

**INTEGRATION, AUTONOMY AND THE STATE: A
COMPARATIVE STUDY OF NAGALAND AND J&K**

*Thesis submitted to Jawaharlal Nehru University
in partial fulfillment of the requirements
for the award of the Degree of*

DOCTOR OF PHILOSOPHY

PHUIREINGAM HONGCHUI



**CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI – 110067
INDIA 2019**



JAWAHARLAL NEHRU UNIVERSITY
CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
New Delhi-110067

Telephone No : 011-26704413 Fax : 011-26741504
email : cpsjnu09@gmail.com

Date: July, 2019

DECLARATION

I declare that the thesis entitled “**Integration, Autonomy and the State: A Comparative Study of Nagaland and J&K,**” submitted by me in partial fulfillment of the requirements for the award of the degree of **Doctor of Philosophy** is an original work and has not been submitted either in part or in full in this or other university.

Phuireingam Hongchui

CERTIFICATE

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

Prof. Asha Sarangi

(Chairperson)

Centre for Political Studies
School of Social Sciences II
Jawaharlal Nehru University

अध्यक्ष/Chairperson
राजनीतिक अध्ययन केन्द्र/Centre for Political Studies
सामाजिक विज्ञान संस्थान/School of Social Sciences
जवाहरलाल नेहरू विश्वविद्यालय
Jawaharlal Nehru University
नई दिल्ली / New Delhi - 110067

Dr. Ajay Gudavarthy

(Supervisor)

Centre for Political Studies
School of Social Sciences II
Jawaharlal Nehru University

Supervisor
Centre for Political Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi - 110067

ACKNOWLEDGEMENT

First and Foremost, I would like to thank the Almighty for all the providence and the guidance in the pursuit of this thesis, in quest of truth and excellence.

I express my heartfelt gratitude to my Supervisor, Dr Ajay Gudavarthy for being my guide and mentor. His vast knowledge, insights, suggestions and patience immensely help me in the course of this work. Moreover, his concern and constant encouragement, his astute observations as well as his heartiness in providing a congenial space for discussion, debate and insightful criticism has enormously improved, refined and the shaped the course of my research and its outcome. Apart from being a dedicated educationist, I sincerely thank you Sir, for being such a wonderful person for without you as my guide, I would not have been able to complete the work that I have undertaken.

I am also deeply indebted to the Chairperson Centre for Political studies and the entire faculty of the Centre for passionately imparting your knowledge, skills, expertise and suggestions, without any reservations throughout the process of shaping, approval, writing and the completion of this thesis. I would also like to thank the staffs of the Centre for their cooperation, efficiency, help and accessibility in the course of this work.

I am grateful to Jawaharlal Nehru University for giving me this opportunity to avail the excellent study environment, facilities and service provided by the dedicated staffs. I would like to thank the Librarians as well as the entire staffs of the Central library, Centre for Political Studies and North East India Study Center for their cooperation and efficient service rendered to me in particular and the student community of this University in procuring research materials.

I would like to extend my sincere gratitude to all my friends and people who have lend me a helping hand, support and guidance in different capacities through discussions, debates, suggestions and sharing of experience in the course of this study. I am also equally indebted to the JNU community at large that includes the security personnels, Dhabas, Canteens and mess workers for their service, and efficiency which created a conducive environment and made the experiences richer within this university in the course of my study.

Finally, I want to thank my family, especially my parents and sisters for your constant support, prayer, encouragement, love and trust without which this work would not have reached, where it stands today. It is the comfort that you provided me, all along through the process of writing this thesis that my journey has been made smoother and more fruitful.

Phuireingam Hongchui

LIST OF CONTENTS

	Page No
Certificate	i
Declaration	i
Acknowledgement	ii-iii
INTRODUCTION	1-21
Rational and Objective of the Study	3
Research Problem and the Background of the Study	6
Research Questions for a Comparative Analysis	13
Hypothesis	16
Methodologies.....	18
Chapter Plan.....	19
CHAPTER 1: Historical Overview and the Political Sensibilities in	
Nagaland and Jammu and Kashmir	22-54
Political History of the Nagas Post Independence	22
Philosophical Basis of the Nagas Polity	22
Political Structure of the Nagas	25
Formation of Naga Nationalism and Political Sensibilities.....	26
Challenges.....	34
Political History of Jammu and Kashmir Post Independence.....	36
The Nature of Conflict.....	36
Process of Integration	40
The Constitutional Development and Special Provision for Autonomy	44
The Pandit ‘s Question and Other Minorities Concern	46
CHAPTER 2: Democratic Processes and Accords of the State in Nagaland:	
From 1950 to 2015.....	55-121
Analysing the Peace Process of the Indo-Naga Conflict.....	55
The Nine Point Agreement	58
Formation of 16 Point Agreement.....	62
Nagaland Peace Mission (NPM).....	64

Shillong Accord of 1975.....	74
Examining the Recent Ceasefire of 1997 and the Ongoing Peace Process	79
Supra State	83
Demand for Alternative Arrangement.....	93
Framework Agreement of 3 rd August, 2015	97
Criticism and Challenges	100
Peace process and its Implications	102

CHAPTER 3: Accords and Agreements between the Indian State and

Jammu and Kashmir 122-148

Conditions and the Basis for the Accords and the Peace Process.....	122
Instrument of Accession of 26 th October, 1947	124
Delhi Agreement of July 1952	131
Shimla Agreement of 1972.....	139
Indira-Abdullah Accord of 1975.....	141
Lahore Declaration of 1999	145

CHAPTER 4: Institutional Dynamics of Federalism and the Question of

Integration in the State of Nagaland and Jammu and Kashmir 149-182

The Nature of Indian Federalism	149
A Brief Historical Account of Autonomy in the North East	158
Federal Concerns and Challenges between Nagaland and the Indian State	161
Federal Concerns of Jammu and Kashmir.....	172
Debate over the Question of Art.35A and Art.370	177

CHAPTER 5: Political Economy of Conflict, Development and Policy

Implications in Nagaland and Jammu and Kashmir..... 183-243

The Political Economy of India	183
The Nature of the Political Economy of the Nagas.....	185
Nature of the Naga Economy.....	188
Economic Conditions, Prospects and Challenges of Nagaland and the Nagas	192
The GDP of the State of Nagaland.....	193
Tourism.....	194

The Politics of the Political Economy of Integration	195
Human Right Violation and the question of Development	197
The Political Economy of Education in the Naga Society	199
The Political Economy of Election	202
Conflict, Underdevelopment and Migration from the North East	204
The Question of Immigration and the Fear of Demographic Change	205
State Approaches and Economic Policies	207
Look East and Act East Policies	213
The Place of North East in the Look East Policy	214
Act East Policy	216
Act East and the North East	217
The Political Economy of Jammu and Kashmir Post Independence	220
Land Reform	223
The Indian State Approach to the question of Development in Jammu and Kashmir	225
The Nature of the Political Economy of Jammu and Kashmir	229
Current Nature of Political Economy of Development in Jammu and Kashmir	233
Economic Policies and Development Work	237
Challenges and Controversies on Development	239
CONCLUSION	244-273
Historical Sensibilities and Political Overview of Nagaland and Jammu and Kashmir	244
Analysis of the Accords and the Peace Process	248
Federal dynamics and the Question of Autonomy	258
A Comparative Account on the Political economy of Development in Nagaland and J&K	262
A. The Political Economy of Development in Nagaland	262
B. The Political Economy of Jammu and Kashmir	265
BIBLIOGRAPHY	274-288

INTRODUCTION

The thesis entitled “Integration, Autonomy and the state: A comparative study of Nagaland and J&K” is an attempt to interrogate the process and the nature of integration within the Indian state in a comparative framework. The objectives of this study is to compare the two states of Nagaland and J&K on the nature of integration within the Indian democratic set up and at the same time to inquire what are the conflicting position of the two states on the questions of autonomy integration and self determination. The rationale behind this study is to explore and interrogate as to which of the two states integrates more within the union of India and at the same time to inquire as to why, how and which of the two state persist the very demand for self determination.

Following which, it aims to study differences in the process of integration and at the same time seek to explore what explain this different trajectory in a comparative frame. Thereby, the question arose as to what is a comparative study and at the same time why the need to compare two different states? Moreover, the challenges lie in what do we compare and how does one approach it in the course of this study. Accordingly, it necessitates us to examine what is the nature of integration and autonomy in each state and how do we best capture the theme within the comparative framework? Further, though each state constitutes a different challenge and unique entity in itself in term of its history, culture, religion and society, yet it demands an understanding of what are the commonalities amidst the variation and difference?

Taking these into consideration, it is important to briefly expound the nature of comparative study without delving into the conceptual complexity and contestation over the very subject and the politics of comparative study. Accordingly, comparative study and politics is generally understood as a comparison of both the structural and functional aspects of political systems, institutions, political culture and the process of political socialization as a search for systematic study with precision to better understand and develop a processes and theory of political phenomena and development.¹ At the same time, it also examines the very processes and the

¹Almond and Powell, *Comparative Politics A Developmental Approach*, (Bombay: Vakils, Feffer and Simons Private Ltd, 1966), p. 3-6. In this book the term political culture is used in the way in which the individual as members understand and engaged with the politics and the political system.

capability of the systems in the form of how these different systems and society response in a given political situation, reality and phenomena as a pattern of “political performance.”² A comparative study is also viewed as “one set of procedure for constructing explanation.”³ Moreover in the contemporary parlance, the nature of comparative study follows a functionalist approach in the form of comparative governance which is conceived as an “interactive process wherein the citizenry and the political elite exchange preferences on how to facilitate concerted action and its objectives.”⁴

Following which, the rationale of comparative study as an approach is considered as valuable for “pure description, making classifications, hypothesis testing and prediction.”⁵ In addition, the comparative method attempts to systematically study as a means to explain the political phenomena through observation of political actors, events, behavior, structures, processes and outcomes.⁶ Besides, one of the important ground for making comparison lies in the way how human society strive to not only understand but also explain the “similarities and the differences that perceive between themselves and others.”⁷

Taking the above into consideration, the focus and the nature of this study pertain to the comparative study of Nagaland and the state of Jammu and Kashmir over the question of integration and autonomy within the state of India. It in the process attempts to interrogate the nature of integration and at the same time the very act of resistance for self determination, non integration and the persisting conflict. For which, it would compare and examine the nature of conflict, study the historical events, trajectory along with the corresponding efforts for conflict resolution, the nature of federal relations and the question of autonomy. Moreover, it will also examine the developmental policies and challenges between the two states and at the

²Almond and Powell, *Comparative Politics A Developmental Approach*, (Bombay: Vakils, Feffer and Simons Private Ltd, 1966), p. 206.

³Dennis Patterson, Frank Thames and Lawrence Mayer, (eds.) *Contending perspective in Comparative Politics*, (Washington: Sage Publication, 2009), p.1.

⁴ B Guy Peters and Jon Pierre, *Comparative Governance Rediscovering the Fundamental Dimension of Governing*, (London: Cambridge University Press, 2016), p.7. This approach of comparative governance and politics outline the functionalist perspective and the overall interaction amongst the state and the various social actors not only in the formulation of the policies but also to the very outcome of the implementation through this governance.

⁵Todd Landman and Edzia Carvalho, *Issues and Methods in Comparative Politics an Introduction*, (New York: Routledge Publication, Fourth Edition, 2017), p. 1

⁶Ibid.p.xviii.

⁷Ibid.p.3.

same time analyse the nature and the course of the conflict with reference to the issues of integration, autonomy and the state.

Rationale and Objective of the Study

The objective of this study is to compare the two states of Nagaland and J&K on the nature of integration within the Indian democratic set up in conjunction with the demand for autonomy and self determination. The rationale behind this study is to explore and interrogate as to which of the two states integrate more within the union of India. It will also inquire as to what are the strategies the two states have demanded and adopted and what are the measures the Indian state has provided in order to resolve the questions of autonomy, and self determination within the context of integration. This will help us to understand the complex nature of the conflict and the challenges to the question of integration.

Entering into this framework, the emphasis of this study is on how the policies, processes and the strategies with special focus on integration within the Indian state have travelled, responded and is taking shape in the current politics of conflict as well as the process of conflict resolution. In doing so, it necessitates to inquire as to whether the contestation and the effort to resolve the pertinent conflict mitigated the tension paving the way for higher degree of integration or rather has led to the intensification of conflict. Considering these complex processes it demands a critical examination on how it really operates and at the same time see what are the challenges that lie ahead in the actualization and the operational aspects on the very question of integration. Thus, by considering this competing concept and contestation of socio-political and economic space with the interplay of politics and the process of militarization, conflict, violence and the co-option of transplanting democratic space within the context of integration, the nature of conflict seems to travel and project a different trajectory in terms of participation, empowerment, development and democracy. Following which, it intends to explore as to what kind of integration at large are we aiming for? At the same time it also needs to interrogate as to how far the politics of the two states are conditioned by the national and international interest and contestation?

Moreover, the fruitfulness and the advantage of this kind of interrogation and study would in a way offer a kind of explanation as to how the politics, policies, strategies and the process of democratic engagement for integration operates. In addition, it helps us to understand the interface of development, security and resistance especially in the engagement with the issues of persisting political conflict. The overall assessment of the impact and the strategies of the working of democracy and economic policies within the larger framework of integration through multiple strategies that have applied over the years in a way seems to have produced differential results especially within the context of Nagaland and Jammu and Kashmir. Further, various contradictions and gaps also seem to exist between theory and practices in the formulation, concretization, implementation and execution of democratic goal in the pursuit of development and social justice. Furthermore, new challenges also seem to have cropped up in the examination of both the conflict region.

Simultaneously, one of the pertinent challenges is to interrogate and assess what are the tangible outcomes of integration and at the same time to critically inquire as to what constitute the elements for a stable, durable and long lasting integration.

Considering the above reality and context at hand, it becomes all the more important and imperative to interrogate and inquire what are the hindrances, obstacles and the drawbacks that persist in pursuing the goals of integration. At the same time, to see what are the correlations and the role of democracy in the context of delving with the issue of the political economy of conflict and development?

However, the very idea and the notion of making a comparative study and approach of two distinct and extreme geographical, territorial space and cultural setting within the state of India is a complex and difficult subject and as a result it demands a critical inquiries, examination, observation and analysis in order to arrive towards a better understanding of both the geo-political space. Following which, it necessitates us to compare and contrast the similarities and convergence along with the differences and the divergences in the nature of the working of democracy, society, resistance, integration and the political economy of conflict. Next, it also needs to interrogate the nuances and the processes by stressing as well as limiting the extant and the degree of commonness as well as deviation and the point of departure

in the course of the comparative study between these two states. Moreover, it is also an attempt to explore, examine and compare the challenges to the very process of integration. Further, on account of the multiple conception and contestation in terms of contentious political conflict, the question arose as to how do find a common and rational ground to address the very question of integration and conflict resolution especially with the comparative study of the two states of Nagaland and Jammu and Kashmir.

Thereby, the relevance and the rational of this study is to create a comparative note on the question of integration and autonomy that will help in better understanding the nature of pertinent conflict and assist in the resolution of the conflict. It seeks to examine the complexity of the problem through the analysis of the similarities as well as the peculiarities. It also intends to examine how we understand the nature and the process of conflict within the context of integration and autonomy on one hand and the resistance for self determination and sovereignty on the other. This study also in the process flags off the very nature of contestation and processes in the very attempt of conflict resolution. It also seeks to analyse and compare the methods and measures adopted as part of conflict resolution as exemplified in the democratic process of negotiation in response to the violent method of confrontation, contestation and resistance. In doing so, it will also touch upon and attempt to asses which methods has been more successful not only in the mitigation of the conflict but also in the overall resolution of conflict. On the whole, this comparative study is a project that attempts to understand in depth and analysed the nature and process of integration and autonomy of the two states within the state of India without discounting the challenges, demand and resistance for more autonomy and self determination.

Another important aspect of this comparative study is to interrogate and compare what would be the nature of integration with reference to the questions of autonomy, federalism and developmental concerns. Accordingly, it will trace the history of political conflict and examine the processes as it seeks to address the very challenges, to bringing immediate as well as a long lasting solution to the process of integration.

Research Problem and the Background of the study

The very idea, concept and the practical implication on the very question of the politics and the process of the comparative study of Integration on the state of J&K and Nagaland within the Union of India is a complex and difficult theme to understand on account of the pertinent and persistent political conflict that has remained unresolved over a certain period of time. The nature of the conflict, contestation and the tension has revolved around the issues of sovereignty, self-determination, autonomy and Azadi on one hand and integration, constitutional unity and assimilation on the other. Further, on account of the dialectic processes of conflict, competition and cooperation within the rubric of integration, autonomy and self determination, it has brought to processes of engagement as well as tension on the various themes like territoriality, identity, constitution, and secessionism in conjunction with the working of the democratic process and institution. This interface in the course of the conflict has also drastically changed the nature of the conflict. Thereby, the dual interaction and interface of conflict and the working of democracy in the course of history has also affected the political economy of conflict and development.

Taking these above challenges into consideration, questions concerning the nature of the the processes of integration and conflict resolution also gets reflected while dealing with the politics of making Accords and Agreements. This brings into perspective the processes of dialogue, negotiation, deliberation, violence, and militarization. This phase of the political history of conflict and the outcome of peace-building processes have also brought about some changes that is seen in the granting of special constitution provision like the article 370 and 371A respectively for the state of J &K and Nagaland on Federal lines. The real challenges of the study following a comparative analysis and examination of the nature of integration between the state of Nagaland and J& K is to elucidate the reason why the proposed solutions and the measures adopted have taken different trajectory. Following which the historical processes of peace and conflict seems to have hinted that while the state of Nagaland is in the process of negotiation through democratic means for meaningful coexistence, resolution of conflict and integration, yet on the other hand the state of Kashmir seems to harp more on the very notion of Azadi and self determination.

Keeping this in mind helps us to interrogate how and why these differences and variations emerge between the state of Nagaland and Jammu and Kashmir in the nature of engagement with the Indian state. Moreover, it becomes important to study what are the ground realities that necessitate such transition? In doing so, it helps us to probe further whether it qualifies a meaningful integration or a perpetuation of the conflict in different form? Or is it a process of integration that strives to strike out the mutual interest for conflict resolution. In other words, this demand to study whether the substantive content of the mutual interest determine the qualitative content, process and outcome of meaningful integration or is it merely an agenda of a temporary measure devoid of meaningful engagement and integration that in turn paved the way for intensification of conflict. It make us to delve into what are the geo-political climate, socio-economic and historical realities of internal and external power dynamics that facilitates the process of integration and at the same time what are the challenges and obstacles that hinder the progress towards a meaningful integration demands a critical inquiry.

The shift and differences in the nature of the pattern of engagement that is reflected in the state of Nagaland and the Nagas can be seen in the signing of Accords, Agreements like the Ceasefire Agreements and the current “Framework Agreement”⁸ signed on 3rd of August, 2015 between the Government of India and the Nagas revolutionaries towards the realization of a final settlement. Apart from the initiatives from the government and Naga militants, the various Civil Societies had played a vital role in the mitigation of the conflict by showing their willingness to resolve the issues through their support, participation in the form of initiation of reconciliation and peace-building process. However, this does not simplify the complex nature of the conflict and also the contestation from the various factions as reflected in the violation and abrogation of the ceasefire Agreement from some factional group. Moreover, even in the Indian state, the change in the policies, owing to the change in the political climate necessitated a shift in their approach beyond the security framework towards economic and other considerations. Thus, for instance, economic interest especially in the ‘South East Asian countries’ in the form of “Look

⁸Vijaita Singh, “Detail of 2015 Naga Agreement,” *The Hindu*, July 19, 2018.

East and Act East Policy”⁹ dictates their interest in the era of globalization and neo-liberalism. Thereby, it viewed the North East region beyond the prism of security towards economic and cultural framework of engagement. While in the state of J&K, the pattern of conflict seems to have shifted from a form of resistance from militancy to a phase of mass mobilization and polarization as the state continue to deal the conflict primarily within the lens of security.

