and parliamentary reform, including reduced political partisanship and more free votes and bipartisan cooperation. The proposals also noted the importance of increased economic efficiency and reduced barriers to interprovincial trade. The proposals called for a substantial devolution of constitutional, but not economic, powers to the provinces. The proposals did not please everyone. Immediately after their release, Quebec sovereignty leaders condemned them as too little and too late.⁵⁸

There were a number of other commissions as well, some provincial, some representing the national interest, but all emerged as a response to the Meech Lake failure. Constitution Minister Joe Clark led a committee of cabinet ministers in trying to develop the federal government's constitutional proposals, while the Beaudoin-Edwards Committee of senators and members of parliament examined how the constitution might be changed. Finally, the federal New Democratic Party (NDP) created an 'Action Group' to study parliamentary reform first, and then constitutional reform. Clearly, political elites were taking seriously the threat posed by Quebec's constitutional challenge to Canada.

⁵⁷ Ibid., Pp. 40-41.

⁵⁸ Ibid., p. 45.

With the death of the Meech Lake Accord, many Quebecers felt betrayed again, and nationalist and separatist sentiment in Quebec mushroomed. Both the Quebec Liberals and Parti Québécois issued more nationalistic constitutional positions, and demands arose for a referendum on sovereignty to be held in 1992. Meanwhile, several Quebec members of Parliament quit the Conservative and Liberal parties to sit as Quebec *indépendantistes* in the Bloc Québécois (BQ) led by Lucien Bouchard, a former minister in the Mulroney cabinet.

II.6 The Charlottetown Accord and National Referendum

The Charlottetown Accord has four main parts, two of primary concern to Quebec: the Canada clause and changes to the division of powers. The Canada clause that began the Accord would recognise Quebec as a ‘distinct society’. Quebec would be guaranteed 25 per cent of Commons seats, even if its population were to fall below proportion. Three of the Supreme Court of Canada judges will be from Quebec. Most of the elements of the Meech Lake Accord would remain intact. All provinces would be given a veto power on future constitutional reforms to federal institutions.⁵⁹

The Accord would be of no effect until ratified by Parliament and the 10 provincial legislatures. Before ratification, however, the federal government announced that a national referendum would be held on the new constitutional deal on October 26, 1992.⁶⁰ On a national basis, the referendum result was 55 per cent “No” and 45 per cent “Yes”. Even though the referendum was not legally binding, there was no point in bringing the constitutional package before legislatures for ratification: the Charlottetown Accord was dead.⁶¹

⁵⁹ Ibid., p. 49.

⁶⁰ The decision to hold a referendum was based on several considerations. First, Quebec was already committed to a referendum on constitutional change on that date, while Alberta and B.C. laws required a referendum on constitutional amendments. Second, a referendum would avoid the criticism that Meech Lake has lacked public input, and public approval would lend legitimacy to the agreement and spur the 11 legislatures into speedy affirmative action.

⁶¹ Dyck, Rand (2002), *Canadian Politics*, n. 31, p. 57.

Status quo advocates argue that Canada's constitution is flexible enough to allow many or all the changes that Quebec sought from the Meech Lake Accord and the Charlottetown Agreement. They claim that virtually everything that Quebec would have gains from these agreements could still be implemented by Ottawa unilaterally, whether by administrative practice, federal legislation, constitutional convention, or all three.⁶²

III. International Dimension

La Francophonie (formally *l'Organisation internationale de la Francophonie*), a French language term coined in 1880 by French geographer Onésime Reclus, to designate the community of people and countries using French, is an international organisation of governments. This organisation was modelled somewhat after the (British) Commonwealth of Nations. Forty-nine states and governments are members of the organisation, four others are associate members, and ten additional states are invited observers of the Summits. Few of the members are majority French-speaking aside from France, its overseas possessions and sub-national members. In several other member states, French functions as a common language. In several others French had little current presence and the links are mainly historical and cultural. In addition to it as an international organisation, *La Francophonie* may also be used to refer the worldwide community of those people whose native language or second language is French Sprachraum.⁶³

The modern *Francophonie* was created in 1970. Its motto is *égalité, complémentarité, solidarité* (equality, complementarity, and solidarity), harking of France's motto. Started as a small club of Northern French-speaking countries, it has since evolved into an important international organisation whose numerous branches cooperate with the organisation's member states in the fields of culture, science,

⁶² Lemco, Jonathan (1994), *Turmoil in the Peaceable Kingdom: The Quebec Sovereignty Movement and Its Implications for Canada and the United States*, n. 23, Pp. 43-44.

⁶³ http://en.wikipedia.org/wiki/La_Francophonie, accessed on 21/5/2006.

economy, justice and peace. *La Francophonie* has an observer status at the United Nations General Assembly.⁶⁴

While Canada agreed in principle to the organisation's creation, it was dismayed by France's position that not only should Quebec participate as equal partners, independent member, but that the federal government and (by omission) the other provinces with significant French minorities could not. This was seen by many French-Canadians outside of Quebec as a betrayal. This was also seen by some Canadians as France supporting the Quebec sovereignty movement. Some go as far as saying the *Francophonie* was created to help push the international recognition of Quebec, but in reality the *Francophonie* was created to promote international cooperation between all French speaking nations, including many newly independent former French colonies in Africa.⁶⁵

Conclusion

Quebec's health is not necessarily linked to the strength of the nationalist movement. Instead, at several periods of history, nationalism had proved to be a regressive and hindering influence. Moreover, nationalists are certainly not the only ones to be promoting a vigorous and flourishing French life in Quebec.⁶⁶ Canada has been forced to undergo immense efforts at institutional and political restructuring over the last quarter of a century, most of the time under Trudeau's leadership. The purpose of this has been to fight Quebec nationalism rather than to build anything positive. However, constitutional mechanisms initiated to accommodate the Francophone Quebecers since Confederation has not been very successful. Yet the desires to remain as Canadians have made the hostilities between the two founding races together. It is illuminating because it highlights the importance of the idea of nationhood as a driving force in Québec history, especially in the dialogue between Québec and Anglophone Canada. Like most generalisations, it suggests a perspective that is illuminating for some purposes, but it is

⁶⁴ Ibid.

⁶⁵ http://en.wikipedia.org/wiki/Franco-Canadian_relations, accessed on 21/5/2006.

⁶⁶ Clift, Dominique (1982), *Quebec Nationalism in Crisis*, n. 26, p. viii.

also limiting in other important respects. But to say that nationalism has always been a feature of Québec politics implies a static uniformity where there is dynamic diversity; it deflects attention from the fact that, with the evolution of Québec society, the style and form of Québec nationalism has undergone substantial transformation.⁶⁷

Historically, the survival of francophones in Quebec has been guaranteed by a high birth-rate and the relative isolation of its population. Today, the demographic situation and Quebecois geopolitical and cultural integration into North America are the main sources of insecurity.⁶⁸ Arguably, far from being oppressed, Quebec is one of the freest territories in the world. It has also been massively subsidised by Canada for a long time. Quebec has been a net beneficiary of Confederation, receiving \$ 160 billion from 1961 to 1991. It has enjoyed a standard of living higher than if it had been left on its own. The argument that Quebec is oppressed and thus has some democratic right to secede, would not stand up in our own Supreme Court or in any international courts of law.⁶⁹

Consent from all was required to join Confederation by signing the BNA Act of 1867 – an agreement to which Quebec was party. Logically and legally, consent from all is a requisite to changing Confederation. Having joined the Confederation, Quebec does not have the freedom to unilaterally secede. Yet separation is not inevitable; even now, it might still be possible for Canadians to resolve their differences. Solutions do exist. The problem lies in politics: the weight of past failures, the presumptions that have been injected into its institutions, and, in particular, the vision of Canada that remains predominant in the federal government.

For the foreseeable future, however, no major constitutional changes will occur in Canada. Quebec will need time to sort out its political options. Nevertheless, to accommodate Quebec in the long run would require giving the province more or special

⁶⁷ Ibid.

⁶⁸ Fournier, Pierre (1991), *A Meech Lake Post-Mortem: Is Quebec Sovereignty Inevitable?*, McGill-Queen's University Press: Montreal & Kingston, p. 85; Clift, Dominique (1982), *Quebec Nationalism in Crisis*, p. 4.

⁶⁹ Gairdner, William D. (1994), *Constitutional Crack-up: Canada and the Coming Showdown with Quebec*, Stoddart Publishing Co. Ltd.: Toronto. p. 102.

powers. Canada has important linguistic and regional tensions, but Canadians across the country share values and interests. Nevertheless, no matter what choices Quebecers and Canadians make, they will likely adopt them in a democratic, non-violent manner. It will become more decentralised, more reminiscent of a highly peripheralised federation or even a confederation with powers concentrated in the provinces.

Politics is a process of conflict resolution, and in the end much of that conflict is generated by cleavages in society. There is a broad area of consensus in Canada concerning politics. But the things Canadians agree about do not become political issues. Whatever the difficulties Canadians often have with the array of cleavages that cross its society, it must be said that, viewed in the context of the world where lesser differences often lead to bloody war, violent insurrection, or campaigns of terrorism, the Canadian political system copes with them very well indeed.

CHAPTER 3:
NAGA ETHNIC NATIONALISM: POLITICAL DEVELOPMENTS AND
DIMENSIONS

*“Nothing is more inalienable for a nation, big or small, than her
Sovereignty. No moment, either, is more challenging for a people than the
time when their free existence is challenged”.*

NSCN Manifesto.

Introduction

India inherited numerous problems from the Raj days, but perhaps none of them has proved as intractable and protracted as the one energized by the Nagas ethnic nationalism. The Nagas, considered by the colonial rulers as backward tribes, resisted the assimilative policies of the Indian state. By invoking the right to self-determination on the basis of their ‘distinct’ ethnic identity and ‘unique’ history, the Nagas defied the Indian state that sought to make them a constituent part of the post-colonial Indian Union. Although they resorted to peaceful forms of protest initially, with the increase in state repression, the Nagas gradually took to arms to fight for independence from the Indian Union. The struggle for their political assertion is one in which the Nagas have been involved for almost a century now. Although it is one of the longest political conflicts in which an estimated 250,000 Nagas lost their lives, it has not attracted much scholarly attention.¹ Isolated from the rest of the world, the Nagas have for many decades struggled resiliently and alone against various adversaries to protect themselves.

The importance of historical memories is always highlighted in ethnic nationalism and in the case of the Nagas; a shared culture is equally important. Added to it, Christianity has been a major bonding factor for the Nagas in their search for a common identity. A deep attachment to native soil, to local traditions and rejection of outside

¹ Government of the Peoples Republic of Nagalim (GPRN) (2005), *Nagas: Their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, Publicity & Information Department: Oking, p. 1.

domination characterise the modern Naga identity.² The Naga nationalist sentiment is based on the fact that the Nagas are different from the Indians and Burmese. The Naga leaders of all camps have always projected these differences.³

The Federal Government of Nagaland (FGN) in exile has persistently maintained that the 'Nagas are not Indians and have nothing to do with India'.⁴ Further, ethnically, culturally and linguistically the Nagas are not Indians. What is vital is the sense of attachment to a particular land, otherwise known as 'homeland', which carries with it a sense of sanctity and embodies a sense of fulfillment. In the case of the Nagas, attachment to the territory is real and not imaginary. The contiguity of land held by them in India and Burma has contributed towards the sense of mutual belonging. Nationalist ideologies have sought to interpret the importance of the occupation and control of space, both in the past and as a plan for the future. The ethnic sources of Naga nationalism derives the force from the inner and dormant resources of the Nagas being an ethnic community and the perceptions and sentiments they aspire.⁵ Udayon Misra admittedly wrote, "if a deep attachment to one's native soil, to local traditions and to established territorial authority can be accepted as marks of nationalism, then the Nagas qualify on all counts".⁶

The Naga nationalists' hostile attitude towards Indian Union is guided by two considerations. On the one hand, this attitude legitimises their political struggle and unites the people against a perceived common enemy. On the other, it structures a defensive mechanism against the might of the Indian state, flagrant and systematic violation of human rights and the sweeping powers of the army permissible under special laws in operation.⁷

² Misra, Udayon (2000), *The Periphery Strikes Back: Challenges to the Nation-State in Assam and Nagaland*, Indian Institute of Advanced Study: Shimla, Pp. 16-17.

³ Horam, M. (1988), *Naga Insurgency-The Last Thirty Years*, Cosmo Publications: New Delhi, p. 37.

⁴ Federal Government of Nagaland (FGN) Document (1968), *A Brief Political Background of Naga Independence*, Oking, May 21, p. 36.

⁵ Shimray, A.S. (2005) *Let Freedom Ring: The Story of Naga Nationalism*, Promilla & Co., Publishers in association with Bibliophile South Asia: New Delhi & Chicago, p. 53.

⁶ Ibid.

⁷ An account of the violation of human rights in the sixties is vividly given in Luithui, Luingham & Haksar, Nandita (1984), *Nagaland File: A Question of Human Rights*, Lancer International: New Delhi.

I. Political Dimension

It is generally agreed among historians and writers that the groundwork of Naga nationalism was laid during the last days of the British reign. On January 10, 1929 the Naga Club submitted a memorandum to the Simon Commission. It stated:

We Nagas should not be thrust to the mercy of the people (Indian) who could never have conquered us themselves, and to whom we were never subjected, but to leave us alone to determine for ourselves as in ancient times.⁸

The Government of the Peoples Republic of Nagalim (GPRN), which is in exile, claims that ‘this is the first written document in which the Nagas had expressed their national longing and political aspirations to regain their Independence’. Responding positively to the wishes of the Club, the Government of India Act, 1935 designated the Naga Hills district as an “excluded area” where laws applicable to the rest of British India would not operate and the Nagas could continue with their own traditional ways of life with little interference from the federal or the provincial government.⁹

I.1 The Naga National Council (NCC)

As a gratitude to the Nagas¹⁰, Sir Charles Pawsey, the then Deputy Commissioner of the Naga Hills District, established an organisation called the Naga Hills District Tribal Council in April 1945. The major objective of the Council was to bring together and unite all the Naga tribes, and to help in repairing the damages done during the Second World War. On 2 February 1946, this body was reorganised as a political platform, called the

⁸ Federal Government of Nagaland (FGN) Document (1968), *A Brief Political Background of Naga Independence*, n. 4, p. 5.

⁹ Srikanth H. & Thomas, C. J., “Naga Resistance Movement and Peace Process in Northeast India”, http://www.pdsajournal.com/journal2006/2005v1i26Srikanth_and_Thomas_Formatted.pdf, accessed on 25/4/2006.