Therefore, the challenge before us is to critically examine the evolving nature of integration and resistance and at the same time analyse the political development that are constituent and crucial in the process of integration.

Taking into account this background and the diverse historical, social, economic and political set up that comes into play, it is important and pertinent to introduce the basis and the reason as to why the need to compare the two distinct and territorial spaces that seemingly have no resemblance at the glance in the first place. However, on further examination basing on the empirical evidence, it also seems to indicate many shared features that can serve as a common ground of comparison amidst the unique features and specificities. This critical examination and comparison would in turn paved the way to understand better the overall working of democracy along with the political economy of conflict within the context of integration in both the states.

Some of the commonalities the two states of Nagaland and Jammu and Kashmir share in the nature of the history of conflict are reflected in the form of resistance for self- determination, geo-political locations at the strategic places, and the experience of violent confrontation, militarization and violation of human rights from both the state and the secessionist parties. At the same time, both the states were granted special provision and constitutional safeguard as the purpose and basis of integration within the Indian state yet in both the states there is also a parallel contestation for autonomy and self determination. Moreover, there are also similar concerns over the issues and challenges of bringing about a democratic transition, question of development, crisis of legitimacy, migration and perpetuation of conflict.

⁹Ashok Sajjanhar, “Taking Stock of India’s Act East Policy,” in *ORF Issue Brief*, May 2016, Issue No 142.

However, despite the shared similarities, there are also internal dissimilarities, differences and specificities that seem manifested in the strategies and methods of protest adopted the nature and role of civil society, the demographic composition as well as the socio- economic, political, religious and cultural settings. Further, a comparative account of the two states with reference to the nature and phases of conflict, violence and militarization understood in the light of the processes of integration through democratic processes in the forms of negotiations, Accords and institutionalization of Article 370 and 371A for J&K and Nagaland respectively within the Indian Union, it in a way hints that both the states do not seem to move in the same trajectory on the very question of Integration. Taking the history of integration into considerations, especially the history and the process of conflict resolution, the State of Nagaland seems to be relatively moving closer to the idea of integration than the state of J&K. This assumption in a way help us to reexamine critically as to whether it qualify a meaningful integration and at the same time to interrogate how and why the process of integration seems to be more applicable in the case of Nagaland rather than the state of Jammu and Kashmir. The basis for this hypothesis arise on the observation that the processes of conflict resolution in case of Nagaland has somehow entered a different dimension as there seems to be an increasing willingness on the conflicting parties to delve and resolve the issues following a non violent methods of dialogue, negotiations and peace process rather than the violent way of confrontation which in a way provide the background for this analysis. This paved the way for us to interrogate deeper into what are the reasons that facilitate this transition for the state of Nagaland on one hand and on the contrary, why and what are the hindrances and the obstacles for the other to the very process of integration.

In order to do so, one has to start with the historical account, political sensibilities, contestation and conflict along with an examination of the efforts and processes of integration and resistance of the two states within a comparative framework. This would help us to bring to the fore the success as well as the failure of strategies adopted so far in order to delve and unfold the subjective as well as the empirical reality.

To begin with, the political history of Naga nationalism, political contestation and events is expressed and unfolded in different phase like the Formation of Naga Club in 1918, 'Submission of memorandum to the Simon Commission in 1929', formation of Naga National Council (NNC) in 1946, declaration of the Naga Independence on the 14th of August 1947 and conducting Plebiscite of 1951 in the inhabited areas of the Nagas that decided in support to remain independent.¹⁰ Other important political events include the boycott of the election of National Assembly in 1952, creation of the state of Nagaland in 1963 and granting of the provision of Article 371A etc. On a similar note, the political and historical accounts of Jammu and Kashmir is articulated and examined through certain important events like the partition of Indian and Pakistan in 1947, the Standstill Agreement, the signing of the Instrument of Accession in 1947, the Presidential Order of 1950 and 1954, provision of separate Constitution of Jammu and Kashmir and the special provision of art 370. It will also touch upon the historical events and the impact of the Indo Pakistan Wars of 1965, 1971 and the Kargil War of 1999 within the context of integration.

Coming to the question of the political sensibilities, tension and the core conflict in case of the state of Nagaland and the Naga conflict it is said to revolve around the questions of Sovereignty, territoriality and demand for self determination. This is manifested in the form of Nagalim, unique history of the Nagas, demand for integration of the Naga inhabited areas, militarization and violation of human rights as well. Likewise, the controversies and the political contentions for Kashmir revolves around the issues of the unsettled question of plebiscite, erosion of autonomy, rigged election of 1987 and the widening democratic trust deficit in the Indian democratic system. Besides, the question of sovereignty and self determination expressed through the language of Azadi, continued tension in the Indo-Pak relations and the increase in violence and polarization of the region contributes to the prevailing tension in the region. Moreover, the other challenges that need to be addressed pertains to the question of militarization of the region, continued imposition of AFSPA, custodial death, fake encounter, violation of human rights, the question of the status of Kashmiri Pandits and the role of Pakistan in those areas of Pakistan occupied Kashmir. Following which, it needs to be critically interrogated especially in the context of trying to understand the challenges of integration within the state of India.

¹⁰M. Horam, *Naga Insurgency, The Last Thirty Years*, (New Delhi: Cosmo Publication, 1989), p.44.

Then, amidst the persisting conflict of the Nagas and the Indian state, there are also a political processes and instances of negotiation and dialogue for conflict resolution. This is articulated in the form of Agreements and Accords like the Nine Point Agreement of 1947, Shillong Accords of 1975, Naga Peace Mission, Ceasefire Agreements of 1964, 1997 and 2001, the recent Framework Agreements of 3rd August 2015 and the ongoing democratic process of peaceful negotiation for conflict resolution. Correspondingly, the course of the history of conflict resolution over the Kashmir issue includes the signing of the process also entered into certain agreement like the Instrument of Accession, the Sheikh Abdullah Accord, Shimla Accord of 1972, Indira Sheikh Accord of 1975, Lahore Bus Trip and other summits as well.

In an overall comparative overview, it is interesting and significant to note that the state of Nagaland and Jammu and Kashmir were not directly governed by the colonial regime. Thereby, the post colonial Indian state faced the challenges of nation building in the form of integration within the Union of India. Following which, some of the common features between the two states are as follows:

(1) Firstly, with the transfer of power from the colonial empire to the Indian state after independence, owing to the unique feature of both the states, the state of Jammu and Kashmir and Nagaland were placed in a very differential position. As both the states were different from the rest of the states that constitute the Indian Union, the state of Jammu and Kashmir and Nagaland were granted special provision in the Constitution of India in the form of article 370 and 371A respectively.

(2) Next, on geo-political front both the states occupy one of the most strategic territorial spaces marked as borderland with other countries that has national and international implications.

(3) The historical account of the process of integration by signing the 'Instrument of Accession' between the state of Jammu and Kashmir and the Indian state in the aftermath of the tribal raid in a very controversial note and the point of contestation after the partition of India. Similarly, the state of Nagaland was also created in 1963 immediately after the Indo- China war of 1962 through a complex processes with special reference to the security of the Indian state with little consideration for the geo-political, social, cultural and economic set up of the region. As a result, it also

gave rise to the emergence of resistance in the form of autonomy and self-determination expressed in the form of Nagalim or demand for Greater Nagaland for the latter and Azadi or independent Kashmir for the former.

(4) Moreover, on account of the political conflict and contestation both the state experienced a process of militarization, violence and violation of human rights. The state also employed controversial instrumentalities, strategies and extra judicial measures like the Armed Force Special Power Act (AFSPA), Disturbed Area Act of 1955, Nagaland Security Act of 1962, Prevention of Terrorist Act (POTA), Public Safety Act (PSA), Home Guard, Ikhwanis etc to counter separatist movement and self determination.

On the other hand, the nature of the comparative study also demands a critical analysis of the different processes that are distinct and unique to their respective in their own context and socio-political settings. Some of the comparable as well as the contrasting features of the two states could be reflected in terms of the nature of the resistance, the forms and response of civil society that operates in the states, the nature of the demand for autonomy and the workings of grassroot democracy. Besides the question of religion, the gender question and the developmental policies that are formulated in both the states merits equal attention. It is also important to take into account that despite the similarities and the differences in the nature and form of the functioning of the two states yet it is important to highlight the complexity and the uniqueness of each specificity so as to better understand the concept and the issues that are at play. This in a way will direct to the point of the interface and the various processes that are intertwined in the course of the conflict. Moreover the ideals and the practices of democracy and the challenges that it faces will also varies in accordance to the play of the progress of history and the prevailing surrounding circumstances.. However, the nature of the state policies and its strategies might to a large extent follow the same pattern depending upon the historical context and timelines.

Further, the nature of the discourse demands an evaluation, analysis and critical examination as to what are the tangible signs, dimensions and possible angle of integration and at the same time what can be categorized as a deterrent and acts as a factor of non- integration.

Research Questions for a Comparative Analysis

The nature of the examination and the observation of the theme of the study on integration of Nagaland and Jammu and Kashmir within the Indian Union and the simultaneous demand for autonomy and self determination along with the challenges of development within the framework of conflict at the outset require us to throw up some of the following pertinent questions in this comparative research area.

- (1) What is the nature of integration of the states of J & K and Nagaland within the Indian Union? Accordingly, which of the two state seems to integrate more and why?
- (2) Then, what are the historical and political bone of contentions and conflict in relation to the processes of integration. Further, how does the politics of self determination and secession run parallel against the very idea of integration?
- (3) What are the Federal issues and tension on the question of autonomy that needs to be addressed in connection to the process of integration?
- (4) What is the role and nature of the civil society that operates in both the states and how far are they responsible for the deepening of democracy and mitigation of the conflict?
- (5) Moreover, what is the nature of strategies employed by the Indian state towards the political conflict and resistance in the attempt to integrate the two into the state system? Following which, are there any differences and similarities in the approaches of the Indian state in response to the demand and resistance of the two states of Jammu and Kashmir and Nagaland.
- (6) What are the developmental policies pursued within the context of conflict and the process of integration?

Taking all these issues into consideration, it draws our attention to the nature of the political conflict and the different situation, context and explanations that qualifies it. Following which, in order to understand the political phenomena of Nagaland in particular which has persisted the conflict for more than six decades and

the North East region in general, Baruah analysed the complex reality as a situation of conflict and contestation that entails “the problem of insider and outsider and the politics of location”¹¹ for control and hegemony of the region. Further, it is noteworthy to examine that the Colonial framework and the politics of geo-political mapping and naming a territorial space and the consequent policy of the Post Colonial Indian state¹² on reorganization of the North East region as it shape the nature of the political discourse and geo political landscape of the region to a large extent. It will also involve the study of counter standpoints and contestations from the region as underlined in the following words as “A North Eastern vision of itself where the region was the focal point rather than a distant borderland to somebody else’s idea of India.”¹³ This also implies the different narratives and lived experienced resulting out of its unique historical, cultural, political realities and context having different conceptions, claims, worldviews and systems. These political differences and misunderstanding is manifested in terms of political conflicts and tension in the region. Accordingly, some argued that the history of conflict in the North East and especially the politics of the Indo-Naga conflict in particular have travelled a different phase and trajectory as reflected in the shift in the methods and the nature of discourse and modes of engagement. This transition is unfolded in the changing nature of viewing the region from militant approach to developmental approach towards the strategy of the recognition of identity.¹⁴ While other like Dolly Kikon on examining the nature of conflict posed an important question on the interface of Naga nationalism, militarization and democratic process and thereby interrogate as to whether democracy can really sustain or coexist with the process of militarization in an environment of political conflict. Further, she challenge to critically examine the very important theme of Democracy beyond the procedural democracy and evaluate

¹¹ Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005),vii.

¹² Subhir Bhaumik, *Troubled Periphery: Crisis of India’s North East* (New Delhi: Sage Publications, 2009),4. The politics and the process of constructing and naming the region within the security prism can be seen in the process and manner of naming the region from Eastern Frontier of Bengal, North Eastern Frontier of Bengal, North Eastern Frontier Areas, Frontier region and the consequent reorganization of the North Eastern Region.

¹³ Sarmila Bose, “The North East Exception,”(review of *Durable Disorder*), *The Hindu*, November, 22, 2005.

¹⁴ Namrata Goswami, “Nagaland a long road to peace,” *The Hindu*, August 6th, 2009.

based upon the lived experienced and practices that is embedded within the cultural, socio-economic and political practices of the society.¹⁵

As a result, it becomes crucial to address whether the prolong democratic peace processes of negotiation, agreements and accords apart from the military framework can truly paved the way for a durable solution or whether it was merely a strategy of the state to perpetuate the status quo to simply metamorphose into other form.¹⁶ The response to this differs in relation to the different people examining the region from different vantage point and loci of enunciation. Thereby, some see it from the security centric prism, while others analyse, theorized and viewed it from the lens of identity, developmental, historical and political outlook.

Similarly, there are multiple views and approaches in understanding the very nature of the political tension and conflict over the state of Jammu and Kashmir. Some of the differing and competing questions revolve around the questions of identity, alienation, erosion of autonomy, democratic deficits, resistance and demand for secession and self determination. As for instance, Hingorani analysed it from the historical perspective and argued that the genesis of the existing political realities as a British Colonial construct to serve their political and strategic interest which later on translated into a bilateral conflict between India and Pakistan post Independence era. Thereby, he advocates for depoliticisation of the persisting issue and instead seeks for a legal and juridical approach to resolve the conflict.¹⁷ While the counter narrative of majority of the Kashmiri society projected that the conflict is beyond the ambit of the two nations since “we the Kashmiris are in the middle.”¹⁸

There are others who see beyond the conventional framework and emphasized on the need to re-examine the questions of identity conflict, violence in conjunction with the erosion of the democratic values within Jammu and Kashmir so as to not only better understand the complex nature of the dispute but also address the wishes

¹⁵Dolly Kikon, “Engaging Naga Nationalism: Can Democracy Function in Militarized Societies?” *Economic and Political Weekly*, Vol. 40, No. 26, (Jun 25-July 1, 2005), pp, 2833-2837.

¹⁶ Samir Kumar Das, *Peace Processes and Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publication, 2005), 13.

¹⁷Aman M. Hingorani, *Unravelling the Kashmir Knot*, (New Delhi: Sage Publication, 2016), xxi.

¹⁸ Victoria Schofield, *Kashmir in Conflict: India Pakistan and the unending war*, (New York: Routledge Publication, 2012)

of the people.¹⁹ Similarly, Balraj Puri points to the regional grievances and aspiration as an important reason for the conflict in the state.²⁰ Still others argued that the increase in militarisation and securitization of the state is owing to the shift in the nature of resistance from militancy to the phase of mass mobilisation for Azadi and self determination or integration with the state of Pakistan.²¹ On a similar note, Duschinski look at the intense militarization through extra judicial measures as a strategy of the state that eventually paved the way for the normalization of coercive apparatus and impunity to contain the resistance for self determination.²² Further, some contested the nature of the conflict within the framework and challenges in the nature of the political economy and development.²³

Hypothesis

A comparative study between the state of J&K and Nagaland primarily intends to examine the various the process of integration into the state of India. Following which, this study attempts to understand the nuances involved in the processes of demand for autonomy and self determination inclusive of the democratic processes, practices and the political economy of development within the context of integration and conflict. This comparative account of two states in a way seem to hint that despite the existence and the establishment of democracy in terms of the policies, measures, developmental strategies toward the peace process and conflict resolution, yet the existing state of affairs seems to depict that impact is not always the same. Comparatively, the state of Nagaland seems to be integrating more towards the Indian Union than the state of Jammu and Kashmir.

¹⁹Navnita Chadha Behera, *State, Identity and Violence: Jammu, Kashmir and Ladakh*, (New Delhi: Manohar Publishers, 2000)

²⁰Balraj Puri, article in the *Economic and Political Weekly Journal*, Vol. 43, Issue No. 34, 23 August, 2008.

²¹Navnita Chadha Behera, *State, Identity and Violence: Jammu, Kashmir and Ladakh*, (New Delhi: Manohar Publishers, 2000).

²² Haley Duschinski, "Destiny Effects: Militarisation, State Power and Punitive Containment in Kashmir Valley", *Anthropological Quarterly*, Vol. 82, No. 3, pp. 691.-718, Ohio University, 2009.

²³Siddhartha Prakash, "Political economy of Kashmir since 1947," *Economic and Political Weekly*, June 10, 2000. Here he explains the nature of the conflict within the pattern of the state intervention in the economic and administrative policies. Then he pointed out that the failure of these policies in conjunction with the mismanagement and political nepotism in the allocation of resources and benefits alienate the society especially the Kashmiri Youth. This in turn fuel militancy as an alternative mode of resistance against the existing social and political realities.

Despite the continuation of conflict in both the cases, yet in the Naga society there is the existence of a vibrant civil society like the Naga Hoho, Naga Mothers Association, Churches, Tribal Hohos and other bodies that play a vital role in the process of conflict resolution and peace building. However, in case of Kashmir unlike Nagaland the impact of the role of civil society seems minimal and less effective. Further, in case of Nagaland the parties involved in the conflict has shifted the method of resistance from one that involves violent confrontation towards a non-violent means. They have adopted a means of settling the political problems through dialogue and negotiation and at the same time are willing to engage and change positions in the mutual interest of all for a long lasting solution. whereas in case of the state of Jammu & Kashmir the nature of engagement still seems to harp primarily within the prism of military to tackle the persisting political conflict.

Following which, the nature of engagement through this comparative account seems to hint that the state of Nagaland seems to be integrating more than the state of Jammu and Kashmir. Taking these into consideration especially the history and the process of conflict resolution, the State of Nagaland seems to be moving closer to the idea of integration than the state of J&K. However, this study in turn demands a critical examination over the very nature of engagement over these competing realities. This assumption also in a way help us to reexamine critically as to whether it qualify a meaningful integration and at the same time to interrogate deeper as to how and why it is seemingly more applicable in the state of Nagaland than J&K. The basis for this hypothesis arise on the ground that the processes of conflict resolution in case of Nagaland has somehow entered a different phase in the sense that the increasing willingness on the conflicting parties to delve and resolve the issues through the methods of dialogue, negotiations and nonviolence rather than the violent confrontation in a way provide the background for this analysis.

In the process, this comparative study seeks to explain two important questions. Firstly it seeks to address the commonalities and the convergence between the two states. Next, it also intends to unfold the specific peculiarities involve in the process of engagement. This could also mean the similarities and the differences in different historical trajectories, context and timeline. Lastly the attempt is to explain over the very question and assumption that if one state seems to experience more

integration that the other, then what explain this trajectory and the very process of integration. At the same time it demands an answer as to what explain the failure, hindrance and the obstacles towards the process of integration in case of the other. Moreover, this necessitates probing the question further in the sense that if there is a process of integration then, will it qualifies a meaningful integration? Or is it merely a democratic process of negotiation to appease the movement temporarily rather than a resolution of contentious political question for meaningful integration? Hence, on account of the delayed democratic process of conflict resolution on one hand and the parallel violent method of resistance for self determination in conjunction with the coercive method of integration from the state on the other, it will demands a critical inquiry of the persisting political conflict and the challenges within the context of integration, autonomy and self determination.

Taking the background and nature of the conflict into consideration, this comparative study attempts to compare the state of Nagaland and Jammu and Kashmir on the nature of integration and autonomy within the Indian state.

Methodologies

Owing to the complex and competing nature of the concepts, categories and understanding of the very notion of democracy, political history, conflict, and political economy of conflict and development of the state of J&K and Nagaland in a way requires a comparative study especially within the context of integration and autonomy within the Union of India. It also needs to critically interrogate and examine the various narratives, conceptualization, understanding and explanation of the various meanings of the forms and practices of the concern issues in connection to the very idea of integration so as to analyse the subject matter in a judicious manner. Hence, it will also take an analytic approach. Side by side, as it aspire and strive to unravel the processes of conflict with regards to integration and the pattern of economic disparities between and among region, it automatically necessitates to undertake a comparative analysis to the various paradigms, structure, strategies and policies of the regions in seeking to understand the nature of the theme of the discourse. Simultaneously, in order to better explain, analyse and understand the changes in the nature, shape and dynamics of the events and subject matter, it also thereby, enter the discourse with the historical underpinning and at the same time

empirically dissect the processes and events so as to holistically comprehend the overall changing nature of political economy of development within the framework of democracy and integration.