¹⁰ The marauding Japanese were pursuing Pawsey in the deadly battle of Kohima in 1944. It was the Naga villagers who relentlessly supported and protected him from the Japanese. Further, the Japanese defeat was made possible only through the help of the Nagas who rendered valuable services were to the Allied Forces.

Naga National Council (NNC), under the leadership of Aliba Imti Ao.¹¹ Initially, the NNC was confined to catering to the welfare and social aspirations of the Nagas but later extended its field to political activities to achieve the Naga independence from the foreign yoke. Since then, the NNC has been active as the main political organ of the Nagas. Under the auspices of the NNC, the leadership brought out a regular monthly journal called, the “Naga Nation”.¹² The journal, as a propaganda organ of the NNC created immense political consciousness and identity. Further, it played a vital role by educating the Naga tribes about their socio-economic problems and their culture and rich traditions. Thus, the formation of the NNC was a major step which initiated the consolidation of disparate nationalistic force.¹³

The first political move by the NNC was in December 1946. They passed a resolution demanding the Deputy Commissioner of Naga Hills district, to restrict the entry of member of any political party, from the rest of India, into the Naga Hills without the consent of the NCC.¹⁴ On the issue of independence, the extremist group led by A.Z. Phizo demanded complete independence, while the moderate group (mostly government servants) favoured the continuance of the relations with the Government of India till the Nagas are in a position to run a modern state themselves. The third group came up with the idea of Nagaland as a mandatory state under the British Government (direct control from Britain) for a specific period of time. The different opinions were accommodated within the NNC. The NNC, being the sole voice of Naga nationalism at that time, resolved to pass a four-point resolution on 19 June, 1946 at the Wokha Conference. These resolutions were submitted to the representative of His Majesty Government (Cabinet Mission). It read:

- (i) This Naga National Council stands for the solidarity of Naga tribes including those in the unadministered areas;
- (ii) This Council strongly protest against the grouping of Assam with Bengal;

¹¹ Aosenba (2001), *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, Regency Publications: New Delhi, p. 35.

¹² Ibid., Pp. 35-36.

¹³ Misra, Udayon (1988), *North East India: Quest for Identity*, Omsons Publications: Guwahati, p. 7

¹⁴ Rammuny, M. (1988), *The World of the Nagas*, Northern Book Centre: New Delhi, p. 18.

- (iii) The Naga Hills should be Constitutionally included in autonomous Assam, in a free India, with local autonomy and due safeguards for the interests of the Nagas; and
- (iv) The Naga tribes should have separate electorate.¹⁵

But the Cabinet Mission could not take any further decision as demanded by NNC for the future course of the Nagas. Pandit. Jawaharlal Nehru responded to the resolution in August 1946, which was not in favour of an independent Nagaland. He wrote:

“It is obvious that the Naga territory in eastern Assam is much too small to stand by itself political or economically. It lies between the two countries India and China and part of it consists of rather backward people who require considerable help. When India is independent as it is bound to be soon it will not be possible for the British government to hold on the Nagas territory or any part of it. They could be isolated between India and China. Inevitably, therefore, this Naga territory must be parts of India and Assam with which it has developed such close association”.¹⁶

I.2 Demand for Government

When the departure of British from India was imminent, the NNC requested for an interim government to look after the Naga Hills for a specific period of time. According to NNC request “the Government of India was to act as the guardian power for a period of ten years at the end of which the Nagas would free to determine their political future”.¹⁷ To this effect, they submitted a memorandum to the last Viceroy of India, Lord Louis Mountbatten on 9 April, 1946. The terms proposed for the ten year interim government were:

1. The Interim Government of the Naga people will be a government by the people over all the people of Nagaland, having full power in respect of legislation, executive and judiciary;

¹⁵ Mao, Ashikho-Daili (1992), *Nagas: Problems and Politics*, Ashish Publishing House: New Delhi, p. 34.

¹⁶ Rammuny, M. (1988), *The World of the Nagas*, n. 14, p. 32.

¹⁷ Misra, Udayon (1988), *North East India: Quest for Identity*, n. 12, p. 8

2. Nagaland belongs to the Naga people and will be inalienable;
3. The Interim Government of Naga people will have full power in the matter of raising and expenditure to revenue, and annual subvention to cover the deficit being given by the guardian power;
4. For defence and for aiding civil power in case of emergency a force considered necessary by the NNC will be maintained in Nagaland by the Guardian Power. That force will be responsible to the NNC who will in turn be responsible to the guardian power.¹⁸

It was found that the Nagas mentioned reluctantly to express explicitly their choice of a 'Guardian Power' between the three possibilities of the Government of India, the provincial government and His Majesty's Government. It appears that this was a formula on which a general measure of agreement could be obtained among the Nagas since there were clear indications that many of them were inclined to take a moderate view, more on the lines of the original resolution passed at Wokha. But in view of the intransigence of certain other members, probably of the Angami group, they were prevented from doing so.¹⁹

In retrospect, the British Indian government could not respond to this appeal except for a vague expression given to NNC. In fact, the Nagas were asked to discuss their wishes with the Advisory Committee on Aboriginal Tribes which would visit Kohima. The ultimate visit of the sub-committee of the Advisory Committee on 20 May 1947, could not favour any constitutional arrangements. Whereas the Nagas demanded independence, without any outside interference after the end of ten year guardianship, the Advisory Committee wanted the Naga Hills be included within the Indian Union. This led to another stalemate of uncertainty for the vexed Naga national question.

Imti Aliba Ao, the NNC secretary, continued to strive for a settlement. In the attempt to break the impasse, Sir Akbar Hydari, the then Governor of Assam, visited

¹⁸ Alemchiba, A. (1970), *Brief Historical Account of Nagaland*, The Naga Institute of Culture: Kohima, p. 170.

¹⁹ Chaube, S. (1973), *Hill Politics in Northeast India*, Orient Longman: New Delhi, reprinted 1999, p. 154.

Kohima on 27 June 1947, to impress the Nagas and to understand the realities of the situation.²⁰ A memorandum submitted to Sir Akbar Hydari by NNC on 26 June 1947, at Kohima, read: “The Naga National Council stand for solidarity of all the Naga region. The present Naga Hills district had arbitrarily been carved out for administrative convenience”.²¹ In the presence of Sir Charles Pawsey, the discussion carried on for three days (27 to 29 June, 1947) with the NNC on the issue of Ten Years Interim Demand. After a series of hectic discussions, it ended up with a Nine-Point Agreement known as Hydari Agreement.

I.3 Nine-Point Hydari Agreement

The Hydari Agreement had been made with the consent of the prime minister Jawaharlal Nehru. The preamble of the agreement recommended that “the right of the Nagas to develop themselves according to their free expressed wishes is recognised”.²² In other words, it was equal to ranging from prevalent tribal laws to the ownership of the land and taxation.²³ But Clause 9 of the agreement turned controversial between the NNC and the government of India. The Clause 9 of the article read:

The Governor of Assam as the Agent of the Government of Indian Union will have a special responsibility for a period of ten years to ensure the due observation of this Agreement. At the end of this period, the Naga National Council will be asked whether they require the above Agreement to be extended for a further period or a new agreement regarding the future of the Naga people arrived at.²⁴

The stand taken by Jawaharlal Nehru in support of self-determination in 1944, coincided with the 9th provision. He states:

... it may be desirable to fix a period of say ten years later after the establishment of free Indian state, at the end of which the right to secede may be exercised through proper

²⁰ Yonuo, Asoso (1979), *The Rising Nagas*, Vivek Publishing House: New Delhi, p. 171.

²¹ Aosenba (2001), *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, n. 10, p. 39.

²² Horam, M. (1992), *Naga Polity*, Low Price Publications: New Delhi, p. 13.

²³ Misra, Udayon (1988), *North East India: Quest for Identity*, n. 12, p. 18.

²⁴ Quoted in Aosenba (2001), *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, n. 10, p. 39.

constitutional process and in accordance with the clearly expressed will of the inhabitants of the area concerned.²⁵

The NNC leaders believed that the Agreement guaranteed their right to self-determination because the Governor himself had proposed on the last point that at the end of the 10 years the Nagas will be free to oppose any form of government provided they do not join Pakistan or Burma.²⁶ On the other hand, the government interpreted the agreement in the light that Nagas had the freedom only to suggest revision of the administrative pattern after ten years, an interpretation which was unacceptable to the NNC.²⁷

I.4 A. Z. Phizo and the Naga National Movement

Individual political personalities play an important role in the inculcation of attitudes which focus on ethno-nationalism as a vehicle of revolutionary progress. A. Z. Phizo's personality created a personal operational code and a value structure which filled the vacuum left by the British when they withdrew from the Naga areas. Phizo could transcend the narrow views of local tribal interests and also provide a wide ranging analysis of geopolitical, political, economic and military developments in the region and articulate how the Nagas as an indigenous people perceived the modernisation process in their home region.

In July 1947, Phizo led a deputation to Delhi with the ultimatum that the Nagas would declare independence on 14 August, 1947. The group reportedly met Mahatma Gandhi at the Bhangi colony in Delhi on 19 July, 1947. Gandhi reportedly said in his characteristic way:

The Nagas have every right to become independent. We did not want to live under the domination of the British and they are now leaving us. I want you to feel that India is yours.

²⁵ Cited in Mullik, B.N. (1972), *My Years with Nehru, 1948-1964*, Allied Publishers: Bombay, p. 298.

²⁶ Luithui, Luingam and Haksar, Nandita (1984), *Nagaland File: A Question of Human Rights*, Lancer International: New Delhi, p. 152.

²⁷ Chaube, S. (1973), *Hill Politics in Northeast India*, n. 18, p. 157.

I feel that Naga Hills is mine just as it is yours. But if you say that it is not mine, the matter must stop there. I believe in the brotherhood of man, but I do not believe in force and forced unions. If you do not wish to join the Union of India nobody will force you to that.²⁸

Phizo was elected as the President of NNC in 1950. This laid the foundation of the Naga national movement dominated by the radical elements corollary to the idea of sovereign and independent state for the Nagas.

I.5 Declaration of Naga Independence

On 17 July, 1947, a Naga delegation under the leadership of Phizo met M. A. Jinnah and told him that they intended to make a unilateral declaration of independence on 14 August, which was also to be Pakistan's Independence Day.²⁹ Not wanting to accept any form of foreign domination, alien subjugation and exploitation, the Nagas, under Phizo, declared their independence on 14 August, 1947. The Declaration stated that Nagas were reclaiming the status they held as an independent people before the British came. The Declaration was sent to the King of England, the Government of India and to the Secretary General of the United Nations.³⁰

Ignoring the Declaration, the Indian government set up its state machinery in the Naga homeland. In an attempt to create fear within the Naga people, the Indian army started arresting and imprisoning Naga political leaders. By July 1948, Phizo and several leaders were imprisoned while returning from a meeting with the leaders of the Indian Union. The NNC leaders, in an effort to appeal to reason met the then Governor-General of India, C. Rajagopalachari on November 28, 1948 to convey the resentment of the Naga people at the way India was trying to subdue them. He assured them saying:

²⁸ Government of the Peoples Republic of Nagalim (GPRN) (2005), *Nagas: Their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, n. 1, p. 9.

²⁹ Shimray, A.S. (2005), *Let Freedom Ring: The Story of Naga Nationalism*, n. 5, p. 64.

³⁰ Government of the Peoples Republic of Nagalim (2005), *Nagas: their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, n. 1, p. 9.

India wanted to be friendly with you. India does not want to deprive the Nagas of their land. Nagas are at full liberty to do so as they like, either to become part of India or to be separated if it would be best for their interest to be isolated.³¹

The Government of India continued its military build-up and claimed to incorporate the Naga areas within the Constitution of India. In 1949, Gopinath Bordoloi, then Chief Minister of Assam announced that the Government of India no longer considers the Hydari Agreement valid. Henceforth, the Nagas were invited to join the Union of India when it was formed for the first time in 1950. The Nagas outrightly rejected the offer.³² On 24 January, 1950, the NNC informed the Government of India, the United Nations and those countries that had their embassies in Delhi that “Nagas do not accept the Indian Constitution”.³³

I.6 The Plebiscite

There was a strong feeling amongst the Nagas that they had been betrayed, as the agreement signed by them with Hydari and Bordoloi (the 9 point agreement) had not been respected by the framers of the Indian Constitution, and so they were no longer bound by the Indian Constitution. Therefore, it was a historical decision when the NNC organise a Naga voluntary plebiscite, and informed the Government of India on 1 January, 1951 of their intentions. The plebiscite was held on 16 May, 1951. The results tabulated eventually in March 1952, was a 99.9 per cent vote for a sovereign independent Naga nation.³⁴

The government of India ignored the plebiscite and determined to impose its control on the Nagas. On the other hand, the Intelligence Bureau took this development

³¹ Ibid., Pp. 9-10.

³² Government of the Peoples Republic of Nagalim (2005), *National Socialist Council of Nagalim*, Address by His Excellency, Isak Chishi Swu, Chairman, to the Naga public at the Fourth Consultative Meeting, 20-21 January, Ministry of Information & Publicity: Oking, p.6.

³³ Government of the Peoples Republic of Nagalim (GPRN) (2001), *The Legal Status of Naga National Armed Resistance*, Publicity & Information Service: Oking, p. 8.

³⁴ Government of the Peoples Republic of Nagalim (2005), *Nagas: Their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, n. 1, p. 10.

quite seriously. S.M. Dutt himself had spoken to Pandit Nehru at Shillong and suggested that measures should be taken to prevent the holding of this plebiscite. Unfortunately, Dutt failed to carry the conviction with Nehru. Mullik wrote on the issue: “up to this time it must be said to the credit of the Nagas that they were not thinking of any violent movement. They were hoping that the result of the plebiscite would sufficiently influence the authorities to give a dispensation in their favour”.³⁵

However, the Government of India went ahead in holding elections in the Nagas areas in 1952. Through civil disobedience, the Nagas launched a peaceful movement. They refused to pay taxes, boycotted government staff and schools, set up Naga national schools, and boycotted the elections imposed on them in 1952 as well as in 1957.

I.7 Formation of the Parallel Honkin Government and the Federal Government of Nagaland (FGN)

In 1954, the formation of the parallel Hongkin government was announced. It was headed by Hongkin, a Chang Naga and was called *Khunak Kautang Ngeukhuma* i.e. “People’s Sovereign Republic of Free Nagaland”. This was the political wing of the NNC to direct and monitor its activities mainly in Eastern Nagaland (Burma). In the following year, on 22 March, 1956, the NNC formed the “Naga Federal Government” (NFG), later changed to “Federal Government of Nagaland” (FGN).³⁶ It presented a “Federal Nagaland Constitution” which was later amended in 1968.³⁷

The *Yehzabo* (Constitution) of the new government provided for a Naga Federal Government with an elected *Kedahge* (president) above 45 years of age, and a *Kedalo* (vice-president). The one hundred tartars (members of parliament) were not to be younger than 30 years. The president was to advise and direct the cabinet of 15 *Kilonser*s (ministers) headed by the prime minister called *Ato Kilonser*. The lower and the upper houses were called *Tatar Hoho* and *Kimhao* and the former came to be generally referred

³⁵ Ibid., p. 302.

³⁶ *Uniqueness of Naga History* (2005), Concerned Senior Citizens’ Forum: Mokokchung, p. 6.

³⁷ Horam, M. (1988), *Naga Insurgency-The Last Thirty Years*, n. 3, p. 12.

to as the Naga federal parliament or national parliament.³⁸ Along with it, its armed wing was also formed known as the Naga Home Guard; later on it became the Naga Army. The parallel government and its army was to challenge the constitutional and political claims of the Indian Union over Naga-inhabited areas.

I.8 Emergence and Split of National Socialist Council of Nagaland (NSCN)

The Shillong Accord of 1975, which we shall see later, created a complication within the Naga underground leaders. In fact, this brought elements of disunity, misunderstanding and differences of opinion within the Nagas. After hearing the news of the Agreement, Isak and Muivah, who were on a “goodwill mission”³⁹ to China, immediately denounced the Accord as treason and the signatories representing NNC-Federal Government were declared as traitors.⁴⁰ In this connection, seven Naga delegations abroad urged Phizo to condemn the Accord and without delay. They earnestly pleaded for his guidance, but he remained silent. It is held that this could not satisfy the NNC leaders who were totally opposed to the Accord. Therefore his silence was considered as an act of acceptance of the Accord.

Under the accord, the underground agreed “of their own volition” to accept without condition the Constitution of India; underground arms would be deposited at appointed places. And finally, the underground organisations were given “reasonable time to formulate other issues for discussion for final settlement. Bendangangshi notes that the Agreement was not signed by the underground leaders as representatives of the NNC or Federal Government of Nagaland but merely in their personal capacities.⁴¹ Isak Chisi Swu and Th. Muivah denounced the Agreement as a betrayal by the NNC and, having secured the support of a cross-section of Burmese Nagas, swore to fight on.

³⁸ Anand, V. K. (1980), *Conflict in Nagaland: A Study of Insurgency and Counter-insurgency*, Chanakya Publications: Delhi, p. 102

³⁹ Verghese, B. G. (1996), *India's Northeast Resurgent: Ethnicity, Insurgency, Governance, Development*, Centre for Policy Research, Konark Publishers Private Ltd.: New Delhi, p. 95.

⁴⁰ Government of the Peoples Republic of Nagalim (1993), *A Brief Political Account of Nagaland*, Publicity & Information Division: Oking, p. 31.

⁴¹ Verghese, B. G. (1996), *India's Northeast Resurgent: Ethnicity, Insurgency, Governance, Development*, n. 39, p. 94.

The return of Muivah from China changed the face of the situation. He strongly opposed the leadership of Phizo and the policy of NNC. Instead, he proposed to change the system of government in the form of socialism and centralized government. However, some underground leaders opposed the new Muivah policy. On 30 August, 1978, the Defence Council of the Naga Army imposed 'martial law' in Sapha camp for six months. Muivah, Isak, Mori and Pruning were arrested (house detention), on 13 March, 1979 the new "National Assembly" session was held and S.S. Khaplang was elected as the President of the Federal government. However, after the release of Isak and Muivah in May 1979, they were able to win over Khaplang. Hence the three leaders staged a counter *coup d'etat* and those persons responsible for the imposition of martial law were eliminated. The sudden dramatic raids by the three leaders cost the lives of twenty top officers of the "Naga Federal Government". Ever since that episode in the NNC-Federal Camp, the top three leaders broke away from the NNC and jointly formed the "National Socialist Council of Nagaland (NSCN)". It is said that they had chosen to fight to a finish for one's nation freedom to form NSCN.⁴²

The NCSN was formed on 2 February, 1980. Their manifesto was based on the principle of 'Socialism for Economic', and a 'Spiritual Outlook': 'Nagaland for Christ'.⁴³ Then they proclaimed the new government of the "People's Republic of Nagaland" with Isak Swu as Chairman, S.S. Khaplang as Vice-Chairman and Th. Muivah as General Secretary. This new group brought in a revival of the Naga movement in the form of a socialist movement. The main objective of the NSCN was to build up a "Sovereign Christian Socialist State of Nagaland" by declaring that they are "revolutionary patriots". But after its formation, rift developed within the NSCN in a short period among the top leaders.

It also appeared that in the name of the unity move, Chingang Konyak, a pastor and Hokishe Sema, the then Chief Minister of Nagaland state complicated the situation by laying a trap for talks to confuse the NSCN leaders. The offer was said to be rejected

⁴² Ao, Tajenyuba (1993), *British Occupation of Naga Country*, Naga Literature Society: Mokokchung, p. 301.

⁴³ *Ibid.*, Pp. 301-302.

but rumours widely spread out that Isak and Muivah had sold out the plan to oust Khaplang, seize arms from Konyak national workers and surrender to Indian authorities.⁴⁴ Shortly after, information reached the NSCN headquarter. Knowing the situation, the “National Assembly Session” was called to resolve the controversial reports, but the situation could not be solved. Leaders went on their own way and led to bloodshed in the NSCN camp.

On 30 April, 1988, the Muivah camp was attacked by the Khaplang and ‘Brigadier’ Khole Konyak group, killing about 140 men, mostly Tangkhuls, while 230 others including women and children were killed by bullets, hunger and sickness, some died at the hands of the Burmese army. But Muivah with 33 others managed to escape and join up with Isak Swu.⁴⁵ After that incident, NSCN split into two factions, one led by Isak and Muivah called NSCN (IM) and the other led by S.S. Khaplang called NSCN (K). Some arguments given were mistrust, suspicion, ideological differences, disagreement among the leaders and inability to control the civil and political situation that led to split within the NSCN. Since 1991, the Government of India banned both the NSCN factions.

Perhaps, the remaining body of the NNC was still under Phizo’s leadership till the early 1990s. However, after the death of Phizo, the founding father of the Naga national movement on 30 April 1990, it was once again divided into two groups; NNC (Adino) and NNC (Khodao) over the issue of presidentship. The problem was created after Miss Adino (Phizo’s daughter) was elected as the President of NNC on 12 May, 1990 by the NNC Central Committee in Kohima. But it was held that under the direction of Zashie Huire (he had authorised the NNC-Federal delegates to sign the Shillong Accord in 1975), the President of the FGN. Therefore, Khodao Yanthan, Senior Executive member of NNC, strongly opposed the decision. He particularly mentioned that it is “not a family or tribal affair”, stating the uniqueness of the Naga national movement.⁴⁶ It may be said

⁴⁴ Verghese, B. G. (1996), *India's Northeast Resurgent: Ethnicity, Insurgency, Governance, Development*, n. 39, p. 95.

⁴⁵ *Ibid.*, Pp. 95-96.

⁴⁶ Aosenba (2001), *The Naga Resistance Movement: Prospects of Peace and Armed Conflict*, n. 10, p. 81.

that the conduct of the election for the president became very controversial. Thus, both Shillong Accordist and non-Accordist use the same word as 'NNC'. This has led to the split of the NNC and the formation of the new group led by Khodao (NNC-K), but later joined the NSCN (IM).

II. Military Dimension

To thwart the emergence of a powerful Naga nationalism, there was joint programme by the prime ministers of India and Burma on 30 March, 1953, to visit both the Naga territories in India and in Burma. When they reached Kohima, an untoward development occurred during the public meeting. The Nagas demanded to read out the statement asking for the acceptance of their desire for political self-determination.⁴⁷ However, Nehru's attitude was not one of openness. Rather than responding to the Naga demands, he was concerned with what he wanted them to do and prevented the Nagas from making any representations at the reception. On being denied the freedom of expression Naga elders walked out of the reception.⁴⁸ The event embarrassed Nehru, and the outcome was a heavy crackdown on the undergrounds.

In the same year, the Indian troops were sent into Naga Hills, and nearly a division of Indian troops were battling the Naga guerrillas.⁴⁹ The government of India officially announced the dispatch of army into the Naga Hills. Then chief of army staff, General K.S. Thinmayya told Nehru candidly that it required political wisdom rather than military might to resolve the Naga problem.⁵⁰

Unable to check the trend of events in the Naga Hills, the Government of India decided to crack down on the NNC. Almost the entire NNC set-up went underground. Since the end of 1953, the Naga areas have become embattled. The Naga tribal councils

⁴⁷ Horam, M. (1988), *Naga Insurgency-The Last Thirty Years*, n. 3, p. 51.

⁴⁸ Government of the Peoples Republic of Nagalim (2005), *Nagas: Their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, n. 1, Pp. 10-11.

⁴⁹ Nibedon, Nirmal (1981), *The Ethnic Explosion*, Lancer Publishers, New Delhi, p. 28

⁵⁰ Mullik, B. M. (1972), *My Years with Nehru: 1948-1964*, n. 24, p. 312.

and tribal courts were dissolved. The government of India had already adopted the infamous 'village grouping' technique pioneered by the Japanese in Manchuria.

In facing the nationalist movement, insurgencies or secessionist movements, there are three options for solutions. The first is the use of force. The second is the use of political process. And the third is the willingness to concede the basic demand. In the case of the Nagas, the first option was exercised. The government of India enacted several draconian laws as part of its campaign to contain the Naga movement.

II.1 Measures Initiated to Tackle the Naga Movement

To subdue the nationalist aspirations of the Nagas, the Indian government resorted to the use of the following measures.

Assam Maintenance of Public order (Autonomous District) Act, 1953 and the Assam Disturbed Areas Act, 1955: The Acts gave wide powers to the government to prohibit and restrict public meetings, processions, etc. the Act gave powers to the police to arrest anyone without warrant. All offences under the Act were punishable with imprisonment of upto two years and additional fine. What these steps achieved was mostly to drive underground those forces which hitherto had opposed the Indian government through open political activity.⁵¹

Armed Forces (Special Powers) Regulations, 1958: The regulations provides special powers to fire upon or otherwise use force, even to the causing of death against any person who is acting in contravention of any law or order for the time being in force in the disturbed area. It prohibits the assembly of five or more persons, carrying of weapons or of things capable of being used as weapons or fire arms, ammunition or explosive substances. It also empowers the army to enter and search any premises and arrest without warrant.

⁵¹ Iralu, Kaka D. (2000), *Nagaland and India: The Blood and Tears*, Private Publication, p. 78.

Under the Act, any person arrested and taken into custody shall be handed over to the officer in-charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest. No prosecution, suit or other legal proceeding shall be instituted except with the previous sanction of the Central Government against and person in respect of any thin done or purported to be done in exercise of powers conferred by the Act.

Armed Forces (Assam and Manipur) Special Powers Ordinance, 1958: It has the same features as above. The Special Powers Ordinance of 1958 was converted into an Act as Armed Forces (Assam and Manipur) Special Powers Act, in September 1958; and later amended as the Armed Forces (Special Powers) Act (AFSPA), in 1972, to make it applicable to all the states and union territories in the North-East. Henceforth, it applies to all the North-eastern states of India.

Nagaland Security Regulation Act of 1962: The special features in this Act are: The power to restrict access to places and areas; power to shift persons from their inhabited place; prohibit or restrict the wearing on unofficial uniforms in public of any such dress or article of apparel; power to establish searching station.

Under the Act no court shall take cognizance of any alleged contravention of the provision of this Regulation or any order made hereunder except, on a report in writing of the facts constituting such contravention, made by a public servant. It also states that no suit, prosecution or other legal proceeding shall lie against any person or government for any danger caused or likely to be caused by anything which is or is deemed to have been in good faith done or intended to be done in pursuance of this regulation or any order made or deemed to have been made.

Punjab Security of State Act, 1953: Under this Act, no person shall take part in the organization, control, management of training of, or be a member of, any body of persons organised or trained or equipped for the purpose of enabling them to be employed in uprising the function of the police or for the unauthorised use or display of force. Contravenes against the provisions above shall be punishable with imprisonment for a

term which may extend to one year, or with fine; or with both. The Act also has the power to prohibit drilling, wearing or display of uniforms, flags, meetings and processions, possession or conveyance of prescribed documents, and power to search, etc.

Under the Act, no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under, or in pursuance of this Act. Again, no suit or other legal proceedings shall lie against the Central Government or the Lieutenant Governor of Manipur or, except with the sanction of the said Lieutenant Governor, against any of the officers under his administrative control, for any damage caused or likely to be caused by anything to good faith done under or in pursuance of this Act.

Terrorist and Disruptive (Prevention) Act (TADA), 1987: Commonly known as TADA, the act was the first and only legislative effort by the Indian government to define and counter terrorist activities. It was formulated in the back drop of growing terrorist violence in Punjab and later applies to other parts of the country. The Act prohibits the terrorist acts, disruptive activities, possession of certain unauthorised arms, in specified areas, forfeiture of property of certain persons, etc.⁵²

Indeed, India was facing a problem of such magnitude for the first time since her independence and the serious allegations against the security forces were true in most cases. Dissan Tagore, a strong critic of the government of India's policy on the Naga issue thus condemned:

Nagaland has seen the worst horrible form of the state terrorism – women are raped, men and children tortured, and people moved into concentration camps. The Nagas have no recourse to civic justice. All this persecution is to force the Naga people to surrender to India and to accept the Indian rulers as their masters. The Nagas never will.⁵³

⁵² <http://www.satp.org/satporgtp/countries/india/document/actandordinances/Tada.htm>, accessed on 27/6/2006.

⁵³ Maxwell, Neville (1980), *India: The Nagas and the Northeast*, Minority Rights Group: London, p. 7.

III. International Dimension

To garner the support of the international community, Isak Swu and Muivah, the “Collective Leadership” of the “Government of the Peoples Republic of Nagalim” (GPRN) worked hard to enlist Nagaland as a member of the Unrepresented Nations and Peoples Organisation (UNPO). The UNPO is a democratic, international membership organisation. Its members are indigenous peoples, occupied nations, minorities and independent states or territories who have joined together to protect their human and cultural rights, preserve their environments, and to find non-violent solutions to conflicts which affect them. In fact, UNPO provides a legitimate and established international forum for member aspirations and assists its members in effective participation at an international level.⁵⁴

Although UNPO members have different goals and aspirations, they share one common condition – they are not represented in major international fora, such as the United Nations. As a result, their ability to participate in the international community and to have their concerns addressed by the global bodies mandated to protect human rights and address conflict is limited. In the Third General Assembly of the UNPO, the Naga Nation was admitted into its membership on 23 January, 1993. This was a historic achievement of the NSCN towards safeguarding their free existence from India and Myanmar.