Therefore, in order to concretize and actualize the study in a comprehensive and at the same time in a precise manner, it necessitates carrying out the research by using various tools. Firstly, it uses an empirical approach by conducting surveys; analyze data that is obtained from the primary field work and personal observations etc.

Thereby, it also engage various civil societies, organizations and groups from both the states such as Naga Hoho, Naga Mother Association, Naga Student Federations from Nagaland and Jammu and Kashmir Coalition of civil societies, Nagas People Movement for Human Rights (NPMHR), etc. Finally, attempts and efforts have been made to consult and interview relevant personalities, groups and individuals from across section of society.

Chapterisation

The introduction of this thesis focuses on presenting an overall picture of the research by laying down the scope, significance, and the objective in order to justify the merit of this study. Next, it will delve upon the key concepts that are involved in the discourse of the study. It will also present a layout of the structure of the chapters so as to capture the general view of how the study and the argument would be carried out. In doing so, it would give a brief sketch of the chapter plans that would be followed in the rest of the study.

This Chapter as the opening section of the study on the question of Integration, Autonomy and the State in case of Nagaland and J&K begins by tracing and analyzing the political history and political sensibilities of the two regions. It addresses the issue by throwing open the points of contestations, conflicts and debates that revolve around the questions and issues of autonomy, self determination, sovereignty and integration. The objective and the rationale behind this historical overview and the process lies in the fact that it will help us to better understand the

merits as well as the drawbacks and open the way for deeper analysis of the process and the challenges of integration.

The second and third chapter focuses on the history of important Accords and Agreements and at the same analyse their success and failures. Further, it will examine the interface of how the democratic processes are shaped by the various Accords that is implemented to resolve the issues. The focus of this study will also revolves around how the effort and the history of making or reaching Accords and Agreements provide a space of negotiation to resolve the persistent and the pertinent conflict especially within the framework of integration. Further, it will also examine the overall impact of such agreements.

The fourth chapter seeks to address and examine the Institutional dynamics of a Federal structure with special reference to the pertinent questions of integration and autonomy. As a result, it will examine the special Constitutional provisions of Art.370 and 371A, their trajectory and impact that were introduced to address the conflict in an attempt to integrate and resolve the tension in the state of Nagaland and Jammu and Kashmir. The study will also examine the controversies, tension and challenges that are posed by these provisions to the federal framework and consolidation. Thereby, it will also touch upon the related issues on the demands for more autonomy and self determination and demand for greater Federal power for both the state of Jammu and Kashmir and Nagaland.

The fifth chapter attempts to study and examine the development policies, its implications and the political economy of conflict. Following a comparative note it will delve on questions of development and its challenges and at the same time it will also explore the different models, strategies, trade policies and development packages pursued by the Indian state for developmental progress. In addition, it will also touch upon the nature of the economy vis- a- vis with the competing narratives, challenges, outcome and the interface of the politics of development, security and political conflict. In doing so it will also study and evaluate the political economy so as to inquire the extents to which it can help mitigate the conflict and help in the process of integration.

In the conclusion, taking the above issues, themes, and the challenges into consideration, the study will compare, examine and critically analyse the pros and cons, the similarities and the differences, challenges, and loopholes with reference to the question of integration, autonomy and the state. And in the process of reflecting on the main theme of integration, see as to how the two states have moved, travelled and responded to the process of integration and nation building within the Union of India.

CHAPTER 1

Historical Overview and the Political Sensibilities in Nagaland and J&K

Political History of the Nagas Post Independence

The Political History of the Nagas need to be traced and relied substantially on the oral history, traditions, customs, practices and lived experienced of the society on account of the absence of written record for long period of time. However, as the focus of the study is centered on the politics of integration, autonomy, conflict and also corresponding relation with the Indian state especially post Independence, it is necessary to confine within the development of political history after independence. Nevertheless, owing to the complex nature of the conflict and at the same time in order to understand the meaning and the challenges better, one has to critically interrogate the basis and the normative concerns of the society. Further due to the multiple narratives of the history of the people and construction of the other especially from the Colonial historians in the past and at the same time the process of misrepresentation and the subversion of the Naga political history by the others in the present, it become all the more essential and necessary to decode and unfold the philosophical underpinning of the Naga history, polity, culture, economy and way of life so as to better capture the process and the challenges of integration.

Philosophical Basis of the Naga Polity

The philosophical foundation of the Naga political history can be traced from their understanding of their life world, worldview, lived experiences and culture that was and is essentially rooted in the village Republic. The village constitutes an independent political unit and politically organized association.¹The village Republic is democratic in nature. The structure and function of the republic is represented by the Councilors sent from the respective clans and perform the function of executive, legislature and Judiciary. One of the important characteristic of the Naga society was

¹ M. Horam, *Social and Cultural life of Nagas* (The TangkhulNagas), (Delhi: B.R Publishing Corporation, 1977).

the conception and the practice of a classless society² based on the egalitarian and democratic principles of equality, justice and liberty.

Another distinguishing feature of the Naga polity is the conception of the principles and the application of the Communitarian way of life. However, this is complemented by the liberal and democratic principles of individual rights and positive freedom for the fullest realization of one's freedom and at the same time that is consistent with the overall well being of the society and community as a whole.

It is also noteworthy to take into account that the culture, society, polity and the economy of the people is largely determined by the agrarian economy. There is a deep connection between culture and the land. The philosophical underpinning of the history of the Nagas lies in the fact that the ancestral land is valued, cherished and preserved and at the same time every village exist as a politically and economically independent unit with a well demarcated, settled and a clearly defined boundaries so as to avoid inter village conflict and feuds.³ This independent village Republic and the Federation that seeks to cater to the interest of the community in a way depicts the resemblance with the independent principalities in the ancient Greek society.

Taking all these into consideration, it is noteworthy to take into consideration some of the fundamental philosophy of the Naga Village Republic and the Naga Federation that constitute the principles, polity, structure and function of the Naga society. Despite the absence of written records in the past, yet the oral history, rich cultural heritages, customs, stone monuments, monoliths, tradition and the remnants of the normative values in a way provide for the understanding of the political philosophy of the Nagas. Some of the core principles of the philosophy of the Nagas are the community life that is based on the spirit of sharedness, cooperation, and wellbeing of all.

The centrality of the political philosophy of the Nagas lies in the conception and the application of the principle of Justice. However, the realization of social justice to a large extent relies on the community ethos, morals and the actualization of the virtues of hard work, honesty, courage, sacrifice, service and generosity. Further

² M. Horam, *Social and Cultural life of Nagas* (The TangkhulNagas), (Delhi: B.R Publishing Corporation, 1977), p. 67.

³Ibid.p..22.

the spirit of community as a way of life is grounded on the notion and the understanding of the egalitarian principle and classless society where in the respect for the dignity of every individual and at the same time the acknowledgement and recognition of the capacity for reason is valued to realize one's fullest capacity for the development of self and the society.

The centrality of justice and freedom of the individual and society of the Nagas lies in the fact that it resist and oppose any form and system of unjust oppression, domination, exploitation discrimination, slavery and instead propagate for the fullest realization of one's freedom, rights and liberty that is in harmony and consistent with the corresponding freedom of the others rights, freedom and dignity of the others. The Nagas strongly believe and take its own right seriously and at the same time it equally respects the rights and dignity of others. This love for freedom and the value of freedom in a way make the Naga society strongly resist any attempt to encroach, dominate, oppress and subjugate the rights of the people. Thus the core philosophy of the Nagas lies in the fact that the society and systems be it political, economic and social is based on the principles of Justice. Some other characteristics that can be attributed to the Nagas are the qualities of simplicity, truthfulness, helpfulness, adventurism, fearlessness and regards for others.⁴ Following which, by understating, culture, history and way of life, it also help us to relate to the process of conflict and the process of integration, autonomy and other challenges of the state.

However, often there arose a simplified notion of understanding the political history and the existence of a Naga community and people as a recent phenomena and construction. On the contrary, the Nagas had a separate political, cultural, economic and social system long before it encounter with the outside world. However, the absence of a written script and written history seems to have interpreted, assume and generalized by the outside world as people without history despite the rich oral history, culture, values and democratic tradition and polity as a way of life. The important of these differences, misrepresentation and misunderstanding lies in the fact that it has led to perpetual conflict in the understanding of the Nagas in the very quest for better understanding and resolution of conflict.

⁴R.R. Shimray, *Origin and Culture of Nagas*, (New Delhi: Somsok Publications, 1985). Here, he considers these qualities as the seven noble character and values of the Nagas.

Political Structure of the Nagas

The next level of the political structure after the village is the regional associations within the Tribe. As for Instances, territorially the Tangkhul is divided into 8 division for identification. However, for administrative function, it was classified into three regional range or council for specific range namely: Shongva Long, Kasomkong Long and Vara Long.⁵ In the present political set up, there is only a single Long or Council as the apex organ for the Tangkhul Tribe. Further, the apex Council, Tangkhul Naga Long (TNL) is complimented by the different wings at the lower level which are classified as Student Wing (TKS), Youth and cultural Wing (TMNL), Women Wing (TSL). In the similar manner, the different Tribe also has the similar pattern of organization and set up of Council. Next, the different Units of the Tribes of Nagas are finally represented at the apex Naga Hoho (Parliament). However, despite the existence of this traditional institutions and structure, the fundamental question of how far it is substantially democratic, fair, effective and inclusive is a matter of concern in the present social and political context.

Similarly, the student wing of the whole Nagas is represented by the Naga Student Federation which is correspondingly the representative of the whole student Units of different Tribe. Furthermore, the conflict, the political situation and instability in the region has eroded the quality of education and at the same time structural discrimination, exclusion and non availability of opportunities for job and employment has compel the student communities especially the Nagas from the different states to migrate to different cities in search for better education and greener pastures. The other implication and the challenges of this migration is the question of discrimination that mainly arose due to the cultural differences, misunderstanding, diversity and language barrier. As a result in order to address the various new challenges of the Naga Community in particular and the North East community in general, many student organizations were formed to cater to the need and the interest of the community. As for instances, various student units of different Naga tribes constitute the federal units of the Naga Student Union Delhi, (NSUD).

⁵ M. Horam, *Social and Cultural life of Nagas* (The TangkhulNagas). (Delhi: B.R Publishing Corporation, 1977), P. 74. The term Long is the native language for the Council.

In the same manner, similar pattern and structure of the Union exist in many of the metropolitan cities. This is important to take into consideration from the fact that the question and the politics of conflict, migration, integration, autonomy and the aspiration of people as a whole are intertwined. Moreover, it entails the question of the politics of recognition, representation, respect and redistribution within the domain of conflict resolution. One of the important aspects of these organizations is the role and responsibility that they undertake and contribute in the democratization of the state. It also helps to resist and protect as an organized body to specifically protect and safeguard the interest women and minorities from domination, discrimination, exploitation and communalization.

Following which, the complexity and the richness of the political history of the Nagas can only be understood by understanding the political philosophy of the Nagas and at the same time by critical examination of the Naga Way of life. One of the challenges of the Nagas is not only on how to understand the political basis but also to organize the deconstructed notion of political and social system so as to organize an ethical community in the process of the dialectic for the progression of a society towards a rationalization of state towards a highest stage in which the “spirit becomes conscious of itself.”⁶ Similarly, the Naga political history as a process undergoes dialectics with the encounter of many external elements and the forces like the Colonial power, Christian Missionaries, experiences of the 2nd World War and the Post Colonial challenges of integration, autonomy and self determination.

Formation of Naga Nationalism and Political Sensibilities

The study of the nature and trajectory of the history of political conflict and the present realities demand an understanding of the past especially the Colonial encounter and the lived experience of the people of the region. The Colonial legacy to a large extent is reflected in the post Colonial experience, challenges and political phenomenon. Following which, one of the important strategies of the Colonial rule that has a wide implication in the politics of the region and the Nagas in particular is the politics of naming and the process of geo-political mapping the space and identity that resulted in the contestation and competing concepts in the form of persisting

⁶Carl J. Friedrich eds., *The Philosophy of Hegel*, (New York: Modern Library, 1954).

political conflict. This mapping of geo political space and identity is manifested in the process of construction and reconstruction through the naming of the space such as Frontier Areas, Trans-frontier, North East Frontier Area, Backward Areas, Buffer Zone and Excluded areas.⁷ Further, the Government of India Act of 1919 and 1935, the Indo China War of 1962, the reorganization of the North East and the liberation of Bangladesh are some of the important events that shape the discourse, politics and history in the region. As a result of this construction and contestation of dominant narrative along with the regime transition to the post Colonial India with the embedded narrative of the region in a way act as the basis and background for the political history of conflict. Further, the Colonial policy of divide and rule through different administrative division also brought division among the Nagas.

However, the introduction of the western education and the embracing of Christianity played a crucial role in understanding the dynamic of Naga history and society. While it brings consciousness of the existence of one Nagas, one the other hand it also brought division and misunderstanding on the basis of tradition, religion and modernity. The Nagas participation, experience and exposure to the world in the Second World War through the French Labour Corp in 1917 paved the way for the wider consciousness of the Pan Naga Nation that eventually led to the formation of the Naga Club in 1918. Accordingly, the Nagas submitted a memorandum on 10th Jan 1929 to the Simon Commission to ascertain the aspiration and future of the people. Taking the situation and recommendation into consideration, certain attempts and policies like the Crown Colony, Coupland plans and other territorial categorizations were envisaged, yet the tide of history change rapidly during the Second World War and the subsequent transfer of power without deliberation, dialogue and understanding of the geo-political history of the region paved the way for intensification of conflict, misunderstanding, violence.

⁷B. Datta Ray, "Introduction," in *Reorganization of North-East India since 1947*, ed., B. Datta Ray and S. P Agrawal (New Delhi: Concept Publishing Company, 1996), 6.

The hegemony of the Colonial Empire is especially established through the suzerainty that is established in the process of naming and mapping the region. This consolidation and justification is especially maintain in mapping and naming the geo political space of the region within the prism of security indicate the policies and the geo political orientation of both the Colonial and the post Colonial strategy of viewing the region.

Then the nature of the history of the political conflict intensifies after the departure of the British Empire from the Indian Subcontinent. Following the Colonial departure, the Government of India claimed that the whole of British subject and territory including the Naga areas became automatically a part of India on account of the territory, authority and political power being transferred to India after independence and so, if any issue arose within this scheme should be delved within the scope of the Indian Constitution. On the contrary, the Nagas maintained that their territory was never conquered by India and as such, with the departure of the Colonial power; Nagas naturally reverted back to its pre colonial status and position of sovereign people. Thereby, Indian state as such has no right to integrate and encroach over the people and their land, and therefore, the very questions that emerge out of this conflict should be considered outside the realm and jurisdiction of the Indian Constitution.

One of the pertinent political tension and sensibilities pertain to the question of differences in the conception of different historical realities as seen in the contestation over the politics of naming through the competing process of construction and deconstruction. Since the conflict is also largely focus on the Indo Naga political conflict, it further pressed out and popped up the next question as to what and which constitute the Naga's demand for sovereignty and in the process how far does its encompassed? Then, the idea and meaning of what constitute Nagaland state and nation naturally become a primary concern in the conflicting contestation for independence and hegemony. The multi-faced understanding and contestation of the word Nagaland can be seen in the following word:

“The term Nagaland in its present ambit is merely a political denotation or expression for one of the States of the Indian Union. The real Nagaland—a homeland of all the Nagas—exist in the minds of the people. This Nagaland will soon be a geographical reality within the Indian Union, promise the politicians of this area. This will be achieved by the merger of all Naga inhabited areas. Nagaland, a ‘greater’ and sovereign country is the goal of the Nationalist Nagas who have been fighting for this for the last 30 years.”⁸

Thus, the term Nagaland has different meanings and connotation depending on the one who vouched and define it. This construction and configuration of the

⁸ M. Horam , *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 33.

terminology and word Nagaland that signify competing contestation for the control of geo-political space and authority on the one hand can be expressed and indicated in the manner in which the Indian state aimed to limit the Naga nationalism to the minimum through concession, division and institutionalization of a fixed political space called Nagaland state. while on the other hand, for the Naga Nationalist the nomenclature and the name Nagaland represents the Naga Homeland or Greater Nagaland at the later phase to nullify the current Nagaland state which comprises a fragments of the territory of all the Naga inhabited areas thereby arising the need for the unification and the integration of the whole Nagas that live within a contiguous territory.

Hence the politics of naming and its monopoly over the concept and usage of the word 'Nagaland,' truly entails its competition and contestation for constructing and deconstructing the conflict between the two opposing parties. Besides, from the very inception of the conflict this very word has been crucial and in the process of the conflict resolution, this substantive, contentious, subjective and particular issue has occupy a special place in the journey of the peace process and in the search for a just and peaceful solution.

The history and the politics of the Indo-Naga conflict has travelled a different phase and trajectory and the methods that are applied over the years also reveals the shift in the nature of discourse, talks and negotiation that is unfolded in the changing nature from the militant approach to developmental approach and later on adopting the strategy of the recognition of identity.⁹ However, before we dissect and analyze the peace process and the question of integration within the Union of India, it become essential to briefly mention the historical account and the events of the conflict. The Indo- Naga conflict dates back to the colonial era till the present day which has persisted and remained unresolved for more than six decades. The point of conflict centers on the claim of sovereignty, self-determination by the Nagas on the one hand and counter claims of being secessionist, separatist and continuing insurgency movements by the Government of India

The inception of a formal Naga Movement begins with the formation of Naga Club in 1918 which was a nascent expression of modern political nationhood and with

⁹Namrata Goswami, "Nagaland a long road to peace," *The Hindu*, August, 6 January 2009

the growth of time matured into a strong movement and resistance for Self Determination. Later, the Naga National Council (NNC) was formed in 1946 to express and articulate the Naga political aspiration. Following which, on 14th August 1947 the Nagas themselves declared their independence from India. However, in the year 1950, the Nagas were invited by the government of India to join the Union of India but it was rejected by the Nagas. Instead, it was in 1951 that a plebiscite was conducted in the Naga inhabiting areas where there was a clear decision in favour of remaining independent and at the same time boycotted the state Assembly and parliamentary election of 1952. Moreover, the failure and misunderstanding of the Nine Point Agreement also deepened the conflict. This resulted to resolute demand for self determination and sovereignty from the Nagas on one hand and a determined effort for coercive integration and domination from the Indian state on the other. As a result, the period of 1950's is characterized by militarisation and violence in the region. During this crucial stage the state also enacts and enforces extra judicial measures and Draconian laws such as the 'Assam Maintenance of Public Order (Autonomous Districts) Act 1953', 'the Assam Disturbed Areas Act 1955', and 'Armed Forces (Assam, Manipur) Special Powers Act 1958' to deal with the insurgents. Following which, this period also witnessed abuse of these special laws which resorted to violation of human rights and impunity in the form of murder, rape, arson, forced labour and loot.¹⁰

Taking this militant context, violence, disorder, historicity and political phenomena into consideration, one of the notable points is the emergence and the role of the civil society within the Naga society in the attempt to provide a feasible condition and facilitate to dialogue between the Government of India and the Naga revolutionaries for the mitigation of the conflict through peaceful means between the conflicting parties. Accordingly, in 1957, the Naga People's Convention (NPC) was formed by few concerned Naga leaders to not only act as a mediator but also to create a conducive condition for negotiated and durable settlement. It is also noteworthy to mention that effort of the NPC largely contributed to the conclusion of the 16 Point Agreement that resulted to the formation of Nagaland as the 16th state within the

¹⁰V.K. Nuh (ed), 2002, *ibid.*, pp. 170-86 incorporated in T H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in '*Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 63.