In addition, many international organisations have recognised the uniqueness of the political legacy of the Naga issue both in the West and in South Asia. They are: the United Nations Economic and Social Council (ECOSOC) and its allied bodies, namely; Commission on Human Rights and Sub-Committee on Prevention of Discrimination and Protection of Minorities, International Working Group for Indigenous Affairs (IWGIA), Denmark, United Nations Commission on Human Rights, Geneva, Vigil Human Rights, Cultural Survival, the World Council of Indigenous People (WCIP), the European Parliament, Brussels, The Society for Threatened Peoples, Germany, and International Human Rights Association of American Minorities (IHRAAM). Another notable link the

⁵⁴ http://www.unpo.org/news_detail.php?arg=01&par=153, accessed on 25/5/2006.

Naga nationalists established is with the Flemish KWIA, a powerful non-governmental organisation in Belgium which supports the indigenous peoples all over the world⁵⁵

IV. Constitutional Dimension

IV.1 The 16-Points Agreement and the Creation of the State of Nagaland

In the mid-1950s, India was undergoing a process of reorganising the states into the administrative units which made up the Indian Union. Based on these emergent changes, an idea surfaced within the Indian leadership that advocated the creation of a State of Nagaland as a solution. To work out towards this end, the Indian government from 1958 organised in setting a few Nagas, comprised of mostly government employees, into an assembly which came to be known as the “Naga People’s Convention”.

The Convention in 1960, without the consent, support and participation of the Naga people, arrived at an Agreement containing 16 points. On 24 January, 1961, the Ministry of Law (Legislative Department) issued the Nagaland (Transitional Provisions) Regulation of 1962. The Regulation, based on a 16-point memorandum presented by the Naga People’s Convention in July 1960, for the first time used the name Nagaland and through the Constitution retained the name of Naga Hills Tuensang Area as a Part B tribal area within Assam. Provision was made for the appointment of a ‘council by the name of the Interim Body’, by the Governor of Assam, with a maximum strength of forty-five.⁵⁶

The increasing trouble caused by the underground and the murder in January 1962, of Imkongliba Ao, President of the Interim Body, for some time diverted the attention of the Nagas. However, in August 1962, Nehru moved in Parliament the bill for the 13th Amendment of the Constitution and for the creation of the state of Nagaland. The Bills were signed by the President on 4 September, 1962. On 1 December, 1963 the state

⁵⁵ *Uniqueness of Naga History* (2005), n. 36, p. 20.

⁵⁶ Chaube, S. (1973), *Hill Politics in Northeast India*, n. 18, p. 163.

of Nagaland was inaugurated by President Radhakrishnan at Kohima. The chairman of the erstwhile Executive Council, P. Shilu Ao, became the Chief Minister.

Meanwhile, the creation simultaneously fragmented the Indian parts of Naga territories by placing them into the administrative units of Assam, Manipur and Arunachal Pradesh. Thus, the Agreement leading to the creation of the state undermined the Nagas vision to live as one independent political entity.

IV.2 Peace Mission

Like war, peace in appropriate cases is an instrument of political struggle. For the first time after independence, the Nagas tasted the benefits of settled life. In 1964, the Nagaland Baptist Church Council (NBCC) realizing the necessity of bringing peace to Naga territory, as there was an undeclared war going on between the Indian armed forces and the underground Naga army, facilitated the formation of a Peace Mission. It was formed to find an 'honourable solution' to the political problem.

A High Level Peace Commission comprising B.P. Chaliha, Jayaprakash Narayan, S. R. Doe and Rev. Michael Scott, the British host of Phizo, were constituted as members. Peace was formally announced on 4 September, 1964 and a peace observers' team with some Sarvodaya workers was established at Kohima. The Peace Mission's proposal No. 5 amply endorsed the political stand of the Naga nationalists:

The Nagaland Federal Delegation have claimed that the Nagas had been never conquered by the Indian Army or ruled by an Indian Government, although their territory had been forcibly annexed by the British Army and British government about a century ago. Nevertheless, their right to self-determination, they claim, belongs to them separately as a people from the sovereign Independent State of India, and they are now demanding recognition of their independence, which as they say, India herself demanded and heroically struggled for under the historic slogan of Swaraj.⁵⁷

⁵⁷ Peace Mission's Proposal, No. 5, December 20, 1964, in M. Horam (1988), *Naga Insurgency-The Last Thirty Years*, n. 3, p. 263.

On the other hand, the government of India's position was that Nagaland formed an integral part of India before 1947 and that with the transfer of power to India by the British Parliament, Nagaland became part of India in the same way as all other states in India. But the Peace Mission questioned India's first claim and stated that India's claim had no historical basis. In seeking to justify the stand, A.Z. Phizo emphatically asserted the stand of the Naga National Council (NNC):

Historically, Nagaland has no connection with India, and even the part of Nagaland which was for a time came under British administration was kept separate from British India.⁵⁸

The underground occasionally resorted to violence, but that is not quantitatively very different from what the rest of India occasionally experienced from the communalists or the naxalites. What is most important, however, is that Naga politics, both open and underground, has followed the course of all-India politics. Despite sincere efforts made by the Peace Mission members to come out with the fairest and most practical solutions possible at that time, the peace talks between the government of India and the Naga militants ended in a deadlock, primarily because of the continued misapprehension among the parties and their reluctance to think and act above their stated positions.⁵⁹ Meanwhile, Jayaprakash Narayan resigned from the Peace Mission and Scott was expelled from India for activities inconsistent with its role. Chaliha too resigned alleging the sabotaging of trains in Assam on the Naga militants. Ultimately, the Peace Mission died.

IV.3 The Shillong Accord

With the abrogation of the Peace Mission on 31 August, 1972, efforts to bring about a solution to the Naga problem was not halted. In 1975, an agreement was signed between

⁵⁸ Nibedon, Nirmal (1978), *Nagaland: The Night of the Guerrillas*, Lancer Publishers, New Delhi, p. 29.

⁵⁹ Srikanth H. & Thomas, C. J., "Naga Resistance Movement and Peace Process in Northeast India", n. 9.

a faction of Naga leadership with the government of India, which came to be known as the Shillong Accord. The points of agreements were:

- (i) The representatives of the underground organisations conveyed their decision of their own volition to accept without condition the Constitution of India;
- (ii) It was agreed that the arms now underground would be brought out and deposited at appointed places. Details for giving effect to this agreement will be work out between them and representatives of the Government, the security forces, and the member of the Liaison Committee;
- (iii) It was agreed that the representatives of the underground organisations should have reasonable time to formulate their issues for discussion on final settlement.

In fact, while signing the Accord, Veeniyi Rakhu, one of the representatives of the Federal-NNC refused to be a party of the Accord.⁶⁰ It was reported that out of the six representatives, five were compelled to sign the Accord under the circumstances. After signing the Accord, the Indian Security Forces halted military operations, lifted curfew and released the political prisoners who accepted the Accord. With regard to Clause II of the Agreement, the underground deposited their arms at the transit Peace camp in Kohima. But Clause I and III remained unimplemented. Although the Shillong Accord of 1975 was taken by the government of India to be a great breakthrough to the final political settlement and the end of the Naga movement,⁶¹ nevertheless, majority of the Naga people and the NNC leaders overseas did not endorse the Accord.

IV.4 Constitutional Provisions for the Nagas

The Indian Constitution also made various special provisions for the protection of the interest of the Scheduled Castes and Scheduled Tribes. Some of the important measures

⁶⁰ Rammuny, M. (1988), *The World of the Nagas*, n. 14, p. 226.

⁶¹ *Ibid.*, p. 227.

are Articles 15(4) and 16(4).⁶² Besides, there are temporary provisions for special representation and reservation of seats for SCs and STs in the legislature (Arts. 330, 332, 334).⁶³ Another provision of the Constitution of India is under Article 371A, which comes along with a State of Nagaland Act, 1962 inserted by the Constitution (13th Amendment) Act, 1962 with effect from 1, December, 1963. Under Article 371A of the Constitution, no Acts of Parliament in respect of the religious or social practices of the Naga Customary Laws and Procedures, Administration of Civil and Criminal Justice involving decision according to customary law, ownership and transfer of land and its resources shall apply to the State of Nagaland unless legislative assembly of Nagaland by a resolution so decides.⁶⁴ And under Article 371C, Manipur which became a State under the North-Eastern Areas (Re-organisation) Act, 1971, shall have a Committee in its Legislative Assembly, to look after the interests of the Hill Areas which includes four Naga Hill Districts in that State.⁶⁵

IV.5 The Second Indo-Naga Peace Process

The failure of the first Indo-Naga peace process (1964-1972) ended up in a political impasse that reverted to the status quo of armed confrontation. However, it took years of cautious informal parleys to arrive at a common understanding that would give the Indo-Naga political issue yet another opportunity for a peaceful and honourable settlement.

On 12 June, 1995, a land-mark meeting was held in Paris, between P.V. Narasimha Rao, then Prime Minister of India and C. Swu and Th. Muivah, the Collective Leadership of NSCN, wherein various issues were discussed. During the talks Mr. Rao stated: "I believe in a political solution. We must solve the problem through political talks and dialogue. We should be patient enough and tolerant in tackling the problem".⁶⁶

⁶² See for details, *The Constitution of India* (2000), Fourth Edition, Universal Law Publishing Co. Pvt. Ltd.: Delhi, Pp. 28-30.

⁶³ Ibid, Pp. 282-285.

⁶⁴ Ibid, Pp. 312-315.

⁶⁵ Ibid.

⁶⁶ Government of the Peoples Republic of Nagalim (2005), *Nagas: Their Pilgrimage for Self-Existence and Quest for Dignity and Peace*, n. 1, p. 19.

Subsequently, a series of meetings were held with various functionaries of the government of India. The breakthrough came with the total suspension of armed conflict between the undergrounds and the Indian army came into effect from 1 August, 1997. The guiding principles on which the ceasefire agreement was bilaterally agreed upon were:

- (i) the political talks would be unconditional;
- (ii) the talks would be held at the highest level (prime minister's level); and that
- (iii) the talks would be conducted in a third neutral countries.

Recognising that political conflict can only have a political solution, it is with faith in the power of persuasion that the two entities entered into peace process. Ever since this formal declaration, the ceasefire has been extended several times and various rounds of political negotiations have been held at Thailand, Austria, the Netherlands, Malaysia, Japan, Italy, France, Switzerland, and the visit of the NSCN collective leadership to New Delhi on the invitation of the Indian Prime Minister to strengthen the peace process in January 2003.

A. B. Vajpayee, the then Prime Minister of India during his talks with the NSCN "Collective Leadership" on 30 September, 1998 in Paris stated: "I believe in a peaceful political solution. Violence and military solution is ruled out. We must seek a political solution because it is a political issue".⁶⁷ The Prime Minister's commitment was further reiterated when he met the Collective Leadership for a second time at Osaka, Japan on 8 December, 2001.

As far as the NSCN and the Naga people are concerned, the issues have gone beyond the ceasefire. They are committed to the political peace process to seek an honourable and peaceful solution in both letter and spirit. The role of non-governmental organisations like the Naga Hoho has played a pivotal role in the present round of talks.⁶⁸

⁶⁷ Ibid., p. 20.

⁶⁸ See for details, Kumar, Ram Narayan & Murthy, Laxmi (2002), *Four Years of Ceasefire Agreement*, Civil Society Initiatives on the Naga Peace Process, Other Media Communications: New Delhi, Pp.162-163.

One of the issues that almost destroyed the peace process was over the issue of “Ceasefire Area Coverage”.⁶⁹ Indian government’s past pattern of unilateral withdrawing from the mutually agreed upon agreements and taking matters in its own hands continues to raise concerns over her sincerity and political will to find a solution to the Naga problem.

The “Collective Leadership” of the NSCN since their visit to India for talks in 2005 has come up with concept of a “Special Federal Relationship” between India and Nagaland. In an interview with Karan Thapar, Th. Muivah mentioned that a special federal relationship between India and Nagaland is possible. Not specifying what areas or subjects that India would have, Muivah mentioned the joint defence of Nagaland. So far as the external affairs are concerned, primarily government of India should have them. Yet, whenever the interests of the Nagas are affected, Nagas should also represent.⁷⁰

The current peace talks are being approached by both entities in a more realistic manner, each appreciating the other’s position and difficulties. In the spirit of respect and recognition of each other’s history and rights, the Nagas remain persuaded with openness and commitment to build understanding with India that will foster vigorous diplomatic relations while assuring that it will not do anything detrimental to India’s interest.

IV.6 Outcome of the Talks and the Present Scenario

The ongoing peace process between the two governments has come up with some understanding on the part of the Indian government with regard to “the unique history and situation of Nagas and agreed that the talks should proceed in an accommodative and

⁶⁹ While the Indian government’s interpretation of the Ceasefire Ground Rules was to restrict it to the State of Nagaland, the Nagas interpreted it to cover all the Naga areas inhabited by them. Finally on 14, June, 2001, a bilateral agreement was signed between the two entities at Bangkok stating that the ceasefire would be “without territorial limits”. Regrettably, just within weeks of signing the Agreement, the Indian government on 27, July unilaterally decided to delete the three words “without territorial limits”. However, to break the deadlock over it, the then Prime Minister of India A.B. Vajpayee issued a clarification stating that the ceasefire between the two “applies to all the areas where they have been fighting”.

⁷⁰ See, for details transcripts of Th. Muivah’s interview with Karan Thapar on BBC world’s ‘HARDTalk’, India. The interview had been telecast on BBC World on 29, April, 2005 at 2200 IST.

forward looking manner so that a lasting and honourable solution can be arrived at". This formal recognition was an apt demonstration of India's sincere desire to understand the Nagas and to work with them in finding a solution. The recognition also provides a basic framework for talks to proceed. It shows that the uniqueness of the issue demands a unique solution in which the sovereign rights of the Nagas are realized, while the security and paramount interest of the Indian State are safeguarded. Yet Kikon is of the view that the acknowledgement or recognition of the uniqueness of the Naga history by the government of India may be an attempt to change the perception of the government of India. Furthermore, he opines that it fails to capture the essence of the uniqueness of the Nagas as a reality.⁷¹

During his visit to the North-East in September 2005, Pranab Mukherjee, the defence Minister of India, cautioned against immediate solutions because of the complexity of the problem while expressing satisfaction with the continuing dialogue with the Nagas.⁷²

The ongoing peace process which has been extended every year for a period of 1 year since 1 August, 1997 has come down to 6 months by 2005. The outcome of this is not to say that the solution is at hand. Indeed, the negotiations between the two are still inconclusive as substantial issues are yet to be negotiated. The impatience of the general Naga public is seen and fear among them emerges as the 8 years period has not come up with any concrete step to solve the ongoing imbroglio.