Union of India.¹¹ Similarly, in the aftermath of the Chinese aggression of 1962 and the impending political challenges and possible implication in the religious sphere of the Naga society within the context of alliance of the Naga underground and China, the Church in particular as an important civil society caution such move and intervene in the affairs of the Naga society and instead pressed for the formation of a Peace Mission to mediate between the parties and arrive towards a solution.¹² Consequently, Peace Mission fructify in the year 1964 and at the same time the first Ceasefire Agreement was also signed on 24th May 1964, signed between the Government of India and the Federal Government of Nagaland to facilitate the peace process and negotiation.

Though the Peace Mission fails to materialize yet it made a sincere attempt to bridge the misunderstanding and differences to resolve the conflict. Further, the significance of the Peace Mission lies in the fact that the negligence and the failure to get hold of the essence of those important proposal led to the point of departure that in the subsequent years it resulted to harsh experience, lost and heavy price to both the parties that could have been averted had they incorporated those observations at the beginning. On the contrary, it took thirty more years to even take recourse to the ceasefire which only got crystallized in the year 1997. Hence, the relevance and crucial role of the civil society in a historical sense especially with reference to the process of conflict resolution even in the present time can be felt from the active participation and support from various groups like the Naga Mother Association, Churches, Forum for Naga Reconciliation, Naga Hoho and various other organizations. However, its limitation especially the absence of cohesion and sectarian approach also in a way contributes to the perpetuation of the conflict.¹³

Then the political climate of the 70's in the Indian subcontinent witness the creation of Bangladesh in 1971. During this period the Naga movement also gets

¹¹M. Horam , *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 254.

¹²M. Horam , *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 105. Despite the support of the Naga society against the domination of the Indian state yet there are also some section of the Naga including the Church leaders are equally critical of the ideology of Communism. These create division within the Naga society and at the same time necessitate the revolutionaries for further introspection.

¹³ This sectarian approach to conflict resolution is negated by the underground revolutionaries of the Nagas by accusing and terming their role in the past as not only an agent of the Indian State or puppet of the Indian Master but also as group that seek a short term solution devoid of any substantive and inclusive solution.

diluted due to the internal dissensions and decline in the support of other countries. This period is also marked by the events like imposition of the President Rule, resort to military operation and the signing of the Shillong Accord in 1975 between the Government of India and some section of the Naga National Council (NNC). However, the discontentment over the outcome of the accord paved the way for the formation of 'National Socialist Council of Nagaland (NSCN)', under the aegis of Isaac Swu and Thuingaleng Muivah in 1980 and soon emerges as a powerful Naga militant Organisation until it split in the year 1988 into two factions namely: NSCN (K) and NSCN (IM) on account of personality and ideological differences.¹⁴

Taking the phase of conflict and the Naga movement into consideration, it is also important to take into account that due to the contestation and conflict of interest within the organization for domination, legitimacy and fight for independence in conjunction with the strategy of the Indian state to contain the movement led to the existence of several organizations. As a result, there are 6 Naga National People Groups (NNPG's) namely GPRN(NSCN), FGN, NNC(Parent Body), NPGN/NNC(NA), NSCN (R) and NNC/GDRN(NA) along NSCN(K) and NSCN (IM) that claims to represent the cause of Naga Nationalism. However, NSCN (IM) emerged as the most prominent one among these groups over a period of time and in the process consolidated its military base, establish alliance and even politicize the political conflict at the international level.¹⁵

Again, it is also interesting to note that the period of 90's is marked by certain important events such as the end of Cold War, the emergence of liberalization, privatization, globalization and economic success of the East ASEAN Tigers. These development and challenges within the Indian state necessitate reorientation of its policy beyond the security framework towards a more comprehensive policy for growth and stability as exemplified in the enactment of the Look East and Act East Policy. Moreover, since peace is the precondition for materialization, successful engagement and outcome of such policies and at the same time the presence of strong contestation and resistance over the region of North East, it necessitated urgency for better understanding, political climate and resolution of the persisting conflict.

¹⁴ H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 64.

¹⁵ Ibid.

Following which, in 1997, a second Ceasefire was signed between the Government of India and the NSCN (IM) to facilitate a peaceful resolution of the political tension.¹⁶

Thus, it is within the background of this two conflicting claims and ongoing conflict, the democratic peace process started as an attempt for conflict resolution. Following which, there have been various measures and numerous agreements signed to tackle the long standing conflict, for instances, the Nine Point Agreement, First Cease Fire Agreement in 1964, Peace Mission Proposal, Shillong Accord of 1975, Second Cease Fire Agreement in 1997 which was revised on January 13, 2001 and the ongoing peace process with the NSCN-IM and Government of India.

The peace process further deepened with the “recognition of the unique history of the Nagas”¹⁷ in 2003 as a commitment to peace and finally ‘Framework Agreement’ was signed in 2015 as a basis for the resolution of the pertinent conflict.

. However, keeping the question of integration in mind, it also compels us to interrogate the processes as to how the Accord came about and at the same time to critically examine as to what are the conditions, circumstances and situations that necessitates, accentuates and facilitates the signing of the framework agreement.

Taking this background into consideration, it necessitates us to trace and analyze the political environment of the recent Naga Peace Accord. One of the immediate, foreseeable and notable events that seems to be instrumental in the conclusion of this deal is the abrogation of the 2001 ceasefire agreement with the Government of India by the National Socialist Council of Nagaland, NSCN (K) on March 2015 and taking a recourse to militancy that glaringly exemplifies in the attack on the camp of an Assam Rifles in Arunachal Pradesh and severe ambush on the Dogra Regiment in Chandel District of Manipur on 4th of June 2015 that killed twenty and eighteen others injured. Further, the new alliance that is formed under the umbrella of NSCN (K) with the new nomenclature of United Liberation Front of WESEA, which claimed responsible for the ambush and as a result on account of the

¹⁶ H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 69.

¹⁷Rahul Karmakar, “AtalBihari Vajpayee, an understanding friend of the Nagas”, *The Hindu*, August 18, 2018.

perceived formidable threat due to the territorial expansion and the spread of its tentacles also in a way contributes to the signing of the accord.

Other reason that also compels the contending parties for an accord is also based on the request of Isaac Chishi Swu, the president of NSCN (IM), which is holding the peace process to expedite the peace process due to worsening of his health and the likely implication that would generate on account of the negligence also in a way contribute to the urgency of entering into an Accord. Further, the effort, groundwork and the search to bring better understanding and resolve the conflict from the Government of India and the Naga leaders is also one of the important reasons for formulation of the framework agreement. At the same time there is mounting of pressure from the civil societies of the Nagas for durable and honorable solution from the ongoing peace process.¹⁸

Nonetheless, though it has entered into democratic peaceful process to tackle the long protracted conflict yet the future will unfold whether it fructify into a durable solution.

Challenges and Political Sensibilities

Despite the positive development and engagement to mitigate the tension, yet it is also noteworthy to take into consideration the challenges that lie ahead in the very examination of the nature of conflict. Some of the contentious issue and differences that are in the processes of deliberation pertains to the questions of sovereignty, integration of the Naga inhabited areas, symbolic disputes and the issue of Inner Line Permit.¹⁹ In other word, the challenge is on how to resolve the pertinent tension within the framework of shared understanding and mutual interest for a durable outcome.

¹⁸ The public pressure and demand for determinate outcome of the delayed peace process is seen from the clarion call from the various civil societies and frontal organization of the Nagas expressed in different occasions and platforms like the celebration of Nagas without border and Global Naga Mass Rally. The civil society looked forward to peace process as a democratic space to resolve the pertinent conflict. Following which the delay is seen as a denial of justice to the persisting conflict.

¹⁹ The Inner Line Permit or the Bengal Frontier Regulation Act of 1873 enacted during the colonial time so as to protect, regulate and safeguard their economic interest rights and at the same time it was intended to avoid tension and conflict that arose out of misunderstanding the region especially the indigenous demarcation of land and property. The present tension and the discourse over the issue mainly emerge within the context of immigration, demographic change, displacement, fear of minoritisation of indigenous population. This is also contested in the context of Citizen Amendment Bill of 2016 which provides special right for religious minorities to settle within India. The

As for instance, the contestation over the question of integration is reflected in different form. While on one hand the demand and the rationale behind the unification of the contiguous areas or the integration of the Naga inhabited areas lie in the fact that it is tied with the very pertinent root and process of conflict resolution. On the other hand, there seems to be strong resistance from the neighboring states of Manipur, Assam and Arunachal Pradesh. Further, the above questions about integration within the Indian Union require in-depth examination as some of the other factions could also be possibly excluded from the domain of peace accord that would paved the way for the revival of conflict in the region.

Thereby, the challenges to meaningful integration would largely depend on the substantive engagement and hammering out a just content in the final deal between the parties. However, despite the challenges that lie ahead in the final settlement of the conflict, the process of integration seems to be taking place as reflected in the democratic processes of negotiation in conjunction with the effort from different civil societies of the Nagas for reconciliation, consultation and resolution of the pertinent conflict.

Yet, the task before us is to interrogate what kind, nature and form of integration is it moving towards in the course of the history of political conflict and the process of conflict resolution.

In a nutshell, the Indo- Naga conflict dates back to the colonial era till the present day which has persisted and remained unresolved for more than six decades. The point of conflict centers on the claim of sovereignty, self-determination by the Nagas on the one hand and counter claims of being secessionist, separatist and continuing insurgency movements by the Government of India. In other words, the questions pertain to the question of democracy and the nature of political history and experience of one's own. The conflict and the misunderstanding revolves around the question of freedom as to why certain rights, democratic principles and freedom be sacrificed and surrender to the other for subjugation. The assumption of superiority of one form of system over the other and the subsequent attempt to control and dominate without proper understanding and dialogue has to a large extent responsible for the

apprehension of the adverse outcome of this bill has caused strong resistance not only in the North East in General but also in Nagaland as well from various sections of civil societies.

history of Indo-Naga conflict. Further, the idea of unique history of the Nagas in a way reflects the different patterns of socio-economic and political system from the Indian state. It is a form of conflict and contestation between different geo political, socio- economic and cultural systems. The misunderstanding and non recognition of different lived experience, history and way of life lies at the core of the conflict and in turn seems to paved the way for the genesis of the conflict and perpetuation of the conflict.

Realizing well that there has been numerous accords and agreements in the quest for permanent solution, the key question arose as to whether these efforts has really mitigate the conflict and at the same time whether this has brought about substantial integration and deepening of democratic practices and understanding between the parties. This compels us to critically examine the nature of the peace processes and agreements in order to understand the realities at hand. This would not only ensure a deeper analysis and reflection on the contested arena and the implications that follow thereof, but also would be helpful in determining the nature of integration.

Keeping the above analysis and observation in mind, it helps us to carefully examine how far peace processes and the democratic process contribute to the state of Nagaland in the integration process and at the same time to critically evaluate what are the necessary conditions for a meaningful integration on account of the multiple agreements and the persisting conflict.

Though it has entered into a phase to resolve through peaceful dialogue and negotiation yet the future will unfold whether it fructify in resolving conflict and integration or the non resolution that will eventually sow the seed for future intensification of the conflict and violence. However, the prolong peace process and negotiation also indicates the complex nature of the conflict.

The Political History of J&K Post Independence

The political history and the social and cultural history of the Region can only be defined and explained along with the physical and demographic composition through the lived experiences of the people and the society in relation with the outside world. At the same time, how the social structure, culture and its social relation, religion,

political culture and the politics of the society unfold is fundamental to understand the challenges, conflict and change. Further, how the political economy of the society operates and function is also pertinent to understand the process and the nature of political history and society. Accordingly, different rulers and dynasties like the Kanishka, Pandava kings, Mughals, Afghans, Sikhs, and the Dogras have rise and fall. This in turn also paved the way for the emergence of different religions and at the same time gave rise to diverse, rich and varied culture to the political history of Jammu and Kashmir.²⁰

However, the focus of this study is confined mainly from the colonial transition or pre independence to post independence. The political history and the situation of this period mainly revolved and contested over the idea or concept of two-nation theory and secular state. The consequences of this project led to the partition of the Indian State into India and Pakistan. Following which, the choice of the princely state either to join India or Pakistan became a central political issue. However, since the choice entails the destiny and the future of the Kashmiris, the demographic composition and multicultural settings of the princely state make it difficult to succumb and divide within the concept of two nation theory. Yet on account of the politics of the religions that is played out within the princely state of Jammu and Kashmir, it in the process became the prism of delving the conflict. Moreover, the very presence of different religions and its independent status before the partition in a way seems to have complicated, delayed and shaped the very nature and politics of Jammu and Kashmir.

This in turn help us to relate the context and interrogate the very question as to why the conflict, violence and tension has persisted for so long and at the same time who is responsible for this non-resolution of conflict? Moreover, it also helps us to inquire whether it is related to the project of unfinished agenda of partition. Or still, it demands an answer as to whether the core political concerns are resolved and stabilized? These critical and complex questions are fundamental in the very study of integration, autonomy and the state in order to study the how far has the state of J&K been integrated or resisted the same for self determination. In the process, it also reminds us to examine as to what are the challenges and implication of the demand

²⁰S Dhar, *Jammu and Kashmir*, (New Delhi: National Book Trust, 1977)

for autonomy vis a vis integration within the union of India? Further if integration process is taking place, then what are the signs that can be recognized as integration? If not, why is it so? Finally one of the pertinent questions that need to be critically interrogated and examined is to see whether the contestation and differences within the state of J&K is also contributing to intensification of conflict through the politics of continuously seeking alliance and thereby generating another dimension to the nature of conflict.

The Nature of Conflict

Taking this background as the basis, the politics and the political history of the region can be examined from the interface of the Monarchy, religion and the democratic transition after independence from Colonial rule. Conventionally, the narrative was based on the nationalist secular approach that confine within the realm and contours of the vision of nation making and integration. However, experiences and historical processes have also proved that there are certain realities, politics and other narratives that operate in the making and unfolding of history. For historical accounts also shows that the princely state witnessed a perpetual struggle for power between the Imperial government and the Monarchy. Later it became the site of multiple “contestations: of monarch against democrat; of empire against nationalist; of Hindu against Muslim; of peasant against landlord.”²¹ History has also proved that since the last rule of Kashmir by Kashmiris, it has been succeeded by many kingdoms in succession and as a result though the Indian subcontinent experience freedom and independence from the foreign yoke, there is also a fear of hegemony, denial of agency and continuously being pushed to the subjecthood of domination. This can be illustrated from the fact that despite the regime transfer from the Maharaja to the democratic election of Sheikh Abdullah, yet the broader truth is that “Kashmiris bear an acute sense of grievance that for centuries they feel that they have had little agency over their own fate. That sentiment goes a long way towards explaining why Kashmir’s separatist insurgency has proved so tenacious.”²² It also in a way explain of the growth of

²¹Chitralekha Zutshi, “Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir” in *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir* edited work of Mridu Rai review by: Praveen Swami Source: *The American Historical Review*, Vol. 110, No. 3 (June 2005), pp. 778-780 Published by: Oxford University Press on behalf of the American Historical Association.

²²Chitralekha Zutshi, “Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir” in *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir* edited work of Mridu Rai Review by: Andrew Whitehead, Source: *History Workshop Journal*, No. 58 (Autumn, 2004), pp. 335-

“Muslim religious political consciousness in the earlier part of the 21st century” which paved the way for a phase of confrontation after independence of India.²³

Similarly the political process and the dynamic of history also illustrate the parallel rise and contestation of Maharaja for reclaiming the legitimacy. Accordingly, Rai consider “this century as one in which a Hindu State was formed”, which resulted to the “Dogra monarchy’s search for legitimacy.”²⁴.Further since it lack the rationale for sovereignty and hegemony over the kashmiris, it “responded by inventing a history in which the Dogra dynasty represented both the Hindu faith and Rajput martial tradition. Rai mapped this process by carefully documenting the Dogra monarchy’s growing control of Hindu religious practice in Kashmir, notably through state-controlled trusts. Since the state was Hindu in character, Rai concludes, religion and politics became inextricably intertwined in defining and expressing the protest of Kashmiri Muslims against their rulers.”²⁵

In the process, some of the prominent leaders that played a great role in shaping the course of history in the region involved like Nehru, Sheikh Abdullah, Maharaja Hari Singh and other personalities from Pakistan and other countries. No sooner after the independence of India and Pakistan in August 1947, the tribal raid entered Kashmir in October to annex and integrate it with Pakistan. Consequently Maharaja Hari Singh acceded to India through the process of the Instrument of Accession.²⁶ However, the conflict of 1947-48 and the subsequent partition on the basis of a two nation theory in turn divided the Kashmir wherein the northern and western parts of it are controlled by Pakistan while Jammu, Ladakh and valley of Kashmir remain in India.

However, the bone of contention lies mainly with the valley of Kashmir due the contradiction over the choice of option on either two nation theory or a secular

340, Published by: Oxford University Press Stable URL: <https://www.jstor.org/stable/25472773>, Accessed: 17-04-2019 07:28 UTC

²³This is based on the Sumit Ganguly reviewed work from Mridu Rai’s edited book, *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*.

²⁴Chitralkha Zutshi, “Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir” in *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir* edited work of Mridu Rai review by: Praveen Swami Source: The American Historical Review, Vol. 110, No. 3 (June 2005), pp. 778-780 Published by: Oxford University Press on behalf of the American Historical Association.

²⁵Ibid. pp. 16-17.

²⁶A.G Noorani, *Article 370 A Constitutional History of Jammu and Kashmir*, (New Delhi: Oxford University Press, 2011).

state as Sheikh Abdullah, who had a huge followers of Muslim had a preference of secular polity over a theocratic state.²⁷ Sheikh Abdullah who is also tenderly called “The lion of Kashmir”²⁸ by the Kashmiris is an important figure who ran the government from 1947 to 1953 and again from 1975 to 1982. He has also played a key role in the quest for peaceful solution and engagement with the political conflict of Kashmir. His imprisonment and the following speech in a way hints about his political orientation and experiences wherein he emphasis on the urgency and the need to cherish and maintain community harmony along with the politics of inclusive Kashmiriyat identity especially through the political party of National Conference. Interestingly, he likens the state to a “bride cherished by two husbands –India and Pakistan- neither of whom cared to ascertain what the Kashmiris wanted.”²⁹ At the same time he was also blamed and accused of as an “Indian agent by Pakistan and a Pakistani agent by India.”³⁰

Taking the issues of autonomy, self determination, integration into consideration, some of the notable comments and debates are also reflected in views of leader like Vajpayee who commented that “Abdullah believes in three nation theory and not in two nation theory” while the Communist thought that he “was in danger of falling into ‘Imperialist trap.’”³¹ On the contrary, J.P Narayan is of the view that to fear plebiscite would lead to balkanization is to assume that “the state of India are held together by force and not by the sentiment of common nationality” that in turn would “makes a mockery and tyranny of the Indian state.”³²

Process of Integration

On the other hand, Nehru is of the view that if India split and fail to exist as a political and economic unit then it would weaken the state, hinder progress and at worse undergo “inner psychological conflict between those who wish to reunite her and those who oppose this” there by new vested interest would be developed that would in

²⁷Ramachandra Guha, “opening a window in Kashmir,” *Economic and Political Weekly*, Vol. 39, Issue No. 35, August 28, 2004.

²⁸ Tavleen Singh, *Kashmir A Tragedy of Errors*, (New Delhi: Penguin Books India (P)Ltd., 1995), xv1.

²⁹ Ramachandra Guha, “opening a window in Kashmir,” *Economic and Political Weekly*, Vol. 39, Issue No. 35, August 28, 2004. p.3907.

³⁰Ibid.

³¹ Ibid.

³² Ibid.

turn obstruct growth and change and a “new evil Karma pursue us in the future.”³³ Hence “unity is always better than disunity”³⁴ but it should be outcome out of sense of unity of heart and mind rather than enforced unity that has a dangerous potential for disintegration and as a realization that unity is in the pursuit of the interest of all.³⁵

On the whole, the earnest effort and endeavour under the initiatives of Nehru and Sheikh Abdullah for the process of conflict resolution through dialogue and negotiation during the Nehruvian period in the 1960’s in the aftermath of the Chinese Aggression in 1962 suddenly came to a halt with the sudden demise of Nehru on May 27, 1964. This may be rightly considered as the lost opportunity for a meaningful and peaceful resolution of conflict. The reason and the justification for this argument could lie in the fact that certain critical question need critical reasoning, understanding and statesmanship rather than being exposed to the popular opinion, emotions and imagination which at the end is kept for the posterity to be resolved. A noted Pakistan paper reiterated and described those moments as “the end of negotiated settlement of Kashmir issue.”³⁶ Finally, Sheikh’s suggestion on the political conflict is to “neither disadvantage India nor Pakistan but fulfilled the aspiration of Kashmiris and protect the minorities in both the countries.”³⁷ Hence, one of the essential features of revisiting political history is also to remind us of the possible alternative that is anticipated and at the same time pay heed to the calculated suggestions from the eminent personalities.

Taking the above political concerns and processes into consideration, it is important to trace some of the important historical events of conflict of J&K. Some of the important developments were the formation of a Moslem Conference in 1922 as a political party under Sheikh Abdullah against the autocratic regime of Maharaja, the formation of National Conference in 1939, Mountbatten plan of May 3, 1946, ‘Quit Kashmir’ movement of Sheikh Abdullah and his consequent arrest, Independence Act of 1947, partition of India and Pakistan and the signing of the Standstills Agreement by the Maharaja. Next, the Tribal raid of Kashmir which is deemed as invasion by

³³ Jawaharlal Nehru, *Discovery of India*, (London: Meridian Books Limited, 1951).

³⁴ Ibid. p.502

³⁵ Ibid.

³⁶ Ramachandra Guha, “opening a window in Kashmir,” *Economic and Political Weekly*, Vol. 39, Issue No. 35, August 28, 2004.

³⁷ Ibid.

Pakistan consequently led the Maharaja of Jammu and Kashmir to seek an appeal for military assistance from India and at the same time signed 'The Instrument of Accession' to India on October 26, 1947. As a result of this 'Instrument of Accession' of J&K with India, it is often construed and justified as an integral part of India.

However, taking the political situation and context of Accession into consideration, Nehru, on the advice of Mountbatten intends to further ascertain the public consent, the subjective and political question through plebiscite.³⁸ Hence, by virtue of Accession, Indian State charged Pakistan of invasion and considers "attack on Kashmir as an attack on India."³⁹ Subsequently, on Jan 1, 1948, India invoked Art. 35 Charter of United Nation and lodge a complaint against the aggression of Pakistan. Similarly, Pakistan counter-charges against India on Jan. 15, 1948 and invoke the same Art.35 of UN Charter.⁴⁰ Eventually both agreed that Plebiscite should be conducted to decide the issue at hand with certain conditionality.

Following which, The United Nation through the Security Council after a considerable deliberation adopted the first resolution that demands both the state of India and Pakistan to take all necessary measures to improve the relation and at the same time refrain from any steps that might aggravate the tension.⁴¹ Then, on January 28, 1948 the Council also established a Commission not only to inform the Security Council of the development and the situations but also to examine and investigate the claims of the conflicting parties.⁴² After that, on August 13, 1948, The United Nations Commission adopted another resolution that calls for a "cease-fire agreement between India and Pakistan to precede the plebiscite."⁴³

Meanwhile, the popular government of Sheikh Abdullah initiated land reforms in conjunction with political and social reforms and in the process limits the authority

³⁸Taraknath Das, "The Kashmir Issue and the United Nations", *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282

³⁹ Ibid.

⁴⁰ Ibid. p. 269.

⁴¹U. N. Document S/646, January 15, 1948. This point is extracted from the article 'The Kashmir Issue and the United Nations', Author(s): Taraknath Das Source: *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282

⁴²U. N. Document S/651, January 17, 1948. This statement is based on the article "The Kashmir Issue and the United Nations", Author(s): Taraknath Das Source: *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282

⁴³U. N. Document S/651, January 17, 1948. This statement is based on the article "The Kashmir Issue and the United Nations", Author(s): Taraknath Das Source: *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), p.273. For the full text of the resolution, see U. N. Document S/995, August 13, 1948.

of the Maharaja at the time while the United Nation Commission on Kashmir tried to implement its mission. Besides, on October, 1948, the National Conference held an important Convention that was attended by 250 delegates across religion and “voted unanimously in favour of the permanent accession of Kashmir to India.”⁴⁴ Again there was a reaffirmation of ceasefire agreement on 13th August, 1948. Finally, on March 22, 1949 Admiral Chester W. Nimitz was appointed as United Nations Plebiscite Administrator in Jammu and Kashmir.⁴⁵

When all these development were taking place, on 30th of August 1949, President Truman and Prime Minister Atlee suggested that the Kashmir conflict should be settled through arbitration by an impartial personnel appointed by the United Nation. However, the Prime Minister of India “declared that the Anglo-American proposition was virtually unwarranted intervention.”⁴⁶

Taking all the efforts of the United Nation in particular and the conflicting parties into consideration, despite their initiatives and policies ,it also seem to indicates that the UN in a special way was unable to take a firm position, responsibility, decision and force to implement and enforced its own decision. This in a way helps us to question the intention, credibility and willingness to solve the pertinent conflict in a just and fair manner for global peace. Accordingly, Nehru also reiterated that “the UN has not given any answer to the single issue put before it. They have done their best and they are still trying their best. What is not clear to me is why they did not focus their attention on the single question we put before them and why they did not express their views on it.”⁴⁷

On the whole, it also reminds us of the irony and the paradox of the political history on how the very freedom and independence was also born out of violence. This violent genesis of conflict has over the years led to the violent processes and methods to resolve the conflict and this in turn has not only failed to settle the pertinent tension but also produced violent political history. The consequences and the

⁴⁴Alice Thorner, "The Kashmir Conflict ", *The Middle East Journal*, vol. III, No. 2, April 1949, p. 175. This is in reference with the article taken from “The Kashmir Issue and the United Nations” Author(s): Taraknath Das Source: *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282

⁴⁵Ibid. p.274.

⁴⁶Ibid.p.277.

⁴⁷The Statesman (Overseas Air Mail Edition), Calcutta, October 1, 1949. This is extracted from the article, “The Kashmir Issue and the United Nations”, Author(s): Taraknath Das Source: *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282

political implication is that it has neither integrate the society meaningfully nor provided the desire autonomy of the Kashmiris. At the same time it is also further compounded by the multiple interest and demands.

The Constitutional Development and Special Provision for Autonomy

The historical precondition and situation of transition and integration with the Union of India was provided by the Instrument of Accession in which the three important subjects were categorically transferred namely; 'defence, foreign affair and communication' while the rest were retained by the ruler of the state of J&K "to be governed by J&K Constitution Act, 1939, then in forced in the state."⁴⁸ The constitutional development post Indian Independence began with the proclamation of Hari Singh in March, 1948 wherein his Council of Ministers are empowered to convene National Assembly to mapped out a new Constitution for the state of Jammu and Kashmir on the basis of adult franchise. Simultaneously with the adoption of the Constitution of India, special provision for the state of J&K was incorporated through article 370 in the Indian Constitution. Following which, on 15th feb, 1954, the National Constituent Assembly ratified the accession of the state with India. Accordingly, section 3 of its Constitution states: "the state of Jammu and Kashmir shall be an integral part of India."⁴⁹ Further, Section 147 of the state's Constitution has made the issue of accession unamendable for any further legislation. With this, the process of legal integration with the Indian state was completed.⁵⁰ Further the question of safeguarding the autonomy of the state was further reiterated in June 1949 when the state Assembly of J&K sent 4 representatives to the constituent Assembly of India to clarify the relation between the states especially when it assert that principle for future relation is to be guided only by the Instrument of Accession.⁵¹

The politics of differences on the future forms or nature of relationship was manifested in the nature of misunderstanding, ambivalence and the non transparency in the process of discussion especially between Nehru and Sheikh. This eventually led

⁴⁸Jai Shankar Agarwal, *Economic and Political Weekly*, Vol.50. Issue.No. 16. 18 April, 2015

⁴⁹Ibid.

⁵⁰ Ibid.

⁵¹Jai Shankar Agarwal, *Economic and Political Weekly*, Vol.50. Issue.No. 16. 18 April, 2015.

to the dismissal and detention of the latter in August 1953.⁵² In order to restore the relation and speed up the integration process, “the Constitution (Application to J&K) Order was issued by the President on 14 May 1954, with the concurrence of the State Constituent Assembly and the state government” that in turn extend certain provisions of the Constitution of Indian state to Jammu and Kashmir.⁵³

Gradually, the process of administrative and financial integration at different level takes place especially through important institution like the Supreme Court, Election Commissioner, Comptroller and Auditor General. Eventually, in 1965 article 356 and 357 of the Indian Constitution were not only made enforceable but at the same time Entry 72 of the Union List which provides Supreme Court the right to appeal from the decisions of the High Court was also extended in the state of Jammu and Kashmir⁵⁴ Thereby, on account of this extension and application, the nomenclature, status, functions and mode of appointment of “Sadr-e-Riyasaand the Prime Minister of Jammu and Kashmir became anachronistic.”⁵⁵ Accordingly, it necessitates change in the nomenclature and appointment of the Prime Minister as well as Sadar-e-Riyasat through the Amendment of Jammu and Kashmir Constitution in 1966.⁵⁶

However, there are many important subjects that are exclusively within the domain of the constitution of J&K that pertains to the question of citizenship, inheritance, right to property and settlement. There are also enough provisions in the Concurrent list as well as in the Residuary power that safeguards and located within the control of the state of J&K.⁵⁷

The important implication of the different form of relation and contestation for power between the state of J&K and the Indian state over the nature of the question on Jurisdiction of power is that in due course of time it has become a bone of contention and grievances even in this contemporary politics of conflict in the region. In the

⁵²Jagmohan, “The Politics of Maximum Autonomy”, *India International Centre Quarterly*, Vol. 37, No. 3/4, A Tangled Web: Jammu & Kashmir (Winter 2010 - Spring 2011), pp. 126-141 Published by: India International Centre Stable URL: <http://www.jstor.org/stable/41804083>

⁵³ Ibid.

⁵⁴ Ibid. p.133.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷Jagmohan, “The Politics of Maximum Autonomy”, *India International Centre Quarterly*, Vol. 37, No. 3/4, A Tangled Web: Jammu & Kashmir (Winter 2010 - Spring 2011), pp. 126-141 Published by: India International Centre Stable URL: <http://www.jstor.org/stable/41804083>

process, the struggle for control has failed to delve the conflict in a sensible way for a durable solution. In addition, the politics that is being played out for the electoral gain has further blurred the questions of autonomy, integration and self determination.

Some of the important political development, process and history that has define and shape the conflict in the state of Jammu and Kashmir are the Indo-Pakistan war of 1971, creation of LoC in 1972, Cold war intervention, the Shimla Accord of 1975 and reinstating of Sheikh Abdullah into politics. Next, there was a period of relative stability from 1975 to 1982. Then, the demise of Sheikh Abdullah and the shift of power under Farooq Abdullah weaken the nature of power politics and eventually lead to the centralization by the Indira Gandhi government.⁵⁸ After that, one of the important events that are played out during this period is the interface between the electoral politics and the political conflict. The dynamics and the politics of centralization are clearly manifested in the 1987 local election of J&K wherein rigged election prevented the Muslim United Front (MUF) to form an elected government. This incident is tacitly construed as undemocratic and that eventually led to the trust deficit on the government and at the same time forfeits the trust on Indian democracy by the Kashmiris. This event is significant in the sense that, this negation and violation of the democratic processes and the method paved the way for the onset and justification of insurgency and violent struggle in 1988-89.⁵⁹ This development led to the state response in the form of intense counter insurgency in the 90s that culminated in the Kargil War.

The Pandit's Question and Other Minorities Concern

The political environment, nature and development in the 1980's and 1990's are some of the important events that determine the future politics of J&K and its relation with the Indian state. Major events like the appointment of Jagmahon as the Governor of the state and the period of his administration, the election of 1987 and the controversies and charge of rigged election that in turn question the credibility of the Indian democracy that later gave rise to violence resistance and militarization in the region. This coincides with the rise of communal politics at the nation level as witness

⁵⁸Paul Staniland, " Kashmir since 2003 Counterinsurgency and the Paradox of Normalcy", *Asian Survey*, Vol. 53, No. 5 (September/October 2013), pp. 931-957 Published by: University of California Press Stable URL: [http://www.jstor.org/stable /10..25/as.2013.53.5.931](http://www.jstor.org/stable/10.25/as.2013.53.5.931)

⁵⁹ Ibid.

in the opening of the gate of BabriMasjid/Ramjanambhoomi temple in 1986 that resulted in the communal polarization and violence.

Taking this into consideration, the communalization of politics in the line of religious fundamentalism took a centre stage. The contestation and the construction along religious line become imminent in the state of Jammu and Kashmir in the form of 'Quit Kashmir' against the Pandit on the charge of being an informer of the state by the militant. Consequently, the threat and the politicization of ethnic cleansing culminated in the exodus and exile of the Kashmiri Pandits.⁶⁰ Simultaneously, the parallel form of conception, debate and challenges also emerge from the Pandit's narratives that stress on the need to restore and safeguard secularism and other rights that are guaranteed in the constitution of India.⁶¹ Then, the construction, contestation and consolidation of the Kashmiri Hindu community identity in the form of cultural and political entity get reflected through various Samitis. As a result, Panun Kashmir came into existence in 1991 to demand the political imagination of "separate homeland for Kashmiri Hindus within Kashmir valley."⁶² This demand is further reinforced by the rise of communal politics at the national electoral politics that reiterate cultural nationalism as a primary concern for national security and integration. However, the initial politics and demand of the Kashmiri Pandits that in the process of polarization and electoral politics got entangled and further communalized along religious line.

As a consequence of an attempt to construct and carved a separate homeland for the Pandits through the communal lens of two nation theory and its parallel confrontation with the Muslim imagination, the Indian state on critical examination in a way seems to have realized the limitation, apprehensions and the wider implications that would inflict the national interest in the end. The attempt to concretize the agenda of the Pandits for rehabilitation and resettlement through the process of militarization and state patronage has rather led to more confrontation and complexity in the current politics. The current political debates and challenges of rehabilitation revolve around whether Kashmiri Pandits should be granted exclusive colonies or mixed neighbourhoods.

⁶⁰Ajit Bhattacharjea, "*Kashmir the Wounded Valley*", (Michigan: UBS Publisher, 1994).

⁶¹Haley Duschinski, "Survival Is Now Our Politics": Kashmiri Hindu Community Identity and the Politics of Homeland", *International Journal of Hindu Studies*, Vol. 12, No. 1 (Apr., 2008), pp. 41-64.

⁶²Ibid.

However, before any measure to implant certain policies, one of the pertinent question and paradox need to be resolved for both the Kashmiri Pandits and the Kashmiri Muslim for better understanding and accommodation as the tension between them has invoked a justification of their own extreme agendas at the expense of the other. Correspondingly, while the Pandits were charged as part of the Governor Jagmahon's "conspiracy to clear grounds" for large scale operation to end militancy in connivance with the policies of the state policy and hence "deserved to be ousted", while on the other hand, the Kashmiri Pandits consistently affirm that their exodus was an outcome of an well organized strategy and aim of ethnic cleansing by the Kashmiri Muslims and thereby the ongoing militarization and violence of the region is the byproduct of their own doing.⁶³ These justification and counter justification has rather seems to intensify the conflict.

Therefore the question arose as to how the question of the Kashmiri Pandits in particular rather than looking through the prism of multiple stake holders need to be emphasized and dealt separately through dialogue, negotiation and reconciliation between the two communities. This will be of crucial importance in dealing with the question of conflict in the interest of national security and integration. The challenges also remain to bridge the mistrust and restore the Kashmiriyat identity of peaceful co-existence.

However, post 9/11 there was a decline in violence not only due to the international pressure especially from the United States but also on account of the consolidation of the Indian military control, fencing of the Line of Control (LoC) and improvisation of the security network.⁶⁴ This reduction in violence has in a way open up a political space and culture for non violence in the region. However, it has rather witnessed a rise in mass mobilization, protest and also assertion from the civil society in the form of intellectual articulation to challenge the status quo.⁶⁵ The larger implication of the state policy and politics of political patronage and militarization has

⁶³This is based from the article titled "Revisiting the question of the Kashmiri Pandits, the battle of the narratives", by Sadaf Munshi which is also a continuation of discussion following Anuradha Bhasin Jamwal's review (EPW 27 April, 2013) of Rahul Pandita's book, *Our Moon Has Blood Clots*.

⁶⁴This is based from the article titled "Revisiting the question of the Kashmiri Pandits, the battle of the narratives", by Sadaf Munshi which is also a continuation of discussion following Anuradha Bhasin Jamwal's review (EPW 27 April, 2013) of Rahul Pandita's book, *Our Moon Has Blood Clots*.

⁶⁵Ibid.p.941.

instead fuel popular discontent, resentment and also wrecked good governance.⁶⁶ The political culture and the environment in the region is to a large extent based on the interface and the contest of the politics of electoral politics and the military power for control and domination as reflected in one of the power squabble between the Army and Omar Abdullah, the Chief Minister of the state of J&K.⁶⁷

Further, the shift towards the politics of mass mobilization in the protest against the state decision is also seen in the hanging of Afzal Guru in 2013, the case related with the attack on the Indian Parliament in December 2001. The politics lies in the fact that certain grievances and incident of this kind is appropriated as a political opportunity for mass demonstration and mobilization for political aspirations and at the same time the state construed this as a movement and a mass resurgence for secession, national disintegration or self determination and hence the justification for excessive militarization and extensive crackdown.⁶⁸ This in turns shows that conflict intensifies with the assertion and suppression due to the consideration of specific interest from the conflicting parties. One of the interesting features of the electoral politics lies in the fact that on one hand, the competing political space through attempt to canvass with mass participation is being used as a means to propagate, advocate and advance autonomy and independence. While on the other hand, political patronage is used by the state as a means for integration into the Indian state. This brought to light the politics and the nexus of how party patronage in the form of ‘patronage democracy’ and corruption coexist and at the same time it also illustrates how patronage is used as a political instrument for management in Kashmir.⁶⁹

One of the interesting political phenomena in the region that unfold is the shift in the way in which the politic of violence transform and shape through the interface of militarization, militancy, electoral democracy and mass mobilization in the discourse of conflict. The importance of this interface lies in the fact that this dual process of militarization alongside mass protest and assertion has entered into a cyclic phase which is mostly the outcome of a competitive assertion and justification that

⁶⁶ Rahul Pandita’s book, *Our Moon Has Blood Clots*.p.942.

⁶⁷ Ibid.p.943.

⁶⁸ Ibid.

⁶⁹ Paul Staniland, “Kashmir since 2003 Counterinsurgency and the Paradox of “Normalcy”, *Asian Survey*, Vol. 53, No. 5 (September/October 2013), pp. 931-957 Published by: University of California Press, Stable URL: [http://www.jstor.org/stable /10..25/as.2013.53.5.931](http://www.jstor.org/stable/10..25/as.2013.53.5.931)

often look the conflict within the prism of sectarian interest. This has rather intensified violence and occupy a central theme of discourse and in the process trapped in the politic of violence for demonstration of power which in turn translate into a condition for normalization of violence.

Accordingly, some of the incidents that manifested this interface of mass mobilization and violence were on issues like the controversies over land allocation to the Amarnath Shrine in 2008, the protest in the town of Shopian over the rape and murder of two women in 2009 which was followed by mass street protest that eventually resulted and escalated to the lost of many civilians by the security personnel.⁷⁰ Similarly, in recent past, the aftermath of the Burhan Wani killing which led to huge participation at his funeral service, the use of human shield by the army during the election and control and encroachment into education institution from protest in Pulwama are some of the controversy that generated wide debate from across society.⁷¹

Taking the above elements into consideration, it is important to see how the politics and the discourse of stone pelting and the mode of suppression operate from the state's perspective. Though the history of stone pelting could be traced since July 13, 1931, the most intense revival of this form of resistance is seen since the summer of 2008.⁷² In order to understand the complex politics of conflict, it necessitates us to critically inquire as to why and when do the stone pelting take place as a mode of resistance and protest. On examination it in a way shows that there are multiple explanations for the very act of such resistance. One of explanation cites the excesses of the state in terms of atrocities, torture, and violation of human rights as the basis for such resistance.