IV.7 Unification of Naga Areas

While the Peace Process is in progress, the Nagas, for fullest realisation of their identity and rights, demand the unification of their land and people. This demand is not new as it has been one of the issues since the creation of the State of Nagaland. It implies the

⁷¹ Kikon, Mhonliimo (2004), *Unification and the Indo-Naga Peace Process: Interrogating the "hegemon"*, Paper presented on the Symposium on the Unification of Naga Areas, 23 October, Deputy Speaker's hall, Constitution Club, Rafi Marg, New Delhi, p. 16.

⁷² Dikshit, Sandeep (2005), "Solutions to Naga Issue not now", *The Hindu*, Wednesday, 21, September.

desired will of the people to live together as one “political identity” with the freedom to decide the fate of its own destiny.⁷³ The Nagas have been seeking the unification of all Naga areas within Myanmar and India. In order to achieve this dream, the Nagaland State Assembly has passed four resolutions seeking the integration of Naga inhabited areas in the years 1964, 1970, 1994 and 2004.⁷⁴

The ‘Greater Nagaland’ demand would absorb four districts in Manipur, two districts in Arunachal Pradesh and some parts of Assam. The implications of this demand could result ethnic conflicts between the Nagas and the various tribal non-tribals. Recently, an eight-member delegation from Nagaland met Union Home Minister Shivraj Patil and urged him to explore the possibility of unification of Naga-inhabited areas in the north-east. The delegation also met the Centre’s pointman for Naga talks and Union Minister Oscar Fernandes and interlocutor K. Padmanabiah and urged them to ensure “concrete” steps to solve insurgency in the state.⁷⁵

The Chief Minister of Nagaland, Neiphiu Rio, in a meeting with Home Minister told the Centre to explore the possibility of an “interim agreement”. He also made a case for resolution of the issue in “stages” based on the 30-point proposal submitted by the NSCN (IM).⁷⁶ In response, the Centre asserted that the Naga issue had to be resolved as a “package”, and assured that it would respond to the charter of demands.⁷⁷ The demand for integration of all Naga inhabited areas is clearly a plan for the future. Yet, the issue has generated a lot of problems and tensions between the mentioned states, especially in Manipur. Demonstrations and protests resulted as a result of the demand. Territory is the means by which consciousness is structured. Nationalists desirous of matching their

⁷³ Longchari, Akum (2004), *Integration/Unification of Naga Homeland*, Paper presented on 14-15 October, Seminar on the Integration/Unification of Naga Homeland, Zonal Council Hall, Kohima, p. 7.

⁷⁴ Vashum, R. (2004), *Possibilities and Problems of Naga Unification: A Critical Reflection*, Paper presented on Symposium on the Unification of Naga Areas, 23 October, Deputy Speaker’s hall, Constitution Club, Rafi Marg, New Delhi, p.32.

⁷⁵ “Naga Leaders Urge Patil to Tackle Insurgency”, *The Times of India*, 15 May, 2005.

⁷⁶ The 30-point proposal include demands such as greater rights over natural resources, symbols of sovereignty and integration o all Naga inhabited areas in the North-East under a single administrative mechanism or Greater Nagaland. See, “Nagaland CM suggests interim deal with NSCN”, *The Indian Express*, 20 May, 2006.

⁷⁷ “Naga Issue Needs Package Solution”, *The Hindu*, 17 May, 2006.

distinctive group identity with the claimed or held territory would accept the contention that territory is space to which identity is attached by a distinctive group that holds or covers that territory and desire to have full control over it for the group's benefit.

Conclusion

The initial impetus of the principle of Naga self-determination was induced by decolonisation by the British. At the time of the British departure, NNC requested for an 'interim government' for a specific period of ten years. However, the British India Government refused to interfere in the matter and left the fate of the Nagas in a situation of uncertainty. This created a vacuum between the Nagas and the Government of India.

An important aspect as to how the state of Nagaland was created, with regard to the rest of the Indian states, was that until 1972, the Naga issues were dealt with by the Indian Ministry of External Affairs. That fact clearly shows that the Indian State acknowledged that Nagalim was not a part of India.⁷⁸ The Naga issues were taken over by the Ministry of Home Affairs only after the establishment of the so-called State of Nagaland and installation of puppet rulers. The Naga nationalist movement initiated a peaceful process which was conceived in terms of 'flexible and graduated forms of self-determination'. One of the most difficult problems of judging and evaluating information on the Naga ethnic movement is that subsequent armed resistance has created a circle of cause and effect in which a generalised state of war has been asserted as the norm. Then, Naga movement was focused on self-help to secure honourable existence for the Nagas and indeed it had the predisposition for a long-run accommodation with the Indian State.

With a view to crush the Naga resistance, the Nehru government tried to use the military powers to subdue the Nagas. But when the Nagas revolted against such a policy, the full scale Indo-Naga armed conflicts began throughout the Naga Hills, resulting in extensive operation by the Indian security forces. At the same time, they mostly

⁷⁸ Government of the Peoples Republic of Nagalim (GPRN) (2001), *The Legal Status of Naga National Armed Resistance*, Publicity and Information Service: Oking, p. 33.

committed atrocities on the civilian Nagas without any justification and also hampered the life of the innocent citizens. The argument is that wrong policies were adopted by using military power to solve political problems in the name of law and order problem, whereas it needed a political solution. The Naga insurgents started arms and military training from the neighbouring countries to counter the Indian security forces. From this time onward the Naga issue became internationalised, involving the neighbouring countries.

There is a need to constantly stretch the Naga intellectual horizon for understanding the different tracts of international and national progress towards peace, and also tackle the more fundamental social class inequalities prevailing in Naga societies. The Naga movement should articulate the need to monitor violation of human rights by the state and the militant groups.

The government of India projected the Naga problem as a domestic one. In fact, it involves both India and Myanmar, politically and geographically. For the larger context, the ramification of the Naga movement in both India and Myanmar involves not only the two big countries but also implicates international actors. Though the Nagas are divided between two countries, India and Myanmar, the demand for greater Nagaland is a clear indication that there is a growing tide of nationalism which has succeeded and transcended the inter-tribe differences and rivalries.

Today, the Second Peace Talks between the two governments has reached a crucial stage during which political scheming is under way aiming at an honourable political settlement. The very fact that the government of India recognised the uniqueness of the Nagas problem and society has brought about hopes among the Nagas that a mutually acceptable solution can be expected in resolving the conflict. However, there is every danger that the vested interests that do not want to see a peaceful solution to the more than half a century old Indo-Naga conflict may win the day. There is a broad understanding among the public that more transparency is required about the outcomes of the talks and both parties need to inform the outcomes of the talks more openly. A just

and honourable solution to the Indo-Naga political issue will have wider political implications in the Indian sub-continent. It will also increase the potential for regional peace, stability and demilitarisation in the region. For the vibrancy and sustainability of the peace process, it is vital that the international community supports and strengthens the peace process by initiating a broader democratic dialogue, in which the two entities can engage each other on equal terms.

CHAPTER 4:
ETHNIC NATIONALISM AND FEDERALISM

“The genius of federalism lies in its infinite capacity to accommodate and reconcile the competing and sometimes conflicting array of diversities having political salience within a state. Toleration, respect, compromise, bargaining and mutual recognition are its watchwords and ‘union’ combined simultaneously with ‘autonomy’ its hallmark”.

Michael Burgess

Introduction

Having examined the political evolution and trajectory of ethnic nationalist aspirations of both the Quebecois and the Nagas, we shall now proceed to find out to what extent federalism in Canada and India has been able to accommodate, manage and resolve them. Both Canada in 1867 and India in 1950 adopted a form of government broadly similar in principle to the Westminster model prevalent in England, but with the modification that they added on to a parliamentary framework a federal component. This combination of parliamentary and federal principles of government was necessitated by social and regional diversities characterising these two countries.

The choice of a federal arrangement is determined by several factors. These factors include both the elements of necessity and that of hope. The constituent elements of the factors of necessity refer to the urgency of resolving problems that has come to be characterized by the living together of several people belonging to different nationalities, races, faiths, linguistic groups, etc. The formation of nation-state containing a multiplicity of racial stocks, cultural groups, linguistic formations, etc. may have been caused by the accident of history, either naturally induced or artificially created. Living together for

ages makes it natural for these people to form a state that includes within its boundaries a multiplicity of ethnically and otherwise differentiated groups of people.¹

In the course of the evolution of the political systems in Canada and India, the federal features of their societies have continuously clamoured for a greater recognition by the political establishment. K. C. Wheare made an interesting observation about Canada and India. Basing his comment on his reading of the two constitutions, he classified both Canada and India as 'quasi-federal'. But he proceeded to make an interesting distinction between the two countries on the basis of their actual governance. He argues that the Canadian constitution was quasi-federal but the Canadian government was federal. But so far as India was concerned, both its constitution and its government were quasi-federal in Wheare's assessment. However, Saxena points out that by the 1990s, the government of India too has become federal despite its constitution.²

According to Wheare, a federal government is a system of government that embodies predominantly a division of power between general and regional authorities, each of which is in its own sphere, in coordinate with the other and independent of them.³ Daniel Elazar describes federalism as a "contractual noncentralisation, the structural dispersion of powers among centers whose legitimate authority is constitutionally guaranteed. It is designed to link the constituent units more closely within a common general government whose constitution is the supreme law of the land and that maintains direct contact with its individual citizens".⁴

It is obvious that all federal systems are marked both by centrifugal and centripetal tendencies. It is not therefore, the question of whether or not these tendencies exist and operate at cross-purposes. The main question is that the way the excesses of each of these tendencies are checked so that the spirit of federalism is preserved. A federal polity is a collaborative arrangement through which diverse independent political

¹ Roy, Ramashray (2003), *The Federal Experience: India and Russia*, Indian Council of Social Science Research, Shipra Publications: Delhi, p. 1.

² Saxena, Rekha (ed.) (2002), *Mapping Canadian Federalism for India*, Konark Publishers Pvt. Ltd.: Delhi, Pp. 32-33.

³ Wheare, K.C. (1963), *Federal Governments*, 4th edition, Oxford University Press: Oxford, p. 33.

⁴ Cited in Narang, A.S. (1995), *Ethnic identities and Federalism*, Indian Institute of Advanced Studies: Shimla, p.72.

formations join together to create a super political unit, carve out separate areas of functionary, and work cooperatively to realise both common and separate needs of the states.

It has been argued that federalism in Canada and India is a device to combine diverse societies with different languages, cultures, religions, etc., into a single political entity. Nevertheless, the demands made by the Nagas and the French-Canadians, that have felt themselves to be peripheral, mean that the governments of these federations are constantly having to seek out ways and means to pacify them.

Federalism, that is to say the constitutional distribution of power between a national government and a number of state or provincial governments, is particularly suitable for diverse societies like India and Canada. Both the countries are large as well as diverse society for which federalism would seem most appropriate. The *raison d'etre* of federal arrangement lies in the need to realise unity or, at least commonality, in situation of diversity. Diversity would not be a problem if it did not create problems for forging and sustaining unity of perspective, purposes and process of managing common affairs.

I. Canadian Federalism

The British North America (BNA) Act, now known as the Constitution Act, 1867, established two orders of government, each with a considerable array of jurisdictions, a number of violations of the federal principle were enshrined in the Act. The federal system which was negotiated in 1867 has remained largely intact to this day, although the number of federal units has increased as Canada expanded westward. Currently, in Canada the constitution accords very significant powers to the provinces. They exercise exclusive or predominant power over education, health, welfare, housing, municipal government and civil law, while the federal government exercises jurisdictions over foreign affairs and military defence, postal system, currency and banking, shipping, immigration and citizenship, and criminal law. Other areas, such as agriculture, the

environment and natural resources are matters of joint jurisdiction. Thus, Canadian provinces have considerably more power than the subunits in most federal systems.⁵

The provinces were given a significant set of powers in Section 92 of the BNA Act, including “local works and undertakings” (Section 92.10), but the federal government could assume control of these works by declaring them to be in “the general advantage of Canada or for the advantage of two or more provinces” (Section 92.10.C). This is known as the ‘declaratory power’ of the federal government, and it was employed 472 times by the federal government, mostly in the early years of the confederation.⁶

Under the federal division of powers in Canada, the province of Quebec has extensive jurisdiction over issues that are crucial to the survival of the francophone society. Although the other nine provinces also have these powers, the major historical impetus behind the federal system was the need to accommodate the Quebecois. Had Quebec not been guaranteed these substantial powers – and hence protected from the possibility of being outvoted on key issues by the larger Anglophone population – it is certain that Quebec either would not have joined Canada in 1867, or would have seceded sometime thereafter.

However, the BNA Act of 1867 provided for a Canadian federal system by theoretically strengthening the central government. It was believed that the strengthening of the central power *vis-à-vis* the provinces would serve to avoid all conflict over jurisdiction and authority, and in the event of conflict, would guarantee that the central level of government would prevail.

The most egregious violation of the federal principle was the power enabling the central government to disallow provincial legislation. In addition, the Lieutenant-Governor of a province could reserve provincial legislation for consideration by the federal government. These powers were also used extensively, at least 107 disallowances and 57 reservations between 1867 and 1939. In both instances, disallowance and

⁵ Kymlicka, Will (2003), “Federalism and Nationalism in Canada: A Comparative Perspective”, in Saxena, Rekha (ed.) *Mapping Canadian Federalism for India*, Konark Publishers Pvt. Ltd.: Delhi, p. 85.