Therefore, it is also noteworthy to take into consideration that the surge in resistance and the mode of protest through stone pelting is to a large extent attributed to the bitter experiences and atrocities through the imposition of various draconian

⁷⁰Ibid.p.948.

⁷¹“Why Major Gogoi is wrong”, *The Indian Express*, May 24, 2017. At the same time, in the recent past Pulwama is also in the news headline for the suicide attack on the CRPF Army convoy by the Jaish –e-Mohammed militant based in Pakistan on 14th of February 2018.

⁷² Sanjay Kak, “What Are Kashmir's Stone Peltingers Saying to Us?” *Economic and Political Weekly*, Vol. 45, No. 37 (September 11-17, 2010), pp. 12-16 Published by: *Economic and Political Weekly* Stable URL: <http://www.jstor.org/stable/25742062S>

acts like Armed Force Special Power Act, the Public Safety Acts and at the same time due to the militarization of the region. Accordingly, the survey report of the Jammu Kashmir Coalition of Civil Society (JKCCS) mentioned that over 60,000 people have been killed, and around 7,000 "missing" in 15 years.⁷³ Thereby, this resistance through stone pelting has produced a chain reaction in the form of bullet killing, pellet injury, psychological trauma, militarization and violence in the region. This in turn has led to a politics of hate against the other and at the same time a justificatory stance from each side. Following which, while the army and Central forces consider Armed Forced Special Power Act as a 'Holy Book' for the performance of their duty on the other hand the stone pelter and the militant deem their reaction, resistance and lost of life as a sacrifice for Azaadi and in turn canonized as Shaheed or Martrys.⁷⁴ Further the generalization of the whole society and the application of the Draconian law on the whole without differentiation, normalization of violence and its victimization led to the participation and the defiance of women.⁷⁵

This shift towards mass mobilization has generated some implications in the understanding of conflict in the eyes of Kashmiris. Firstly, the direct participation and common victimhood has brought a direct encounter rather than merely being used as a feeling of being lied to, and manipulated as an agent and instrument in the hand of foreign actors especially in the hands of Pakistan. At the same time, it echoed the need for non violent resistance and the necessity to differentiate from the violent militancy even though the categorization is blurred in a practical reality. Next, it reinforced and asserts the existence of mass protest as not only a new political language but also as a viable method in the contemporary politics of India and around the globe.⁷⁶

However, the perpetual tendency of violence and it's correlation with persistent conflict and normalisation has necessitated the state to rethink of the policies and strategies towards conflict resolution. Certain step like the appointment of new interlocutor for dialogue and negotiation and the advocacy of Vajpayee

⁷³ Ibid.

⁷⁴ Malini Parthasarathy, "Understanding Kashmir's Stone Pelting", *The Hindu*, November 5, 2016.

⁷⁵ "Girl student with stones in hand redefine protest in Kashmir", *The Rising Kashmir*, May 9, 2017.

⁷⁶ Sanjay Kak, "What Are Kashmir's Stone Pelting Saying to Us?", *Economic and Political Weekly*, Vol. 45, No. 37 (September 11-17, 2010), pp. 12-16 Published by: Economic and Political Weekly Stable URL: <http://www.jstor.org/stable/25742062S>

Formula in a way seem to reflect the change of approach from the state.⁷⁷ Similarly, the people of Jammu and Kashmir by and large tend to welcome and appreciate the initiative to resolve the long and protracted issue. The question and the challenges arose as to whether it would fructify into a meaningful peace and outcome out of such endeavor or in other word will the different section of society; group and state cooperate and make a collective effort for such outcome will be an important concern for a resolution of conflict.

The political history of Jammu and Kashmir has often been dominated by the conflict in the valley and as a result has failed to take into account the different regional aspiration within the state. Following which, the narrative, contestation and the political development that take place in Jammu and Ladakh takes a backseat in the mainstream narratives. However, the political dynamics and contest through the democratic processes has vital impact in determining the politics of the region. One of a glaring example is the overwhelming victory of the BJP in the Jammu region in the election of 2014 and the consequent formation of the Coalition government in the state. The important and the major concern of the outcome of this election lies in the fact that it led to the decline of the seat and vote share of the NC and the Congress and the emergence of BJP in Jammu region which in turn has led to the communal polarization of the state on the basis of religion, language and region⁷⁸

This shift in the power relation and the nature of politics has also generated tension in the form of communalization of politics, challenging the status quo i.e demand for the abrogation of Article 370 and debates over the privilege of permanent Resident that is granted in Art.35A of the Constitution of J&K. However, beyond this militarization there are also attempts to resolve the conflict as exemplified in the appointments of interlocutor in the past.

The politics of the region will be incomplete without taking into cognizance of the Ladakh region. However, since the study is confined to the post colonial conflict and challenges especially from the Dogra rule to the integration into the Indian state, and at the same time as the conflict and the politics is mostly focus on the Kashmir

⁷⁷This is based on the article from the *Indian Express*, 24th Nov. 2017

⁷⁸Rekha Chowdhary, "BJP's unprecedented victory in Jammu", *Economic and Political Weekly*, Vol.50, Issue No.19, 09 May, 2015.

valley, there is less discourse, debate and study on their culture, society and region. However, some of the important notable events that is worthy of taking into consideration includes the Chinese Aggression of 1962, liberation of Turtuk region in 1971 from Pakistan, opening of tourism in 1974, creation of Kargil district in 1979, formation of NGO's, demand for the Ladakh Autonomous Hill Development Council and Union Territories and the formation of Ladakh Hill Development Council in 1995⁷⁹ and the consequent creation of new administrative council. This political process and the changes that emerge have also in turn brought new challenges in terms of culture, identity, economy and political aspirations.

However, the political history of conflict of Jammu and Kashmir is also marked by an attempt to resolve the tension. Some of the initiatives in the recent past include the effort for peace and development during Vajpayee Regime, the appointment of a three panel committee in October 2010 and the latest appointment of interlocutor under the present Modi regime. Yet, how far has it been successful in resolving the conflict demands a critical inquiry. Moreover, the nature of the political climate is often interrupted by the continued bilateral political tension with Pakistan over the issue of Jammu and Kashmir. Some of the bitter experiences such as the attack on the Indian Parliament in Dec. 2001, terror strike at Uri Air base, suicide attack on the convoy of CRPF in Pulwama on 14th Feb. 2019 and the consequent escalated tension that culminated in the air strike between Indian and Pakistan further deteriorated the political situation and strain the relation in the region. Further, there is debate and controversy over the question of Art 35A and Art.370 on the legitimacy, sanctity and the constitutionality of the special provisions.⁸⁰ In addition, politics of J&K is also determine by the external policy and experiences like the issues of terrorism, China Pakistan Economic corridors and relation with other countries.

⁷⁹Zain-Ul-Aabedin-Aabedi, *Ladakh then and now*, (New Delhi: Atlantic Publisher, 2015).

⁸⁰ The Special provision of Art 370 and the Art 35A has in the recent past become a bone of contention in the centre state relationship between the centre and the state of Jammu and Kashmir. A Delhi based NGO challenge the very provision of Art. 35A under Art 370 and deemed as unconstitutional on the ground that it does not fall within the ambit of the Constitutional Amendment provision of Art 368 of the Indian constitution. It is also argued that this special provision which grant special rights and privileges to the residents of Jammu and Kashmir as discriminatory against women of the region in availing these rights. Further it pointed out that in the process it excludes the rights of their children and women themselves especially when they marry outside the state of Jammu and Kashmir. It is also noteworthy to mention that electoral politics has also polarized the very Art.of 370.

Taking all this consideration, the very question of autonomy, integration and the secession has persisted along with the process of militarization and hence need to be resolved for the interest of peace, security, development and democracy. Following which it necessitates to interrogate the various Accord and Agreements so as to understand better not only the nature of the conflict but also to critically examine the attempt to resolve the conflict. This will in turn provide better answer as to what are the very constraint and the challenges to the very question of integration within the Indian state and at the same time explain with more clarity the conflict and the complex issues of autonomy, the political conflict and contestations in the state of Jammu and Kashmir.

CHAPTER 2

Democratic Processes and Accords of the State in Nagaland: From 1950 to 2015

Analysing the Peace Process of the Indo- Naga Conflict

The Question of a permanent solution to the Indo-Naga conflict is one that cannot be shelved for posterity in the larger interest of both the parties involved rather it is on the basis of how we resolve this kind of conflicts that the credibility of a nation is judged and its democratic fabric be strengthened accordingly. However, before we dissect and analyze the peace process, it become essential to briefly mention the historical account and the events of the conflict. The Indo- Naga conflict dates back to the colonial era till the present day which has persisted and remained unresolved for more than six decades. The point of conflict centers on the claim of sovereignty, self-determination by the Nagas on the one hand and counter claims of being secessionist, separatist and continuing insurgency movements by the Government of India. This political conflict, differences, disagreement, misunderstanding and non resolution through peaceful democratic processes paved the way for violent contestation and militarization in the region.

Thus, it is within the background of this two conflicting claims that there is an ongoing conflict that still remain unresolved. There have been various measures and numerous agreements undertaken to tackle the long standing conflict, for instances, the Nine Point Agreement, First Cease Fire Agreement in 1964, Peace Mission Proposal, Shillong Accord of 1975, Second Cease Fire Agreement in 1997 which was revised on January 13, 2001, ‘recognition of the unique history of the Nagas’, the signing of the latest Framework Agreement of August 3, 2015 and the ongoing peace process with the NSCN-IM along with the other Naga National People’s Groups (NNPGs) and Government of India (GOI).

Realizing well that there is a need for concrete solution that would dissolve this conflict, at the background, the question that provoke the thought process and struck every concerned person mind is to answer what is the key ingredient that is missing in the proposed solution. Thereby, in order to assess the conflict, an understanding of the root cause of the problem is essential if one is to justifiably

address the problem at hand. At the same time a better understanding of how these fundamental issues and the failure to address them justifiably, at the right moment, have led to such a stalemate can be understood more comprehensively viewed in conjunction with the peace processes. This would not only ensure a deeper analysis and reflection on the contested arena and the implications that follow thereof but also would be helpful in determining the future course of action.

Entering into the framework of the discourse of the Naga Movement and its conflict with the Indian state, it therefore, demand a subjective introduction to the contesting terrain and the different explanation that each narrate, present and construct over a period of time rather than merely making a passing reference to the immediate empirical events to better understand the conflict from a right perspective and approach. Keeping this background in mind, the Colonial departure can be taken as the immediate cause and vantage point of the Indo-Naga conflict. The bone of contention from the beginning of the conflict have revolve around the very issue and question as to whether one have the political authority and the right to rule over the other and at the same time a counter argument from the opposite end on how and when one justify to resist and object to the interference, control and domination from other to safeguard their right and freedom. The above seemingly simple question has on reality and practice rather became one of the most perennial and pertinent questions to be addressed and dealt with on account of the different interpretation, meanings and justification that each party rigidly adhered to without giving much space for investigating the root cause and rational deliberation of the long pending issues of the conflict. Or in other words, the crux of the problem becomes clearly in presenting the two different standpoints of the two parties in conflict briefly summarized as follows:

“The Nagas had never been conquered by the Indian army or ruled by the Indian government although their territory had been forcibly annexed by the British army and the British government about a century ago. Nevertheless, their right to self-determination, the claim to independency from the sovereign independent state of India, and thus the demand for recognition of this independent which India herself demanded and heroically struggled for under the historic slogan of Swaraj.

The government of India's position on the other hand, is that Nagaland forms an integral part of India before 1947 and that, with the transfer of power to India by British parliament, Nagaland became part of India in the same way all other states in India. Moreover, the government of India claims that they have already accepted the need for granting the fullest development to the Nagas and to guarantee their ethnic and cultural entity and to ensure their traditional right and their resources accordingly; the Nagas are not ruled by any alien power but are ruling themselves".¹

Considering these issues, conflict, contestation and contradiction at the background, it would be helpful to consider the measures that were taken and at the same time to review at the some of the important initiatives, attempt and endeavor so as to conduct and arrive at an appropriate solution between the two contending parties. Owing to this contradictory claims and standpoints, it becomes all the more important to ask what do the peace processes really mean and implies. Consequently, various questions crop up as to what are the measures, policy or initiatives crafted to resolve the conflict? What is the extent of success to which the prevailing state policies have helped in addressing the conflict? Further, knowing well that the issue has remained unresolved despite 60 years of conflict, where then lies the fault with the approaches taken till date? Most importantly, what would then be the best alternative course? In so doing, it might bring out the expressed as well as the subtle questions which has been dealt, ignore and utilized. Keeping these divergent claims and the opposition between the conflicting parties in mind, the concept of 'justice as fairness'² is essentially contextualized and reinterpreted to suit the pertinent conflict by infusing, the subjectivity of the notion of justice as fairness to mean 'impartiality' and 'neutrality' to mediate between and among the groups, over the deeply embedded and contentious issues.³ Further, the essence of the introduction of the concept of justice interestingly lies in the fact that Rawl consider justice as the 'first virtue of social institutions,' and at the same time through the establishment of a fair procedure, it ultimately aims to install a "perfectly just society".⁴ Hence, the concept of justice is

¹A. Ngashathing Shimray, *Legacy of R. Suisa*, 33.

²John Rawls, *Theory of Justice*, (London: Oxford University Press, 1971), 11. According to Rawls conception of justice as fairness, if society desires to have a just society, then at the very inception a fair procedure and principles have to be institutionalized so as to have a fair distribution of social benefits.

³Brian Barry, *Justice as Impartiality*, (New York: Oxford University Press, 1995), xi.

⁴John Rawls, *Theory of Justice*, (London: Oxford University Press, 1971), 7.

also introduced as a new paradigm with the objective to compare, analyse and cross-examine the various methods and strategies that are applied in the process of mitigating the conflict. Similarly, it will also uncover the repeated failure, the accumulating deficit as well as the achievement in the process of resolving the conflict.

The Nine Point Agreement

Recognizing these complexities, issues and the content involved in analysing the peace process, it can be stated that The Nine Point Agreement in June, 1947 was one of the earliest or the first attempt to facilitate and arrive at the conflict resolution between the Government of India and the Nagas. Accordingly, the preamble of this agreement recognized the right of the Nagas to determine and develop themselves 'according to their freely expressed wishes'. However, despite the acceptance of the other points of the agreement, yet the last point turn out to be controversial. It read as follows:

“The Governor of Assam as the agent of the Government of the Indian Union will have a special responsibility for a period of 10 years to ensure the due observance 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 Nagas people arrived at.”⁵

This particular point of agreement is construed by the leaders of the Nagas as ensuring a guarantee to the desired prospects of independence. However, the Indian state interpreted the agreement as a sort of temporary as well as a kind of permanent arrangement which seemed contradictory in a sense that when the need arise to determine whether to review this arrangement after the completion of ten years or to continue the same agreement that is laid down, based on the wishes of the representatives of the Nagas under the aegis of the NNC. As a matter of fact, this point became the crux of the political conflict for the future engagements. The divergent, vague, ambiguous and constraining outcome of the so called peace process speak volumes of the informal and the casual approach that characterized the

⁵M. Horam , *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 43.

confusion over the question of authority and legitimacy in the formulation of agreement, interpretation and the implementation of the same. The multiple interpretation that leaned and sided with its own interest testify of the absence of a justice as a neutral body to rationally and impartially arbitrate and also oversee the entire process of conflict resolution. Therefore, the defects and the disadvantages of the genesis of the peace accords, and the process, pertain to the faulty notion and steps that are conceived from the beginning itself. This clearly points out the politics of the crux of the peace process which seem to maintain that the negotiated accords and the agreement does not mean what it say which reveals the contradiction between the principles and action. “So, we must search for some explanation beyond the truth that men often do not mean what they say.”⁶ However, on the other hand, justice demands a rational judgment, consistency, coherence, mutual obligation and responsibility to adhere to the agreed principle and agreement from both the parties to the conflict.

Interestingly, in addition to the agreement reached, it will also be noteworthy to mention that it was signed between the parties prior to the official departure of the British regime or the Independence of India in August 1947. In simple parlance if we are to answer why the agreement was signed prior to Independence or British withdrawal, it could be assumed that they were just following the course of history. But on the contrary, if one is to critically inquire and interrogate as to why and how such an agreement took place at such an interval of history, and at the same time what were the hidden agendas and intention that the agreement entails, then it might give us a different explanation of the viability as well as the futility of the point of agreement. Further, the need arose to delve in by inquiring who the architects of that agreement were. Moreover, does the basis of the point agreed necessarily exercise a holistic and comprehensive evaluation in a transparent discourse and deliberation? If not, then was it a policy to immediately dissolve as an unimportant issue that is assumed to be resolved once and for all, through a short term strategy to manipulate one party over the other?

However, to answer and tackle this kind of critical and complex question require proper understanding of the contexts that circumvent, and at the same time, the consideration of the geo-political climate of domestic as well as outside

⁶ Ronald Dworkin, *Taking Rights Seriously*, (Cambridge: Harvard University Press, 1977), 188.

determinants, situations and other conditions that could be possibly be responsible for shaping such policy. Nevertheless, on the whole analysis, it could be said that it took a hasty step to resolve the conflict without transparency in the contentious issues and thereby the ambiguity that are involved in the interpretation are later translated by the contending parties as a blessing in disguise to maximize each interest by undermining and sidelining the other. Thus, when this substantive issues and bone of contention are relegated to the position of least importance, and at the same time when diverse, separate and different interpretation precedes common understanding, it rather become the seed of mistrust, discrepancy and a trust deficit that largely contribute and is instrumental for widening the chasm of dispute and conflict resolution, instead of bridging the gap to settle the account for the future course of action. In addition it could be said that the agreement was a kind of blueprint and roadmap that was designed to refer and hammer out a solution. Moreover, it won't be wrong to assume that it was also a form of experiment which through the method of trial and error, offers to shape towards the intended closure and fixity. But this piecemeal experiment failed the test of mutual trust and in the process could not amount to address substantially some of those pressing questions. While on the contrary, the modalities of 'justice as fairness' would have shoulder the responsibility to address and also seek to understand the cause of the conflict through dispassionate attempt to strike at the root of the contention so as to meddle the issues in a just manner. In addition, the right strategy from the very inception would have been to adopt a fair common ground in the form of a fair procedure.⁷

Although not completely successful and a failed outcome in its actualization process, yet the significance of this very Act lies in the fact that it became a basis for future references and at the same time, it become a bone of contention and a point of departure for the other party. The reason being that both the contending parties interpreted the subtle, vague and ambiguous agreement based on their own assumption, interest and justification rather than constructively interpreting and analyzing to forge and arrive toward a common ground of cohesion and understanding. The importance of the Act also can be viewed from the very reason that it failed to lay out a strong and rooted foundation which would form the basis as a trendsetter for the future peace process.

⁷ John Rawls, *Theory of Justice*, (London: Oxford University Press, 1971), 7.

Further, the respective parties observe and received the point of agreement in such a way that it aimed at rationalizing and assuming it as the fixed definitions, with unchangeable certainties and determined agenda and solution by solely understanding the conflict as a principle of unchangeable substance given once and for all, rather than elucidating the nature of the conflict in an open ended construct. This eventually led to the breach of trust in the future discourse which could not easily be mended. And the mistake and the mistrust that has generated out of the difference and misinterpretation of this point, at a later period, it produced a great repercussion, obstacle and a gross hindrance to the roadmap of the realization of a just and durable conflict resolution. Thus, all the efforts and the attempts at the later period were basically a preparation and a quest to find out the common ground for truly beginning the spirit of the conflict in the right direction.