⁶ *Ibid.*, p. 58.

reservation, the sovereignty of the provinces to legislate in their spheres of jurisdiction was compromised. The key characteristic of federalism was thus rendered imperative, at least until the 1940s when these practices were abandoned.⁷

The division of powers in the Canadian constitution was also quasi-federal. The “Peace, Order, and Good Government” (POGG) clause in the preamble to Section 91 contained the potential for the federal government to completely overwhelm all the items reserved for provincial jurisdictions in Section 92, including substantial heads of power such as “all matters of merely local or private nature” and “property and civil rights”. Indeed, the Judicial Committee of the Privy Council (JCPC) concluded in the 1896 Local Prohibition Case,

[i]f it were once conceded that the parliament of Canada has the authority to make laws applicable to the whole of the Dominion, in relation to matters which in each province are substantially of local and private interest, upon the assumption that these matters also concern the peace, order, and good government of the Dominion, there is hardly a subject enumerated in Section 92 upon which it might not legislate, to the exclusion of the provincial legislatures.⁸

Lord Watson thus ruled to limit the federal government’s ability to encroach upon provincial jurisdictions through the POGG clause. Lord Haldane later interpreted this clause as an emergency provision to be used only as a measure of last resort. In short, the JCPC inserted the federal principle in the constitution and gave the provinces a degree of sovereignty in their field of jurisdiction.

I.1 Centrifugal-Centripetal Forces

The inequalities of the core-periphery relationship and the persisting French-English duality have contributed to centrifugal positions, as provincial governments deemed it necessary to move away from the centre to protect their interests. Conversely, the central government has from time to time, especially during instances of national crisis, adopted

⁷ Ibid., p. 86.

⁸ Ibid., p. 58.

a centralising position which has invariably had the effect of infringing upon provincial jurisdiction (chapter 2).

As premier Trudeau succinctly stated in 1980 there are two opposing views of Canadian federalism:

There is one view which holds that national Canadian politics ... ought to be what results from each province acting independently to maximise its own self interest. The other view is that there is a national interest which transcends regional interests ... That view also goes so far to say that where there is a conflict between the national interest and the provincial interests, the national interest must prevail because Canada is more than the sum of its parts.⁹

The two opposing views of Canadian federalism serve as the central point of contention and source of conflict within the realm of federal-provincial relations. The conflict is real and significant because each side firmly holds a different conception both of the meaning and purpose of Canadian federalism, and what constitutes the best means to achieve successfully various objectives.

Alan Cairns develops this distinction further. He argues that contemporary intergovernmental co-ordination is a contentious process that involves more than just two different conceptions of Canadian federalism: it also includes at least eleven different sets of governmental interests. This diversity of interests, he argues, requires: 'the containment of ineradicable tendencies to conflict between the federal vision of a society and economy and ten competing provincial visions'. Cairns, in fact, disputes René Lévesque's definition of Canadian federalism as 'two scorpions in the same bottle' which stresses the French-English relationship, and prefers instead the image of 'eleven elephants in a maze'.¹⁰

⁹ Cited in Gagnon, Alan (1989), "Canadian Federalism: A Working Balance", in Forsyth, Murray (ed.), *Federalism and Nationalism*, Leicester University Press: Leicester & London, p. 160.

¹⁰ *Ibid.*, p. 161.

As a direct consequence of the centripetal-centrifugal dichotomy, Canadian federalism requires a level of consensus and collaboration that is either not generally required or encouraged in other federations. The importance of bargaining and collaboration cannot be ignored as it implies that neither level of government can dictate policy nor act unilaterally in many areas. Thus, efforts at accommodation, rather than being viewed as a process encouraging indecision or even paralysis, should instead be perceived as a vital means of protecting the collective welfare. In fact, it also provides both better representation of interests and a set of checks and balances that could foster democracy in Canada.

Support for centralisation has emerged from the belief that decentralisation, and greater authority for semi-autonomous provinces, resulting from centrifugal conceptions of federalism, should be reversed to alleviate the consequences of major crises requiring a concerted national effort. By the 1940s, most of the quasi-federal powers in the constitution had atrophied. The Canadian constitution is thus ambiguous. As Wheare concluded, it is quasi-federal in form but mostly federal in practice. However, while the quasi-federal provisions have fallen into disuse, the fiscal system remains quasi-federal.

I.2 Challenges to Canadian Federalism

The questioning of federalism is not new in Canada. What is new is that federalism appears to have fewer supporters than before, partly because of the strength of the contemporary challenges to it and partly because of the weaknesses inherent in the most prominent contemporary images of federalism. The contemporary challenges are different. Part of the difference is the rise of a new kind of nationalism in Quebec, which has produced novel arguments against federalism, especially as it is currently practiced.

Federalism, Porter suggests, is an obstacle to equal opportunity. By infusing Canadian politics with a conservative tone, it impedes the adoption of redistributive measures necessary for the creation of a liberal egalitarian society. Moreover, federalism works against equal opportunity because it tends to legitimate differentiation based on ethnicity. As for its most often discussed benefit, Porter insists that federalism frequently

fails to protect freedom. It finds its only and very limited justifications in Quebec's cultural particularism. But even Quebec's particularism is merely a short-term consideration because "as Quebec becomes more industrialised it will become culturally more like other industrialized societies".¹¹ Although Porter denies that he is calling for a complete abandonment of federalism, he does insist that a liberal democratic society "may require a breaking down of the ethnic impediment to ... the equality of opportunity".¹²

In his book, *Federalism and the French Canadians*, Trudeau stressed that federalism would only work if two things happened. 'First, French Canadians must really want it. That is to say, they must abandon their role of oppressed nation and decide to participate boldly and intelligently in the Canadian experience'. Second, Trudeau wrote, 'if French Canadians abandon their concept of a national state, English Canadians must do the same'. That is, English-speaking Canadians should not be pursuing the goal of an English-speaking Canada. The prime minister believed that the Canadian federation should be based on pluralism and the protection of rights and freedoms rather than a state based on language or race.

In Trudeau's writings, federalism took pride of place as the strategy for creating a politics of reason. Trudeau hailed federalism as a superior form of organisation that has the promised of replacing the emotion of nationalism with reason. Federalism could bring together societies, even nationalities, that would not otherwise share the same political system, thereby avoiding the excesses of the nation state. By their very logic, federal systems must be based on accommodation and continual bargaining:

Federalism is by its very essence a compromise and a pact. It is a compromise in the sense that when national consensus on all things is not desirable or cannot readily obtain, the area of consensus is reduced in order that consensus on some things be reached. It is a

¹¹ Porter, John (1965), *The Vertical Mosaic*, University of Toronto Press: Toronto, p. 383.

¹² *Ibid.*, p. 73, 385.

pact or quasi-treaty in the sense that the terms of that compromise cannot be changed unilaterally.¹³

Ultimately, federalism must privilege reason over emotion as the basis for political action and decision making.

II. Indian Federalism

The Indian constitution contains even more egregious violations of the federal principle than the Canadian constitution. In fact, when Dr. B. R. Ambedkar introduced the constitution to the Constituent Assembly he proclaimed that “the draft constitution can be both unitary as well as federal according to the requirements of time and circumstances”. Wheare concluded that “in practice the government of India, like the constitution of India, is quasi-federal, not strictly federal”.

The process of adapting federalism to Indian conditions began when the Constituent Assembly set aside the classical models then in vogue and opted for an unorthodox distribution of powers. However, it must be recognised that loosening the centralist straitjacket of a unitary colonial regime required exceptional courage in the post-partition context, when many feared that too federal a constitution might encourage other fissiparous tendencies.¹⁴

While the unitary bias of the original design was unmistakable, a remarkable degree of flexibility and asymmetry in bringing about and maintaining union, particularly when it came to integrating states and peoples who had enjoyed considerable autonomy under the previous regime of central (British) paramountcy. It also took cognizance of the layering of socio-political realities and the importance of local self-government. In a social system characterised by what Francine Frankel describes as “asymmetrical obligations among equals”, a special status and multilevel arrangement encountered no

¹³ Trudeau, P. E. (1968) *Federalism and the French Canadians*, The Macmillan Company of Canada Ltd.: Toronto, p. 191.

¹⁴ The basic issues underlying this debate are discussed in Mukarji, Nirmal and Arora, Balveer (eds.) (1992), *Federalism in India: Origins and Developments*, Centre for Policy Research, Vikas Publishing House Pvt. Ltd.: New Delhi, passim.

conceptual objections.¹⁵ In the ongoing search for new modes of adaptation to the pressures generated by democratic development, these elements of flexibility were significant. They were designed to make the federal system more responsive, but their true potential was obscured by the inter-governmental relations agenda that moulded thinking on federal reform once the first major threat to Congress party dominance arose in the late-Sixties.

Though there has been a widespread consensus that the 1967 general elections were a watershed for the federal system, many of the problems and issues thrown up at that time no longer appear as crucial today. Dissatisfaction with the distribution of powers between the Centre and the states constituted the core of the reform agenda of the 1970, and the terms of reference of the Sarkaria Commission (1983) reflected these concerns.*

The framers of the Indian Constitution refrained from calling their new state with its strong “centre” a federation at all. Yet clearly, even if India was not to be a federation like the United States, it could hardly be transformed into a unitary state on the British model. When Wheare called India a “quasi-federation” he indicated that its form of government lay somewhere between a unitary state and a federation. In some ways India remains a quasi-federation.

II.1 A Union of Unequal States

Even after the integration of the former princely states (1947-49), the future of the Indian union remained highly tentative. The Constitution recognised, for a time, four different categories of the states, vastly unequal in size and population. It is also stipulated an extremely flexible procedure for redefining internal boundaries, making variable geometry an integral part of the design. This subsequently enabled Parliament “to create new states when necessary to accommodate any legitimate aspiration of the people of an

¹⁵ Frankel, Francine & Rao, M. S. A (eds.) (1989), *Dominance and State Power in Modern India*, Oxford University Press: Delhi, Vol. 1, p. 1.

* A three-member Commission headed by Justice R.S. Sarkaria was constituted in 1983 to examine the powers, functions and responsibilities of the Union and the states.

area to have a state of their own, in order to develop in accordance with their own cultural and social traditions, or to have recognition of their ethnic or linguistic identity”¹⁶

II.2 Unity sans Uniformity: Asymmetrical Variations

Special status and unique relationships to meet specific needs and requirements were a part of the original design right from the beginning. Exceptions and modifications to the general regime were regarded as legitimate, and non-uniformity was considered perfectly compatible with the overarching requirements of cohesion. Yet, with the passage of time, these attributes of the original design were partially obscured. Homogenising forces intent on mainstreaming the peoples of India into a ‘single, indivisible nation’ continued to press for uniform dispensations. India’s experimentation with asymmetry can thus be viewed as an extended discovery of the minimum degree of uniformity necessary for maintaining a coherent Union.¹⁷

The concept of special status was extended and given a permanent constitutional niche by the 13th Amendment (1962) which formally introduced ‘special provisions’ for the state of Nagaland under article 371A (chapter 3). Apart from conferring validity and protection to pre-existing laws, the main features of this provision were the protection of local identity through restrictions on immigration and a preferential financial regime.

Nagaland drew the attention of the Sarkaria Commission to the fact that article 371A required the endorsement of the state legislature for any central enactment relating to “the ownership and transfer of land and its resources”. It claimed the right to legislate on mines and minerals and sought the Commission’s support. Pointing to the disadvantages of a protracted legal battle, the Commission recommended “dialogue and discussion” in a “spirit of give and take trust”.¹⁸

¹⁶ Singh, L. P. (1989), *National Integration*, Centre for Policy Research: New Delhi, p. 8. He also further points out that without this reasonable flexibility permitting creation of new states. “large parts of the country would today be seething with serious discontent”.

¹⁷ Arora, Balveer & Verney, Douglas V. (eds.) (1995), *Multiple Identities in a Single State: Indian Federalism in Comparative Perspective*, Under the auspices of Centre for Policy Research, New Delhi and Center for the Advanced Study of India, Philadelphia, Konark Publishers Pvt. Ltd: New Delhi, p. 78.

¹⁸ Ibid., Pp. 81-82.

In many large federal systems, there are concurrent pressures of integration and differentiation, resulting in a multiple layering of structures. Though most studies on Indian federalism have been primarily concerned with inter-governmental relations between the Union and the states, the significance of other levels needs to be stressed. The new agenda of federal reform is oriented towards greater autonomy and decentralisation of initiative within states. As economic liberalization policies reduce restrictive central controls, these structures are likely to assume greater significance, provided they receive adequate administrative and financial support.

II.3 Centralising Factors

The division of powers has been constructed to ensure union supremacy. Article 246 empowers parliament to enact legislation with respect to union and concurrent powers, “notwithstanding” the power of the states to legislate in their spheres of jurisdiction. This is buttressed by the Rule of Repugnancy (Article 254), which renders state legislation that is “repugnant” to federal legislation null and void. Article 249 allows the central government to enact with respect to matters on the state list, at times when it is deemed by the central government to be in the national interest. Article 256 stipulates that “the executive power of every state shall be so exercised as to ensure compliance with the laws made by parliamentand the executive power of the Union shall extend to giving of such directions to a State as may appear to the Government of India to be necessary for that purpose”.

State legislation in India may also be reserved by the state governor for the consideration of the president (Articles 200-1). Pylee suggests that “the Canadian constitution which has a strong centre seems to have particularly influenced the drafting Committee in this connection”.¹⁹

¹⁹ Cited in Telford, Hamish (2002), “Federalism in Multinational Societies: Switzerland, Canada and India in Comparative”, in Saxena, Rekha (ed.) *Mapping Canadian Federalism for India*, Konark Publishers Pvt. Ltd.: Delhi, p. 60.

The quasi-federal character of the Indian constitution is most evident in the emergency provisions (Articles 352-360).²⁰ In the case of a “national emergency” (Articles 352-354), India may be transformed into a unitary state by executive decision. The most serious violation of the federal principle in the India constitution is contained in Article 356, a relic of the colonial regime. This provision empowers the president, acting upon the advice of the prime minister, to dismiss a state government, if, in his judgement, the constitutional machinery in the state has “failed”. In practice, the constitutional machinery of a state is thought to have failed when there is (1) a political crisis, (2) internal disturbance, (3) physical breakdown, or (4) non-compliance with the Union executive.

India has demonstrated that its federalism is only of a fair-weather variety. Article 356, in particular, demonstrates that the state sovereignty is severely compromised. The point of the analysis is not to demonstrate that the Indian constitution violates a textbook definition of federalism. The lack of sovereignty accorded to the states in India has, Hamish Telford suggest, contributed to the rise of various nationalist and separatist movements around the country.²¹ However, the diversities and plural nature of the society in India, gradually modified the character of an otherwise Centre-oriented Constitution to suit federal requirements of the Indian society.²² Though the Indian federation resembles the Canadian federation in its centralizing tendency, it even goes further than the Canadian precedent. The federalism in India is not a matter of administrative convenience, but one of principle.²³

III. Quebecois and Naga Nationalisms: Convergences and Divergences

In sociological understanding, Quebecois and the Nagas have commonalities as they belong to distinct groups and consider themselves as nations. Nationalist aspirations of both the ethnic Quebecois as well as the ethnic Nagas in Canada and India respectively

²⁰ See for details, *The Constitution of India*, 5th edition, Universal Law Publishing Co. Pvt. Ltd: New Delhi, *passim*.

²¹ Telford, Hamish (2002), “Federalism in Multinational Societies: Switzerland, Canada and India in Comparative”, n. 19, p. 61.

²² Kumar, Pradeep (1988), *Studies in Indian Federalism*, Deep & Deep Publications: New Delhi, p. 34.

²³ Basu, D. D. (1988), *Introduction to the Constitution of India*, 18th edition, Printice-Hall of India: New Delhi, p.53.

have some convergences and divergences when compared. The political aspirations and demands as well as the federal responses to the developments of these two 'national minorities' (to use Kymlicka phrase) has been detailed in chapter 2 and chapter 3.

The demands made by both the Quebecois and the Nagas are based on the premises, that they constituted a nation in their own rights. These inherent rights to them are denied, more so in the case of the Nagas, who feels that they are suppressed. Nationalist aspirations have its own phase, both highs and lows, depending upon the changes in the events. Quebecois and Naga nationalist movements does not remain static, they changes as time passes by and tries to grasp the opportunity that comes their way.

A comparison between the two nationalistic movements shows that the Nagas are more radical in their demands. They long for a complete separation from the Indian Union. In fact, as we see, the French-Canadians also at certain point of times aspire for it. However, having entered into the Confederation and guaranteed certain provisions under the BNA Act of 1867, what they aspire after that was to garner more constitutional provisions to enable the province of Quebec to exercise more autonomously. Having realized that a complete separation is not a feasible option, their demands have come down to sorting out the issue through democratic means.

In contrast to the Quebecois, the Nagas have been looking for a future which would fulfill their longstanding dream of a sovereign nation. Their demand for complete sovereignty, however, is idealistic in the present age. This does not mean that they do not have a pragmatic approach to their aspirations. In fact, with the developments that had taken place and that is taking place at the present talks between the two governments (chapter 3), there is an understanding that political dialogue can solve the issue has been realised. Hence, the Indian government and the Naga leaders have resorted to democratic mechanisms.

Quebecois and Nagas aspire for 'recognition' from their respective countries. Nonetheless, the argument is that, it is not a matter of complete denial as we see from the preceding chapters, on the part of the Canadian and the Indian governments. In fact, both

the governments have been and continue to find ways and means to bring about amicable solution to manage and accommodate the nationalistic aspirations. The irony is that both the ethnic nationalists and their respective governments are yet to find a suitable mechanism(s) to sort out the longstanding problems, more so in the Indian context.

What we intent at the present situation is to find out how federalism can accommodate nationalistic aspirations. As we proceed further, the Canadian and Indian federalisms will be critically examined. The managing and accommodating factors of both the countries with regard to the Quebecois and the Nagas will be highlighted.

IV. Federal Solution

Federalism is a suitable institutional way to avoid fear of cultural domination and feeling of frustration among national minorities, for it presumes the existence of both nationalism and regionalism. It provides for the co-existence of centripetal and centrifugal forces and contraries of centralization and decentralization, of desires for unity and diversity, for attachment to the nation and the region. Federalism is a method by which these countervailing forces are balanced and preserved, while political processes are allowed to operate within sub-national units of the federation, they also intermixes with the national political process. According to Nirmal Mukarji and Ashish Banerji, at the risk of some simplification it is possible to conceptualize the functioning of the federal process in terms of units operating in small independent orbits but within the gravitational field of a national orbit. Put differently, federalism in complex societies justifies its consensual nature by providing political space to sub-nationalities within the ambit of the nation-state.²⁴

The virtue of federalism is that it makes possible the union of regions and peoples with certain shared interests and objectives, but with significant differences in culture, language, religion or history. That is, it allows these divergent groups to achieve union for the shared purposes while permitting regional governments to act for the differing characteristics and interests.

²⁴ Mukarji, Nirmal & Banerji, Ashish (1987), *Democracy, Federalism and the Future of India's Unity*, Uppal Publishing House: New Delhi, p. 40.

In this context the federal idea works in four important ways.²⁵ First, it fosters diversity within unity. Secondly, the federal idea permits and encourages creativity, imagination and innovation in meeting the needs of the people. By providing several sources of political strength and creativity, the federal system invites innovative, inventive leadership – at all levels – to work towards genuine solutions to the problems of a diverse and complex society. Thirdly, this is a pluralist idea. It gives scope to many energies, beliefs, initiatives and enlists them for the welfare of the people. It encourages diversity of thought, of culture and of values. Whereas a highly centralised system tends, by its disproportionate weight and power, to stifle diversity and creativity in both public and private sectors, a federal system provides room for both infinite variety and creativity in all sectors of national life. Fourthly, the federal idea is characterised by a balance which prevents excesses. This balance is essentially achieved by division of powers between the national and state governments, separation of legislative, executive and judicial authorities and the permissive encouragement to local authorities to achieve a measure of home rule.

Rasheeduddin Khan points out that globally, federal idea and federal systems are acquiring increasing relevance in our age and circumstances, at four levels: (i) with the United States and its agencies; (ii) in world bodies covering multinational interests and transactions; (iii) in regional groupings for economic, scientific, technological, cultural and political cohesion; and (iv) in the domestic management of large states marked by socio-cultural divisions.²⁶

A federalist solution to nationality and ethnic conflicts are usually viewed with trepidation by the central authorities in such states who see their primary purpose as maintenance of unity and territorial integrity of their states because they fear that federalization is but a step away from secession and disintegration. On the other side, as Paul Brass points out, it is often argued that failure to grant some form of political

²⁵ Narang, A. S. (1995), *Ethnic Identities and Federalism*, Indian Institute of Advanced Study: Shimla, p. 213.

²⁶ Khan, Rasheeduddin (1992), *A Federal India: A Design for Change*, Vikas Publishing House Pvt. Ltd.: New Delhi, p. 4.

autonomy in a federal state to aspirant national groups may itself promote secessionist and disintegrative tendencies that federalism may resolve.²⁷

A federal government presents a practical constitutional way of winning support for political and economic integration from a heterogeneous population. Federalism works because it transfers the target of political mobilisation from the national to the provincial/state centres; shifts conflicts in homogeneous provinces to inter-ethnic divisions, and gives ethnic groups local autonomy. It provides the common ground between the centraliser and the provincialist. Whether a federal system succeeds or fails, however, depends in large part upon the attitudes of participants, both governments and citizens. It is not simply a question what is provided in the constitution but what is in practice understood and implemented.

Needless to say, the experiences of limited successes and failures suggest that for an effective resolution of ethnic nationalistic issues through federalism. It is important that an autonomous region should enjoy effective control over matters which are primarily of local concern, within the overall framework of the fundamental norms of the state. Of course, autonomy is not equivalent to independence, and autonomous governments should not expect to be immune from the influence of central government. At the same time, however, a functioning federal system, must adopt a flexible attitude towards a democratic and pluralist political system that provides opportunities for access and participation.²⁸ In the process, it will enable the autonomous regions to exercise real power, precisely when those exercise of power runs counter to the state's inherent preference for centralization and uniformity

While it is said in multiethnic societies like Canada and India, in terms of constitutional arrangements, the need for autonomy points to some form of federalism where there is duality of sovereignty and power at both government level that

²⁷ Brass, Paul (1991), *Ethnicity and Nationalism: Theory and Comparison*, Sage Publications: New Delhi, p. 52.

²⁸ Nathan, Richard P. & Hoffman, Eric P. (1991), "Modern Federalism", *International Affairs*, May, Moscow, p.28.

coordinates. Yet, critics have sometimes suggested that federal institutions, involving divisions of power, legalism, rigidities, and technicalities, simply create obstructions in the affairs of the state. Some say that the results in shared fields often seems to create immobility and indecisiveness; substantial policy change often seems to require a high degree of consensus or a massive exertion of political will. Citizens who seek responses and decisions from governments face complex procedures and must put up with the duplication, uncertainties and delays of divided jurisdiction. Federalism to such critics seems to be the enemy of policy that is planned, comprehensive, coherent, uniform and content.²⁹

Nevertheless, there is a general agreement among experts that a functioning federal system, composed of a number of regional governments, must have a democratic and pluralist political system that provides opportunities for access and participation by citizens in both national and regional political processes. Otherwise the idea of a separate identity, diversity of interests and actions, and self-expression by the regional governments would not be meaningful. Where the federal national state is a democratic one, there are mechanisms available within the democratic framework to reconcile the aspirations for autonomy and identity. Right now, all signs point to the fact that democracy and federalism have become closely intertwined and as a means to political unity in multiethnic society, this combination of federalism and democracy would seem to be more relevant today than at any time in the last 200 years or so.

IV.1 The Canadian and Indian Experiences

Canada provides an important example of policy perspective of political integration and the accommodation of ethnic nationalism through federal mechanisms. Having been designated as a federation, it provides a strong central institution, strong enough to overcome significant geographical and cultural cleavages. Canadian federalism has proved remarkably effective and flexible through many changing conditions. But the

²⁹ Narang, A. S. (1995), *Ethnic Identities and Federalism*, n. 25, p. 87.

question in the face of emerged ethnic nationalism, particularly since 1960s, altered the initial provisions and agreed settlements of the Constitution Act of 1867.

The Quebecois demands for a greater role in the Canadian federation. To meet the aspirations and demands to the Quebecers, the federal government of Canada resorted to mega-constitutional reforms (chapter 2). The constitutional guarantees, thus provided, could not concretely resolve the longstanding nationalistic wishes of the French-Canadians. The ultimate outcome was the referendums. However, the failures of the referendums show that, democratic means and ways through constitutional devolution of powers could provide for a more responsibilities. Having entered into the confederation, Quebec does not have the unilateral right to secede from Canada. It is also a well known assumption that even if Quebec secede, it cannot survive as a sovereign nation in contemporary times.

Compared to Canada, the Indian government has a lot to learn and possibly apply those in managing its diverse ethnic societies. Federal political systems in the developing countries are subject to greater centralizing pressures than those of industrialised countries. Again, it may be mentioned that the problem of ethnic nationalism is more acute in India. Having seen that in Punjab, Jammu & Kashmir and the North-east, and continues to create a lot of problems to the Indian federation. The Indian government has in its attempt to accommodate the nationalistic aspirations of the Nagas given constitutional guarantees in a number of ways (chapter 3). What India can learn from Canada is to be more democratic in bringing about an amicable solution. It cannot be denied that the nationalistic aspirations in India resort to militant tactics, yet the quasi-military and military suppression initiated to resolve the problem has not helped. Indeed, a lot of human rights violations have been reported. These activities have alienated the people, civilians in particular. India needs to understand the basic rights of the people, their demands and bring about a solution through democratic mechanisms into the mainstream.

IV. 2 Federal Choice

Federalism is a distinct political form. In this context, what is important to understand is that inter-governmental relations are not the essence of federalism. Therefore, we should not equate decentralisation with federalism. Decentralisation is an administrative principle which may apply to the unitary as well as the federal system. In democracies decentralisation in itself is a desirable goal for citizen's greater participation in decision making. But as a mechanism for ethnic reconciliation within a federal structure it is not the end. For that federalism has to be meaningful, tolerant and a visible manifestation of the internal demographic and territorial pattern of the nation.

For a meaningful, tolerant and a viable federation, the starting point in terms of rejuvenating federalism as a method for reconciliation in multi-ethnic societies, in view of the mentioned experiences, has to be the recognition of the growing reality of ethnic nationalism. In this respect, the federal centre will have to be viewed as the focal point at which the various sub-national trends converge rather than as a source from which power is imposed upon them. As a consequence, devolutionary measures need to be worked out in a spirit of partnership between the central and provincial/state levels rather than unilaterally by a dominant centre. And such a political structure must be marked by the absence of hegemony. In essence, it means that federalism must not be understood in term of its devolutionary mechanisms but non-centraliation. In fact, Narang argues that further centralization and a hegemonic system of government results in regionalism and subnationalism, which in turn becomes an irresistible force.³⁰

Conclusion

As a country, Canada and India has survived and even prospered under a federal system. It has been argued here both that the federal process represented the only means of managing the inevitable conflicts posed by the ethnic nationalisms of the French-

³⁰ Narang, A.S. (2003), "Ethnicity and Federalism", in B. D. Dua & M. P. Singh (eds.) *Indian Federalism in the New Millennium*, Manohar: New Delhi, p. 83.

Canadians and the Nagas, and that it is the flexibility of the federal process which explains and assures the continuing success of federalism in Canada and India. Canadian and Indian federalisms should be understood as a federal bargain being continually revived as vested interests are challenged and federal arrangements modified to accommodate them. Thus, federalism should be viewed as an adaptable 'bargain' that will be maintained only if the member states are receiving positive reinforcement, this, of course, reveals the necessity of constitutional and political adaptation to evolving historical circumstances which is essential for the maintenance of the original compromise.

The present situation of rejuvenated ethnic nationalism in Canada and India, more so in the later, the most effective solution reconciliation within the existing state frameworks seems to be federalism having an autonomous state and local governments with significant, constitutionally defined, independent responsibility for the welfare of the people living in their jurisdictions, accompanied with participatory political processes and egalitarian economic system. This we can call "multi-layered, non-centralised, democratic federalism".³¹

The crucial dimension of such a federal state, however, is not legal arrangements, but the spirit and dynamic relationship between organisational patterns and policies pursued. It is a common observation that the actual functioning of the federal system in any country does not depend on written constitution and legal framework, but on the various factors which influence political processes in the society. As early as in the 1950s William S Livingstone argued that federalism is a function not of governments but of societies. According to him:

The (governmental) institutions themselves do not provide an accurate index of the federal nature of the society which subtends them; they are only the surface manifestations of deeper federal quality which lies beneath the surface. The essence of federalism lies not in the constitutional or institutional structure but in

³¹ Narang, A. S. (1995), *Ethnic Identities and Federalism*, n. 25, p. 220.

the society itself. Federal government is a device by which the federal qualities of the society are articulated and protected.³²

Federalism, in other words, is essentially a political culture, an outlook on national life. The development and maintenance of a federal system, therefore, is directly related to the existence of a federal spirit. The will to preserve regional beliefs, values and interests, as well as a commitment to maintain a certain degree of federal unity, seem imperative to a successful federal experience.