The failure of the Nine Point Agreement deeply deteriorated the relation between the Nagas and the Indian Government. The effect of the non-adherence and disregard of the agreement by the Indian Government led the Naga National Council (NNC) to declare independence on August 14, 1947 and “intimidated the same to the Government of India and to the United Nations Organisations.”⁸ Subsequently, various incidents followed such as the threat to use military force by the Indian government, conducting the plebiscite of 1951 and the boycott of Assembly and Parliamentary election of 1952 by the NNC. Then, the Assam Government deployed the Assam Rifles with the spread of Naga unrest on the ground that it was a law and order problem. However, the irony of one of the method of conflict resolving mechanism that was employed by the Indian State through the means of militarization to prevent insurgency in the Naga Hills rather became the seed to mobilize and canvass many Nagas to insurgency and rebellion.⁹ Thereby, once the Government of India adopt, considered and used the idea, notion and structure of force, might and violence as the valid and legitimate means to curb and nib the problem at the bud, it never assumed that it would have gone out of hand and had such a disastrous repercussion in the long run. Subsequently, as a result of the Indian state’s move to the project of nation building through means of the military might, the Naga Movement which once pursued and envisaged the policy of non-violence at the initial

⁸H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 61.

⁹ M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 59.

stage soon took recourse to violent means to resist and achieve their goals.¹⁰ Hence, the absence of a fair procedure as well as neutral body which is further re-conceptualized and conceived by Barry in the form of justice as impartiality¹¹ in the peace process, portrays and unfolds the random adoption of succession of methods on account of the failure due to the similarly pursued techniques of the peace process which seems definitely situated outside the realm of justice. At the same time, the fluid, shaky and unstable nature of the means of the peace processes like force, violence and self interest in a way defy, deviate and differ from the nature and the notion of justice for it demands the importance as well as the unity of the mean and the ends in the fuller realization of just society.¹² It also in a way implies the fundamental of choosing the right, fair and rational means to attain the right ends.

Formation of 16 Point Agreement

In the light of assessing the phases of the Indo-Naga conflict, it can be said that the decade of fifties can be considered as one of the most crucial phase that was played out in our search for conflict resolution. Perhaps this period can also be considered as one of the most violent and militant phase in the fight for sovereignty by the Nagas on one hand and integration and domination by the Indian Government on the other. This period is also marked out by equipping, empowering and authorizing special power to the army through the enactment and implementation of various unpopular and Black laws in the region. Some of the laws that were enacted at that period of time were such as the ‘Assam Maintenance of Public Order (Autonomous Districts) Act 1953, the Assam Disturbed Areas Act 1955, Armed Forces (Assam, Manipur) Special Powers Act 1958’ etc., to deal with the insurgents. As a result, on account of the special status and power that is accorded to the army, they took advantage of the power bestowed upon them and resorted “to blatant violation of human rights, by committing acts of rape, murder, arson, loot and forced labor.”¹³ The outcome, situation and the state of nature that emerge out of this acts can be attributed to the blatant violation of the elements and the principle of the virtues and the ethics of

¹⁰H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 62.

¹¹ Brian Barry, *Justice as Impartiality*, (New York: Oxford University Press, 1995).

¹²M. K. Gandhi, *Hind Swaraj or Indian Home Rule*, (Ahmedabad: Navajivan Publishing House, 1938), 61-62.

¹³V.K.Nuh (ed),2002,ibid.,pp. 170-86, incorporated in T H.Srikanth& C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 63.

justice which is responsible for social order and harmony.¹⁴ On account of all these incidents, violence and disorder emerged a meeting called Naga People,s Convention (NPC) IN 1957 called by a few concern Naga leaders to act as a mediator between the two conflicting parties. The primary intention of the NPC was to act as a facilitator and in the process create and work out a conducive condition so that the Government of India and the Underground Nagas could come to a dialogue, and thereby hammer out a negotiated and durable settlement between them. This effort could be taken as one of the earliest step pictured and initiated by some of the civil society of the Nagas towards finding a peaceful solution.

However, the earlier vision of NPC to bring the parties in disputes, failed due to differences and misunderstanding with the underground Nagas. As a result of this division between the NPC and the underground Nagas, the NPC consequently took the centre stage to have a direct negotiation with the Government of India for which the underground deemed the leader of NPC as ‘Indian Puppet Master’ and at the same time contempt for adopting a short term method for arriving a settlement. The outcome of the settlement was the conclusion of the ‘16 Point Agreement, “that fructify into the formation of Nagaland as the 16th state within the Indian Union under the Ministry of External Affairs in 1963.”¹⁵

On the analysis of the peace effort and the process that was concluded in the ‘16 Point Agreement’ it was viewed as an instance where the solution to the contentious issue has been abrogated with the state formation. But on the contrary, it deepened the crisis in the future by bringing a social divide between the Naga society and it further led to the competition and contestation between the pro- Indian Government and the parallel Government from the Underground through the mechanism of the ‘Divide and Rule policy’ of the Indian Government. This exclusive and the hasty settlement between the Government of India and some sections of the Nagas headed by the leaders of the NPC despite peaceful means resulted to more complexity and mistrust in the situation of discordant events and heterogeneous strategies, episodes and tactics employed to win maximum gain from the other party

¹⁴Ernest Barker, *Greek Political Theory: Plato and His Predecessors*, (Delhi: Surjeet Publications, 2006). Plato in his Republic pointed out that Justice is of primary concern for the social order wherein he stated that the specialization and the responsibility of every individual according to the specialized role would largely determine and control the social chaos in the quest for a just society.

¹⁵M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 254.

instead of aiming towards a win-win situation that would have enlarge and broaden the space for tackling the conflict. Again, it is characterized by partial success and also reflective of the missed opportunity to materialize the peace process to a just and a durable solution. As expected, the future course of conflict intensified in the later period of contesting forces and opposing tension persist. In short, the very reason for the failure of the genuine effort that was initiated lies in the fact that it failed to strive to discover and fail to maintain consistency, patience and concerted effort to weave out an impartial, just and inclusive solution. Moreover, the irony of conflict resolution also lies in the fact that despite the search for solution, the perennial issues and the people involve at large, demands for a fair solution rather than a quick solution that often wade through and bypass in a superficial manner in the guise of a conflict resolution by failing to venture, capture and delve into the core constituent of conflict resolution. Therefore, the failure and the inability to approach and address the conflict in the right perspectives could also mean the attitude and subtle advocacy towards non-resolution and non-acknowledgement of the conflict in its truest sense.

Nagaland Peace Mission (NPM)

Considering the preceding events and the background of the methods that were applied it is no wonder that the 16 Point Agreement was rejected by the underground Nagas by terming the newly formed Nagaland state as the ‘Puppet State’ of the Indian Government and once again resume their activities and resistance. It is also important and interesting to note that the politics of the region to a great extent is also shaped by the external linkage, support and connection of the neighboring countries. The Chinese invasion in 1962 was one of the important determinants in defining the politic of the region. The 1960’s was a period that coincide and characterized by the increasing attention and interest that they pay to the ethnic-linguistic people of the frontiers that lies between India and Burma so as to establish their power and control over the “southern slopes of the Himalayan Mountain barrier.”¹⁶ However, the irony of the need, necessity and the urgency of the Nagas to seek the international and immediate external support which china in particular was willing to extend yet this

¹⁶M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988), 105.

“Chinese interest in the Naga Affairs while boosting the morale of many Nagas also understandably alarmed many other Nagas.”¹⁷

Taking this development into account, this seemingly uncontroversial issue of Chinese assistance, interest and influence on the contrary to the general perception, has an underlying politics, impact and inescapable dimension in the outcome of shaping the politics of the region in the long run. The issue involved in these differences of thought process is not merely based on the empirical advantages but also on the subjective nuances and convenience pathway that is envisaged for the Naga society as a whole. However, this contestation occupy an important position in the analysis of the Indo-Naga conflict, for the choice and act of adopting a particular approach or forsaking the same can largely decide the history of the particular context and region. This subjective division can be taken as one of the important division that is greatly responsible for the misunderstanding and disunity within the Nagas. With this background in mind, the civil society of the Nagas especially the Church leader in particular saw the necessity to contribute and actively participate within the available space to bring peace rather than merely a spectator to the arena and uncertainties of conflict. Thereby, the Nagaland Baptist Church pressed for the formation of Peace Mission from both the conflicting groups in order to explore ways and means to restore peace and arrived at the solution. Consequently, the Peace Mission was formed in April 1964.

The Peace Mission was initiated and formed with the intention that it would act as a facilitator, mediator and a neutral body to asses and put forward a workable proposal with the consideration of mutual interests of both the parties in the search for peace and a just solution. Accordingly, on 24th May 1964, just two days before Mr Nehru died; a Ceasefire Agreement was signed between the Government of India and the Federal Government of Nagaland to facilitate the peace process and negotiation. Despite the sincere effort and time that was invested in resolving the conflict, yet on account of the rigid stance and that each party pursued, and the continued mistrust and misapprehension between the parties led to the deadlock and the failure of the Peace Mission.

¹⁷M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications, 1988),.105. M. Horam pointed out that there was fear of domination from the Indian state and at the same time there was an opposition to the ideology of communism among the section of the Nagas that also includes prominent leaders of the church.

However, the Peace Mission made some interesting observation and also brought out some common ground to carve out a viable solution. One of the proposed formula that was based on the context and of the then political climate of the contending parties was that the Nagas should “of their own volition decide to participate in the Indian Union’, while the Government of India would consider to what extent the pattern and structure of the relationship between Nagaland and the Government of India should be adapted and recast so as to satisfy the aspiration of all sections of Naga opinion.”¹⁸

Accordingly, Mr Rev. Michael Scott, one the member of the Nagaland Peace Mission also addressed the conflict and suggested both the group in a different manner with the emphasis to shift their pre determined position. For instance, he suggested the Nagas to precisely re-conceptualize and theorize the complex and contested notion of sovereignty and independence. On the other hand, he in the same line of thought stressed that the Indian Government should refrain from stance to tackle the conflict only within the framework and the outline of the Indian Constitution as the constitution in itself is designed for better change. He further pointed out that “what needs to be insisted on is solution within the Indian Union and not necessarily within the Indian Constitution.”¹⁹ He also encourage both the parties to keep open ended to different form of relationship, at the same time, suggested and provide for a different form of alternative relationship that would give the sovereign status to the Nagas and at the same time retain them “within the confederation or within the Indian Union.”²⁰

Thus, what is noteworthy in the proposal of the Peace Mission is that though it fails to materialize, yet it seems to have tried to explore every possible solution with maximum distance or equi-distance from both the groups in order to hammer out a solution based on the mutual interest. It could also be said and important to note that this Mission was the first as well as the last genuine approach that was ever undertaken from both the sides under the background of the neutral facilitator or body, for it not only address, examine and analysed those contentious issue but also

¹⁸Rev. Michael Scott, *The Nagas India’s Problem or the World’s? :The Search for Peace* (Unpublished Articles), 18.

¹⁹H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 66.

²⁰ Ibid.

attempt to capture the gist and substance of the conflict in a holistic manner to bridge the gap between diverse positions and interpretations. Therefore, the essence of this proposal lies in the fact that it successfully raised the core issues and seeks the elements that entail similarities and commonalities that can act as the basis for just resolution of the conflict. Moreover, despite non acceptance and the persisting objection raised by the opponents that eventually led to the deadlock in the peace talk and the processes, yet it's importance, function and the success also lies equally critical and crucial in the fact that it implicitly act as a warning to the conflicting parties of the nonchalant attitude and the indifference that subsequently led to the endless cycle of violence, mistrust, tension and conflict that adversely impact both the parties which on the other hand could have been averted and settled in the course of the history of conflict. Further, it also hinted and pointed out the necessity and importance of settling the contentious issues and addressing them at the right time and at just manner. Corresponding to this analysis, it unfold the danger of selective portrayal, methods employed and justification as well as the responsibility of the participants of the conflict in the management and handling of the conflict.

Considering all these exercise and the effort into account, it is vital and important to question as to what approach do the Peace Mission on behalf of the civil society pursued to tackle the tension of the two opposing party? In analyzing, it seems to have applied the concept of justice as fairness in the sense that it focused on the centrality of the neutrality and impartiality in meddling the contentious discords and conflicts.²¹ Therefore, Rawls idea of justice as fairness and Barry's notion of impartiality and neutrality implies certain conditions and at the same time it also could provide a foundational basis for the meaningful discourse and action. To begin with, it entails and demand genuine acceptance of the conflict at the first place. Next, it also demands a rational and genuine willingness to deliberate on the issues. Then, the challenge is to explore, decide and agree upon as to who will decide and play the most important role of a neutral mediator based on fairness and impartiality. Finally, one of the most important responsibility and the difficult condition is to see whether the parties to the conflict are willing to change their position and at the same time accept the neutrally mediated and rationally deliberated issues based on mutual interest and sense of justice.

²¹ Brian Barry, *Justice as Impartiality*, (New York: Oxford University Press, 1995), 7.

Taking the above considerations into account and also given the fact that the 'Peace Mission' was an earnest endeavor and an attempt to resolve the contentious issue, which in a way also seems to conform to some of the above stated criteria and context especially as a neutral mediator, it in fact substantially rest upon and possibly come quite close to the idea of justice and fair resolution of the conflict. However, the crucial point of divergence, separation and conflict that is largely responsible for the stalemate and deadlock of the conflict is owing to the unwillingness to accept the mediated outcome from both the parties. In addition, the failure can also be attributed to the question of the authority and legitimacy that is to be accorded, assigned and empowered by both the parties in the interest of the conflict resolution based on justice. Therefore, it in a way reflect the, indifference, non application and non-adherence to the importance and criticality of the concept of justice. Another objectively expressed point and merit in the pursuit of conflict resolution by the 'Peace Mission' lies in the fact that it invoke and attempt to delve the extreme disparities and the heterogeneity to converge towards a mutual interest. The essence of this approach is seen in the manner in which the ethics of justice is also laid out implicitly in tune with the Aristotelean notion of ethical conception of justice where in the questions of action, mean and intermediate are dealt with.²² Here, he conceives justice as one that acts towards the fulfillment of a 'common advantages' that is an exemplary of 'complete virtue' which function in relation to other and as a result, it is considered as the greatest virtue for "In justice is every virtue comprehended and it is complete virtue in its fullest sense because it is the actual exercise of complete virtue".²³ Therefore, for him "justice is a kind of mean, but not in the same way as the other virtues, but because it relates to an intermediate amount, while injustice relates to an extremes. And justice is that in virtue of which the just man is said to be the doer, by choice, of that which is just, and one which will distribute either between himself and another or between two others not so as to give more of what is desirable to himself and less to his neighbor, but so as to give what is equal in accordance with proportion; and similarly in distributing between two other persons."²⁴ While injustice on the other hand is contrary to the principle of proportion and consequently being

²²Aristotle, *The Nicomachean Ethics of Aristotle*, trans. David Ross (London: Oxford University Press 1925), 106.

²³Ibid., 106.

²⁴Ibid., 121.

unjust is excessive, defective and hurtful.²⁵ Further, he pointed out that the distributive justice based on the principle of proportion can be violated due to either excess or defect in the process and outcome of distribution which in a way can be seen “in the unjust act to have too little is to be unjustly treated; to have too much is to act unjustly”.²⁶

And in the light of this debate and explanation within the context of the peace process and in the scheme of conflict resolution, the importance and the relevance of the principle of mean and a just action figure out and occupy an extremely important position on account of the competing theories and action that are often exercised solely on the basis of its own interest.

Hence understood in terms of this argument, specifically, with reference to the unjust actions and extreme principles, it is realizable, interesting and important to note that “this is why we do not allow man to rule, but rational principle, because a man behaves thus in his own interests and becomes a tyrant”.²⁷ Thus, on the whole it might not be wrong to ascertain that the conflict has not been approached from the right perspective by the two opposing groups which ultimately prolonged it for over six decades even after the genuine initiative of the Nagaland Peace Mission.

Taking the deadlock of the peace talks and the Peace Mission between the Government of India and the Nagas into consideration, Rev. Michael Scott analysed and argued that it “has its root deep down in the past, and is due, in part, to profound misunderstandings of history which are of far-reaching consequence both for the Nagas and for India. It is imperative that these misunderstandings should be clarified for they have issued in a cruel type of warfare which has been largely concealed from the world and even from India. The brunt of this has been borne by the civil population which neither the Indian nor the Naga Army is able to defend against the other.”²⁸ He also foresees the significance of this mission and as a result, warns of the consequences of the deadlock of the peace talks at that socio-political juncture and

²⁵ Aristotle, *The Nicomachean Ethics of Aristotle*, trans. David Ross (London: Oxford University Press 1925),

²⁶ *Ibid.*, 122.

²⁷ Aristotle, *The Nicomachean Ethics of Aristotle*, trans. David Ross (London: Oxford University Press 1925), 123.

²⁸ Rev. Michael Scott, *The Nagas India's Problem or the World's? : The Search for Peace* (Unpublished Articles), 3.

situation that would result “ in a renewal of the conflict which inevitably would be resume on a much more severe scale.”²⁹

Owing to the complexity of the problems and the constant state of monopoly with the nature of denial of breach of trust of one group over the other, Scott made several other observations. He asserted that the focus to find an honourable settlement must be based on the common ground, and the following arrangement of the form of relationship should offer a novel way of forging a peaceful relationship with more emphasis on understanding and less reliance on the bureaucratic procedural excesses. Next he observed that the peace processes, discourses, dialogues and negotiations should take into account the geo-political context and realities in analyzing the nature of conflict by citing that the ‘Peace Mission’ realized and acknowledge that the “ there is no military force better capable of defending the Naga Hills than the Naga People themselves. At least that lesson from Naga history should have been learned.”³⁰ Another point that he highlighted is to start off with good faith in conjunction with the mediator state or group of states as a form of confidence building measure and understanding.

Further, the merit of Scott’s analysis lies in the fact that it elucidates, dissect and try to unpeel the layered nature of the conflict in its entirety. He also brings to our attention the true state of affairs in Nagaland which has been shielded in the dark from the public opinion in India and the world from the ‘reign of terror’ since the military actions and operations. In addition, he also mentioned the state apparatus and the new strategies that are invoked and applied like the army and particularly the forming of the ‘village guards’³¹ with the intent to extract and lay information about villagers that provide assistance and support or become a part of the underground. Taking this into consideration, he connects the underlying current and the impact that create the atmosphere of suspicion, mistrust, tension that brought divided loyalties which ultimately culminate in the destruction of the social harmony and cohesion of the structure of the tribal system.³²The implications of such policy rather infuriate and

²⁹ Ibid.

³⁰ Rev. Michael Scott, *The Nagas India’s Problem or the World’s? :The Search for Peace* (Unpublish Articles), 26.

³¹Ibid., 31. Village gaurds is an informal security set up from those Nagas who are paid, sponsored and established by the Indian Administration to lay information about and at the same time fight against the underground Nagas.

³²Ibid., 30.

intensify the conflict instead of mitigating the tension that clearly manifest in the renewal and revival of the unsettled issues in the later years.