Federalism is a political method. It is taken recourse to when other means of integration are considered either ineffective or insignificant in successfully combating the forces of disintegration. As a political method, federalism represents a system of allocating authority and dividing powers so that the central and regional governments work within a sphere of their own, to be sure; however, for all that, they are independent but coordinate entities. Therefore, federalism must be dynamic and responsive to ethnic aspirations. In fact, once established a federal state does not *ipso facto* signify exhaustion of the principles upon which it was created. Furthermore, a federal state which emerges at a moment in history cannot be confined by its setting. Consequently, the structure and operation of federalism will vary in response to various circumstances and demands, which directly affects the political community.

Having discussed the experiences of federalism in the cases of India and Canada, it is argued that federalism provides for a pragmatic scheme where adjustments have to be made to meet the varying needs of changing times and to harmonise conflicting interests and provide against future conflicts. Federalism may be the only force capable of taming nationalism.³³ Ultimately, the effective working of federalism rests on compromise, and a general spirit of toleration, moderation and political give and take. Without this, it is difficult to see how any federal system can long survive its founding. Both the countries have a lot to learn from each other in order to accommodate and manage the nationalist aspirations. In fact, Canada can add the asymmetrical features that

³² Ibid.

³³ Nathan, Richard P. & Hoffman, Eric P. (1991), "Modern Federalism", n. 28, p. 35.

India possess and apply it to the Quebecois demands. On the other hand, India needs to respond more democratically like the Canadians in trying to bring about the Nagas into the mainstream. Finally, federalism can be the only viable solution as a federal system seeks stability without rigidity and security without inertia. It encourages innovation and inventiveness, which is guided and governed by the principle of purpose. It assures responsiveness more thoughtfully than mere reflexes. In short, it seeks to hold the delicately precarious balance between nationalist aspirations and federal accommodation and management in bringing about order upon which depend decisively the hope of toleration and prosperity of all.

CHAPTER 5: SUMMARY AND CONCLUSION

The present study has been an earnest attempt to understand the ethnic nationalist aspirations of the Quebecois and the Nagas in Canada and India respectively. To address the issue, the study has been broadly divided into four major chapters. The first chapter dealt on how to understand ethnic nationalism; the second chapter traced the Quebecois problem and the political and constitutional developments to solve the problem. The third chapter dealt with the Nagas quest for a separate nation and the responses of the Indian government; and the fourth chapter addressed how federalism can be a viable option in the light of the ethnic nationalist movements in Canada and India.

In chapter 1, we examined how ethnic nationalism as a phenomenon has become an undeniable reality of the post-colonial world affecting people with far-reaching consequences. The challenges that Canada and India face in the light of the Quebecois and Naga ethnic nationalisms have been delineated.

Nationalism as ideology and movement is best seen as a modern and purely political assertion in the ethnic nationalist movements. Nationalism is for seizing and retaining that control. It aims either to unify the state, renew or to oppose an existing state. Questions of nationalism are highly value-loaded and are expressions of interests and power positions. Most scholars see Western nationalisms as political and Eastern ones as cultural. Having examined the theories of nationalism as propagated by Gellner, Anderson and Hobsbawm, the argument arrived at is that the deep sentiments attached to nationalism give it an imperative force. However, as Anderson points out, nation is an 'imagined' political community and imagined as both inherently limited and sovereign.

In chapter 2, we saw that the separatist movement in Quebec has deep roots in Canada's political history, unfolding an unending series of Centre-Province and intra-province political confrontations. The initial survival of French culture was identified with the Catholic religion, a French-Canadian race and its language. French Canadians

had long thought of themselves as a 'distinctive' society. In the process of the growth of French Canadian nationalism in Quebec, it began to associate itself with 'collectivity'.

The result of contemporary Quebec nationalism is a product of the modernisation and secularisation of Quebec society in the 1960s. The trend of the four phases of Quebec ethnic nationalism showed how the demands changed with the situation prevalent at that particular time. We saw how the defeat of the *Patriotes* marked the beginning of the French Canadian nationalism, which became the permanent feature of Canadian and Quebec politics.

In the early part of the twentieth century, the term "nationalist" implied more power for the government of Québec in cultural matters and more independence of Canada from the British connection. For nationalists, their minority status in federal institutions offers insufficient protection for Québec's interests.

The Quiet Revolution signaled Quebec's emergence and finally managed to bring about the internal unity of French society in Quebec. In fact, Quiet Revolution fostered a stronger Quebec identity and greater economic and political power for French-speaking Quebecers. In turn, Quebecois quest to protect and promote the French language and culture grew more confident. As a result, by the end of the 1960s, the effort to accommodate Quebec nationalism was initiated. All the major parties were united around a strategy of confronting and undermining Quebec nationalism. This radical reversal was made possible as Pierre Trudeau proposed to incorporate Quebec Francophones into a new Canadian identity. In reality, Trudeau hoped to undercut any Quebec demand for special status or separatism in the defence of French Canada.

Not satisfied with the moves of the federal government, the PQ emerged to give a new identity with the concept of sovereignty with economic association, generating a lot of confusion. In clear terms, a sovereign Quebec can only mean an independent Quebec, not an autonomous Quebec. However, the referendums proved that separation is not what was wanted. Nevertheless, the referendums made Quebec sovereignty a distinct possibility.

Mega-constitutional reforms initiated to accommodate and grant the demand of the Quebecois showed that discrepancies were involved in the process of a settlement as seen in the chapter. The desire to espouse the cause of Quebecois quest for sovereignty led the province of Quebec play an active part in *La Francophonie*. This organisation was also seen by some Canadians as France supporting the Quebec sovereignty movement.

In sum, we saw that Quebec's health is not necessarily linked to the strength of the nationalist movement. Moreover, nationalists are certainly not the only ones to be promoting a vigorous and flourishing French life in Quebec. Having agreed to join the Confederation, Quebec does not have the freedom to unilaterally secede. In fact, the Clarity Act will complicate Quebecois future intention to another referendum over the question of the sovereignty. Both the Quebecois and the federal government of Canada will have to sort out their differences through constitutional mechanisms.

In chapter 3, we saw how the Nagas resisted the assimilative policies of the Indian state. The memorandum submitted to the Simon Commission clearly indicated their stand. Since then, the NNC emerged as the main political organ of the Nagas. Consequently, a demand for self-government was made to the British India. In fact, the demand was to assert their point that the Naga peoples are inalienable. Henceforth, the request for a 'guardian power' emerged. The outcome of the Hydari agreement led to another stalemate in the quest for transfer of power after the end of the 10 year period.

Under Phizo, the Naga movement shifted to radicalism. The Indian government's moves to provide for a solution through various means and mechanism were denied as unsatisfactory. The independence of Nagas was declared claiming the status they once held as an independent people before the British came. Ignoring the declaration, the Indian government responded by setting up its state machinery in the Naga homeland.

The voluntary plebiscite of the Nagas was unfortunately ignored by the government of India and responded by stepping up military repression. At the same time,

the formation of a parallel government by the Nagas shows how they were ready to sacrifice their lives for the attainment of a nation of their own.

To work out towards a solution to the demands of the Nagas, the state of Nagaland was inaugurated. This move instead of bringing about the fulfillment of the Nagas undermines their vision to live as one independent political entity. Although the Peace Mission and the Shillong Accord of 1975 were taken to be a breakthrough to end the impasse, it could not achieve much. Further, the Accord created more complication within the Naga underground leaders, leading to the emergence of NSCN. Though the Naga movement had been fragmented by different groups/factions, they all claim to be fighting for the same cause: Nagas sovereignty.

In response to the Nagas aspirations, the government of India enacted several draconian laws as part of its campaign to suppress the Naga movement. Knowing that military means is not the solution, both the Nagas and the Indian government are presently resorting to democratic means, through dialogues, to find an amicable political solution. Constitutional provisions for the Nagas have not helped ease the conflict. The Nagas have in turn been trying to garner the support of the international community.

The second peace process can be viewed more optimistically. The concept of a “Special Federal Relationship” been discussed between India and Nagas could possibly bring about an outcome. A mutually acceptable solution can be expected in the present scenario.

In chapter 4, we saw that the combination of parliamentary and federal principles of government was necessitated by social and regional diversities characterising Canada and India. The federal principles incorporated by both the countries was intended to accommodate and manage the ethnic nationalist aspirations of the Quebecois and the Nagas, particularly in the case of Canada. Both the Canadian and the Indian constitutions accord very significant powers to the provinces and the states. In reality, federalism is by its very essence a compromise and a pact.

As we saw, federalism provides a balanced and tolerant approach to preserve diversities. A federal government presents a practical constitutional way of winning support for political and economic integration from a heterogeneous population. To assess whether a federal system succeeds or fails depends upon the attitudes of both governments and citizens. In both Canada and India, the constitutional arrangements point to some form of federalism where there is duality of sovereignty and power at both levels of governments. Ultimately, federalism must privilege reason over emotion as the basis for political action and decision making.

The argument in this chapter is that federalism is a distinct political form which represents the means of managing the inevitable conflicts posed by the ethnic nationalisms of the French-Canadians and the Nagas. The flexibility and compatibility of the federal processes explains how the aspirations can be managed in a tolerant atmosphere. In fact, Canadian and Indian federalisms should be understood as a federal bargain being continually revived as vested interests are challenged and federal arrangements modified to accommodate them. Nevertheless, federalism too has a conflicting and dominating role due to its centralising tendencies and other aspects as we saw in the chapter. As such, both Canadian and Indian federalism are not beyond criticisms.

In sum, federal principles are intended to accommodate the articulation and protection of ethnic nationalism. Thus, federalism as a political method rests on the ability to tolerate, compromise, manage, accommodate, and bring about moderation, in which parties to the conflict come up with common acceptable solution(s).

Thus, we see that whenever nationalism has taken root, it has tended to prevail with ease over other modern ideologies. It is customary to comment on the strength of nationalism. The numbers of nationalisms which failed to bark is far, far larger than those which did, though they have captured all our attention. Nevertheless, the Quebecois and the Nagas have been able to assert their contentions and continue to add pressures on their respective governments. The principle of nationalism continues to be operative. On the contrary, concerning the number of cultures or potential nationalisms and concerning

the room available for proper national states, clearly shows that most potential nationalisms must either fail, or, more commonly, will refrain from even trying to find political expression.

Canada and India face the challenge of nation-building with the ethnic nationalistic aspirations of the Quebecois and the Nagas respectively. Ethnic nationalism has been a potent force to both the countries. Nationalism has been there in both Canada and India since the very foundations of both the states. The threat that these countries faces is not the weakness but the strength as both the ethnic nationalistic aspirations were able to express their demands. The tendency of nationalistic forces to secede from the federation has resulted in the adoption of federalism for both the countries, more specifically in the Canadian case. Meanwhile, the understanding of the potential separation by nationalistic forces has led both Canada and India resorting to constitutional provisions to accommodate and manage the diverse societies.

Quebecois in Canada and the Nagas in India have shown that nationalism flourishes when political and/or cultural rights of ethnic groups become issues of vital importance. Their urge for self-governments have been motivated by a “reaction against ethnic discrimination and humiliation; by the pragmatic expectation that the new nation-state will have greater economic and political freedom; by the wish to have state in which different public policies will be pursued; by the desire for power and prestige amongst nationalist elites, or to protect a given ethnic culture from extinction”.¹

The trend towards ethnic nationalism is on the increase. The aspirations of the people cannot be ignored. We have to devise ways and means for management and accommodation of conflicts arising from them. Having realized that, Canada and India have tried and continues to bring about an amicable solution to nationalistic aspiration through the federal principles. Federalism as a mechanism has been both advantageous as well as disadvantageous as seen from the preceding chapters. In the process, what we see

¹ McGarry, J & O’Leary, Brendan (eds.) (1993), *The Politics of Ethnic conflict Regulation*, Routledge: London and New York, p.15.

now is that Canada has become one of the most decentralized countries in the world. Nevertheless, the constitutional provisions granted to the ethnic nationalistic aspirations of the Quebecois, shows that Canada has managed and accommodated this aspiration. On the contrary, India has a lot to learn in the art of nationalistic management from Canada. The approaches and mechanisms initiated to contain the nationalistic aspirations have not been very successful. Indian federalism has been and continues to be under threat from the various and diverse demands from every part of the country. Compared to the Canadian counterpart, the Indian government's initiatives and motives at bringing the Nagas into the mainstream have been considered as imposed on them without their consent by the Nagas.

Now the question emerged, is it a viable and legitimate demand in the age of globalization, to demand for a complete sovereignty? The economic liberalisation and the pace of global trade have brought about countries to either lose some autonomy in the internal administration of their respective countries. Again, the need to collaborate in the sudden increase in the number of terrorists attacks have disabled to completely stay aloof from the present alliance between countries to tackle the menace. Hence, the ongoing progress in the political dialogue between the Indian government and the Nagas would disagree to the demands of the Nagas for a full sovereignty. In the case of Canada, had Quebec been able to secede from, the chances of survival for both would rest in the hands of the lone superpower (United States). Hence the demand for a complete sovereign nation to both the nationalistic aspirations of Quebecois and the Nagas is out of question.

What could be the option for them and their respective governments then? The answer would ultimately be to sort out the differences within the ambit of the constitutions. Having seen the federal principles in both the countries, the future demands and requirements would definitely be to rely on it. At present, Canada has done far greater in the tryst to accommodate the French-Canadians than the Indian counterpart. The decentralisation of the federal power to the provincial level has helped in bringing about ease into the minds of the nationalists. However, too much of decentralisation could mean the tussle between the federal-provincial relationships. The mechanisms adopted by the Canada have been one of democratic means. Even though a concrete

solution has not been adopted, the way Canada has managed the Quebecois demands needs to be appreciated and lauded.

On the contrary, India's tryst to resolve the longstanding problem of the Nagas has in the past resorted to suppression. This method, far from bridging and bringing them into the mainstream, has alienated the Naga people. Having realised that mistake, both the Indian leaders and the Nagas are now trying to resolve through democratic means. The outcome of the political dialogue, however, remains uncertain. If at all the Nagas were granted their dream of a separate nation, the traditional notion of complete sovereignty would not apply. This is so because, in contemporary times, the idea of a complete sovereignty is largely invalid.

In a nutshell, thus, the present work attempt at understanding the nationalistic forces prevailing in Canada and India. The aspirations, demands and managing mechanisms of these two countries have been examined in the light of the Quebecois and the Nagas national movements. However, due to the lack of time and limited research, the Nagas of Myanmar and the French-Canadians outside the province of Quebec has been left out. It will be an interesting area of study if future researchers can examine and work on the aspirations of the French-Canadians outside the province of Quebec and the Nagas living in Myanmar. The aspirations of these people compared with the area touch upon will provide a different conception of how a nationalistic desire prevails in their minds.

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