Moreover, he extended the analysis of the discourse on the Indo- Naga conflict by interrogating as to why and how the tension originated. In doing so, he shed some interesting examination that the origin of conflict and misunderstanding

“must be traced back to the time when the British Imperial Government first extended its sway over the area of the Naga Hills—until that time the Nagas had never regarded themselves as part of India-----I have not been able to trace any agreement with the Nagas or any submission to, or acceptance of, protectorate obligation by the British or the Nagas. There are many treaties and agreements with other tribes----. But it appears to have been a matter of decided policy not to raise the question of sovereignty with the Nagas, or to undertake protective responsibilities. In fact C.U. Aitchison in his *Treaties, Engagements and Sanads* (Vol. X11, p.91, Calcutta, 1931) says categorically: ‘No written treaties or engagements have been made with any of the Naga tribes.’”³³

In consonant with this information, argument and substantiation, he also narrated the difficulty to precisely pinpoint the subtle confusion of the very nature of annexation and possession of the Naga Hills. He therefore inquires the processes by questioning “But by what instrument were the Naga Hills formally annexed or possession of their territory claimed by consent or by conquest? The answer to this question still elude me.”³⁴

In addition, he also compares the parallel claim from the representation of the Nagas to the Peace Mission which asserted that Indian presence in the Naga areas “as legally and morally wrong and hold that Britain is responsible for an act of deception and betrayal.”³⁵ Finally, he made an observation and concluded that most of the important and pertinent questions that pertains to the law and principle along with the historical reality and facts has remained unclear and unexplained as a result of which he suggested that the future course of action and its success will depend largely on the sincere acceptance of the various facts as a pre condition so as to favorably provide a

³³ Rev. Michael Scott , *The Nagas India's Problem or the World's? :The Search for Peace* (Unpublished Articles), 32.

³⁴ Ibid.

³⁵ Ibid., 34.

platform for a fair and open dialogue to deliver a just solution.³⁶ However, despite his sincere effort to defuse the tension and resolve the conflict in a fair manner yet he was also accused of being partisan towards the Nagas and also charged of trying to internationalize the issue and as a result he was deported to London.

Nevertheless, in spite of the accusation, one cannot entirely discount the very fact that he was one of the important proponent and architects of peace, ceasefire and conflict resolution between the Government of India and the Naga Federal Government. Moreover, despite the nullification, non-acceptance and the non-compliance of the proposals of the 'Peace Mission' in the immediate future yet it showed the path for the future course of action that the only genuine way to resolve the conflict is through a relational process of engagement, dialogue, negotiation in conjunction with the principle of non-violence in the form of ceasefire between the groups with the intent to finally produce a long lasting and a just solution. The importance of the Peace Mission lies in the fact that the negligence and the failure to grasp the essence of those substantial suggestion led to the parting of separate ways that in the following years it resulted to harsh experience, cost and heavy lost to both the parties that could have been avoided had they incorporated those observations at the beginning. It on the contrary, took thirty more years to even take recourse to the ceasefire which only got materialized in the year 1997.

Taking all these differences, deadlocks and the preceding accounts of the peace talks and agreements into consideration, it became a trend for the both the parties to skim the surface, and all the attempts being made in the end become a futile exercise on account of the failure to understand each other's standpoint and explanation. Subsequently, even the various Ministerial talks remained a mere exponent, debate and justificatory process to advance and push one's own interest. Thereby, some of the impact of the breakdown of the peace talks are the politics of blame game and the counter accusation from the contending parties, accusation of the leaders within the insurgent group for the failure of the talk that led to the replacement of leadership of the Federal Government of Nagaland that culminated in the division of the NNC into another faction called the 'Revolutionary Government of Nagaland' in 1966. It is also interesting to know that the Naga politics succumbed to the old trap

³⁶ Rev. Michael Scott , *The Nagas India's Problem or the World's? :The Search for Peace* (Unpublished Articles), 44.

of 'tribalism' in the form of patronage, faction and tribal feuds which in the long run normalized and institutionalized in their organizational set up that is increasingly destructive, an element that remain so deeply rooted that it persist as one of the greatest stumbling block in the search for the peaceful solution till date.

Considering the conflict resolution within this framework of temporal structure that is mainly based to accentuate a politics of self aggrandizement, it is no wonder that failure to bring out a concordance out of discordance led to the adoption of new strategies mainly through the means of military prowess. Following which, the Naga militants too explore for different avenues to maximize and further the goal for independence by forging an alliance with China, Pakistan and other external connection. On the similar note, the politics of the Indian state in the sub-continent as a whole undergoes a sea change during this period with the defeat of Pakistan in 1971 and the subsequent creation of Bangladesh. Simultaneously, the political climate and the situation of the Naga movement is also characterized and conditioned mainly by the internal dissensions and decline in the external support. Owing to the weakness of the movement, the Indian Government banned NNC, FGN and other groups of militant in 1972 and at the same time the affairs of Nagaland state was shifted to the Ministry of Home affairs from the previously placed Ministry of External Affairs.³⁷ Besides, it is noteworthy to mention the marked presence of two camps namely the underground and the institutionalized state of Nagaland which often get diluted on the ground of the larger issue at stake. Further the Government of India imposed the President rule in Nagaland in 1975 and also resorted to crude and ruthless military operations. Thus, during this critical and crucial phase of the conflict, some section of the NNC in turn entered into an agreement and signed the so called Shillong Accord in 1975.

Another pressing question that persists in reading the outcome of the events is to analyse, review and examine as to whether any notable moment arose for the finalization of the contentious issue. In retrospection, it seem like there were such opening at a certain period of time for both the sides without dismissing abruptly one over the other. If so, who is responsible for such a gross mistake and indifference to the critical reality? In conjunction with the pertinent question of responsibility over

³⁷H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 63.

the issue of conflict resolution, there also arose a parallel question of who distribute what, when, why and how? Following which, it is possible that the distributor act unjustly rather than the one who receives excess share in the absence of a neutral and impartial mediator base on the principle of justice and thereby the responsibility for the unjust act lies with the distributor who act voluntarily and not with the receiver.³⁸ In delving this pertinent question, it reminds us of the importance and the vitality of fair procedure, institution and the art of decision making, and in the process of distribution and settlement of the conflict at the right time, place and context basing on the notion and the sense of justice. Failure to take into account this political acumen and the significance of the politics of constructing and shaping the course of history in a just manner by the concerned leaders, contribute to the enlargement of the conflict and injustice to the people at large.

Shillong Accord Of 1975

In the context of understanding the peace process of the Indo- Naga conflict resolution, on observation it is true and at the same time important to take into consideration that almost all the peace talks and negotiation took place with the initiatives and the efforts of the civil society. Consequently, the leader of the Nagaland Baptist Church once again took the responsibility to mediate and persuade the Government of India and the Underground Nagas to come to a negotiating table and resume the peace talk so as to find a permanent solution. As a result, a Nagaland Peace Council was formed in the middle of 1974 comprised of Church leaders and the Sarvodaya Peace Observers.³⁹ With this background and the conditions created by the civil society, it once again paved the way for the signing of the Shillong Accord in November 1975. However, sensing the urgency and the necessity of finding a feasible means and at the same time given the space and the platform to bridge the gap between the conflicting parties, it is also worthwhile to step beyond merely creating a space and in the process analyse the core issues that act as a stumbling block to the realization of peaceful solution by proposing a viable alternatives for a long term solution. It also seems to have acted on most occasions as form of a reaction to the immediate situation to address immediate needs. Further, it rightly has a responsibility

³⁸Aristotle, *The Nicomachean Ethics of Aristotle*, trans. David Ross (London: Oxford University Press 1925), 130.

³⁹M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications), 176.

to act as a watchdog and cross check the sincerity and genuineness of the effort that is invested in the peace talks.

Some of the outcome of the Shillong Accord were as follows: (a)“The representatives of the Underground Organisations conveyed their decision, of their own volition, to accept, without condition, the constitution of India.” And also (b) “it was agreed that the representatives of the underground organizations should have reasonable time to formulate other issues for discussion for final settlement.”

Regarding the conclusion of the accord, the Naga public and the entire underground organizations as a whole began to question as to what are the real substantive arrangement and the achievement that this agreement has brought about with special reference to the interest of the Nagas in particular. On questioning the accountability and the credibility of the signatories of the Nagas representative by the fellow Nagas, they argued, defended and justified on the ground that their action were circumscribed by several conditions and as a result the conclusion can be considered as one of “diplomacy”, “expediency” and “helplessness” and they also further reiterated that the terms of the accord in itself “do not represent or constitute the final settlement.”⁴⁰

However, on the contrary to the dissatisfaction of the Nagas as a whole with the outcome of the accord, yet it can be considered as one of the greatest diplomatic achievement, bargain and success for the Government of India. The reason being that, this accord concretized one of the most important propositions of the Indian Government which is to settle, negotiate and resolve any of the Indo-Naga conflict within the framework of the Indian Constitution. Simultaneously, it was able to defer and postpone the other substantive issues to their advantages and at the same time immediate question like the surrender of arms to facilitate the future peace talks is also resolved temporarily. However on deeper scrutiny and critical analysis, the undue advantage and the victory that is accrued out of this arrangement can be seen as a failure on the account that instead of bridging the gap it rather widen the chasm that ultimately renewed the conflict at the different outlet at the later stage. Moreover, the political context and the situation of the agreement also reveals the hasty and one

⁴⁰M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications), 187.

sided conclusion that are detrimental and betrayal to the very notion of a durable conflict resolution that in essence deprived the content of fairness and justice.

Considering this agreement and the consequences within the realm of justice in terms of neutrality and impartiality, one can arrive at the conclusion that it was partial, one sided and at the same time, the victimized group claimed that the accord emerged within the context of dictated and coercive circumstances. Following which, the immunity and the integrity of the neutral arbitrator and mediator is a prerequisite for the delivery of justice based on the ground that ‘fear and partiality are recognized obstructions in the determination of justice’.⁴¹ On the contrary, justice that is characterized by the rational judgment would transform the conflicting and heterogeneous claims into one that strive and aspire towards a “gradual convergence of uncoerced opinion.”⁴² Consequently, fear and patronage might not only obstruct but also provide a sufficient condition for the continuation and perpetuation of injustice and conflict.

On the other hand it seems to have taken an approach in which the interests of the Nagas were somehow sidelined, and its concerns were minimized and not taken into proper consideration. Perhaps, on the whole analysis, it can be concluded that the right approaches to this critical question should have been to simultaneously address the issues of both the parties with equal importance and impartiality which would have constructively contributed to the amiable minimization and resolution of the conflict. Further, it falls into the same trap of wrong prioritization as well as giving undue preference to one issue over the other. It truly seems like a dictated outcome as it did not specifically address the contentious and core issues of the Nagas in a subjective manner, though it seemed to have curbed the symptom for a while.

Therefore in the light of this debate, can the architect of this agreement assess and articulate rightly that this accord was a final settlement? If so, then why does the conflict intensified and persisted? Does it really imply conflict resolution or was the reason for the particular action of the historical occurrences were not merely events and incidents but rather a kind of ‘performances: the doing of determinate historical

⁴¹ John Rawl, “Outline of a Decision Procedure for Ethics,” *The Philosophical Review*, No.2, Vol. 60, 182. <http://www.jstor.org/stable/2181696>.

⁴²Ibid., 188.

agents' and in doing so does it adequately explain what happened to them and what changes and the process do they experienced and undergo? And thereby, the need arose "to analyse instead what men do and why they do what they do."⁴³

Furthermore, we can inquire whether that was the best alternative or can examine if there were other more suitable options that were available at that point of time. However, the test of the fruitfulness of the preceding agreement as well as the Shillong Accord can be seen in how far they have resolved the issue rationally and not on how many agreements being reached and made merely by caging the conflict at the dormant state of settlement which indeed erupts in different form at the immediate future. As a result, it prompts and necessitates us to interrogate as to what do peace talks, negotiations and accords really signify, imply and indicate in the context of the Indo-Naga conflict? Further, it compels us to ask what do peace talk and processes really mean and at the same time is there a substitute to a prolonged unfruitful peace talk and negotiations? In asking so, it allows us to push further the argument and question as to whether the duration or the time that determine and define the peace talks and the negotiation or the content of the outcome that truly convey and elucidates the gist and the real spirit of a meaningful conflict resolution. Or does sustaining the conflict really the interest of the parties to the conflict? Some of these critical questions demand a critical quest and inquiry in order to trace out the flaw, loopholes and the monopoly that are involved in the name and guise of finding an honourable and just solution.

The aftermath of the Shillong Accord of 1975 also in the similar fashion of the preceding accords have a predictable elements with some precise differences followed the same pattern. As a result, the radical group and elements within the NNC strongly condemned and disapproved the content and the outcome of the accord and decided to pursue the goal of independence through the militant movement. Accordingly, the radical leaders under the aegis of Isaac Swu and Th. Muivah forged an alliance with the Khaplang the leader of the Konyak Nagas and formed the 'National Socialist Council of Nagaland (NSCN)' in 1980. Consequently, through the methods and techniques of bringing about populist and radical reforms, in due course of time NSCN soon emerged as a popular and powerful Naga Militant Organisation and was

⁴³Gurpreet Mahajan, *Explanation and Understanding in the Human Sciences*, (New Delhi: Oxford University Press, 1992), 27.

able to steadfastly preserve it for some years. Nonetheless, the newly formed organization of NSCN suffered a setback in 1988 with the split of the organization into two factions namely: NSCN (K) led by Khaplang and NSCN (IM) under the leadership of Swu and Th. Muivah. NNC too split into faction due to ideological and clash of personality.⁴⁴

Considering the various developments and the phases of the conflict, it is important to note the contestation of the opposing groups in which one tries to supplant, replace and suppress over the other. So, in the constant struggle for dominance, credibility, legitimacy and fight for independence, in conjunction with the Government policy of 'carrot and stick', the underground group entangled and enmeshed themselves into tribalism, feud, bloodshed and division among themselves. As a result, they are mainly divided into different groups namely; NNC (Adino), NNC (Panger), NSCN (IM) and NSCN (K) all of which are claiming to be the representative of the cause of Naga Nationalism. Further there are several Naga National political groups like the GPRN/NSCN, FGN, NNC (Parent Body), NPGN/NNC (NA), NSCN(R) and the NNC/GDRN (NA) However, among all these groups, the NSCN (IM) stands out as the most prominent one. Over a period of time it has been able to expand and consolidate its military base and also established many alliances with the other insurgent groups. In addition, it has been able to politicize and internationalized the Naga issues at the various international platforms and forums such as "Unrepresented Nations and People's Organization (UNPO) and other international forums of the indigenous peoples".⁴⁵ Henceforth, on account of the influence and the development that is taking place, it becomes imperative to take into account the necessity and the urgency to engage with this outfit to even defuse the tension and at the same time for the speedy realization of a durable solution.

⁴⁴H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 64.

⁴⁵H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 64.

Examining the Recent Ceasefire of 1997 and the Ongoing Peace Process

The politics of peace process and the accords of the past have a bearing on the current political situation and the environment. Therefore, taking into account and consideration of the past experiences and implications, one can read along with the current scheme of the peace process and observe what are the prospects of dialogue and negotiation, and at the same time critically assess what are the obstacles at hand and thereafter to explore what alternative approach and perspective can be pushed forward to mediate the discord and the difference to find an honorable and meaningful solution for both the parties. With this idea at the background, one has to analyse the present decisions and the action of the movement as well as the state actions and intentions in order to be cautious and aware of the responsibility of decision making that will have a strong impact on the future orientation of the nation building process in general and politics of the two contending parties in particular. However, it is also interesting to note the context and the reason as to why and how the need for peace talks and the ceasefire arose after such a long duration. In introspection we can find out that the decade of 1990's is characterized by some important transformation and changes in the national as well as international politics such as the disintegration of the Soviet Union, challenges in the Indian economic policy that compels and necessitates to adopt liberalization, globalization, economic prospect and growth of the East Asian countries that demands a better understanding of the North East region by those who shape the policy of India on account of the "strategic, economic and cultural importance of the Northeast Indian states for the success of its Look East strategy" and at the same time it realize the importance of the "historical, geographical, racial and cultural links that this region has with China and ASEAN countries" that can be translated into an asset for the country. This in turn "compelled the Indian establishment to reconsider its policy towards the northeast."⁴⁶

Moreover, since peace in the area is fundamental and precondition for the successful materialization of the Look East Policy, the state also through experience came to the realization that the problem of insurgency in the region is of political in nature as various methods and strategy to contain the conflict and restore peace has failed to make a breakthrough due to the adoption of faulty methods of dealing with

⁴⁶H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 69.

the conflict.⁴⁷ Further, it also seems to take into cognizance the expansion and influence of the movement to a certain extent which will be detrimental to the overall interest of both the groups. Thus, considering all these events, scenario and the context at the background, the second ceasefire was finally signed in 1997 as a first step to facilitate the peace talks and negotiations. During this decade, it also witnessed many rounds of meetings between the leaders of the NSCN (IM) and the successive Prime Minister of India, and in the process had many rounds of “discussions with the Indian emissaries in Bangkok, Osaka, Amsterdam, Zurich, Geneva, Kuala Lumpur and other places”⁴⁸ Consequently, the leaders of the NSCN (IM) agreed to enter into a dialogue within the state of India. One of the notable achievement of the various rounds of talks and discussion during the regime of National Democratic Alliance (NDA) was the “recognition of the unique history of the Nagas”⁴⁹ and the subsequent announcement made by Vajpayee, the then Prime Minister of India on his visit to the state of Nagaland in 2003 as a commitment to the peace process.⁵⁰

However, the central issue and the more important question at hand would be to examine what are the issue that has been addressed and how are they dealing it and at the same time to delve into how far are they willing to cooperate with each other in the search for a peaceful and a just solution. Further, to interrogate how far has it succeeded and also to see whether will there be any differences from the preceding peace processes and the accords? To begin with, the present form of contestation and negotiation seems to have revolves around the concept and the idea of territoriality which is in a way different and a form of deviation from the earlier rigid position of sovereignty. This in a way indicates the willingness on the part of the movement to settle the problem in a mutual understanding and on a positive note. Yet, one should never fail to undermine and sidetrack the historical processes, events, construction and the antithetical policies that come to take shape over the period of non-engagement and non-resolution. Keeping these changes and the dynamics in mind, and the artificial remapping and hasty reorganization of the Northeast states in

⁴⁷H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005,

⁴⁸ *Naga Resistance and the Peace Process: A Dossier, 2001*, (New Delhi: Other Media Communications Pvt. Ltd., 2001) 14-18 incorporated by H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 71.

⁴⁹ Ibid.

⁵⁰ Ibid.

particular, and a result of which over a period of time it gain the political legitimacy, currency and seemingly it could be seen as the real as well as embedded geo-political and socio-cultural structure of the region.

Taking all these political nuances, and specifically the politics of territoriality and the context into consideration, the recent talks with the project of uniting the Naga-inhabited areas basing on the account of the previous accord as well as the centrality of the territorial issue that occupy in the politics of conflict and contestation has in fact entered into a new phase and a different reality with new challenges and complexity. As a result, the “goal of creating a single political unit out of all Naga inhabited areas puts the Naga project of nationhood in collision course with a parallel Manipuri project.”⁵¹ This issue in fact, took the centre stage of the conflict and due to the sensitivity of the subject, “until June 2001, the Indian government left the territorial scope of the 1997 ceasefire deliberately vague.”⁵² Henceforth, on account of conflicting interpretation, the ambiguity and the contradiction seen in terms of the public statement of the state, the NSCN-(IM) insisted on the need for a clarification. Thereby “in June 2001 a joint statement confirmed that the ceasefire was between the Government of India and the NSCN-(IM) as two entities without territorial limits.”⁵³ The phrase ‘without territorial limit’ became a bone of contention in the entire discourse of conflict resolution and consequently, political uprising and protest took to a violent course perhaps heading towards a civil war. The sensitivity and the complexity of the issue has transformed and shifted the politics of Indo- Naga conflict into an ethnic conflict. This inevitable tension of the two communities of Nagas and the Manipuris is contested on the lines of restructuring the present political mapping that arrived out of reorganization of the Northeast, mainly on the basis of security by disintegrating and incorporate the contagious Naga-inhabited into a statehood of Manipur in 1972.

Then, the question arose as to of how to navigate and articulate such a critical question and also where do the authority and the responsibility to rationally and creatively mediate in such a multiple conflict located and why? Or will it be merely reduced to localized conflict by finding a way and technique of escapism by the state?

⁵¹ Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005), 101.

⁵² Ibid.

⁵³ Ibid.

If not, then what are the alternatives and the options that are available and also can be explored in the effort to tackle the protracted and pertinent problems? In an attempt to find an answer to this difficult question, it would a lot depend on how the conflicting parties strive to genuinely address and deal the problems collectively. At the same time, it has to equally take into account how best one particular group act in transparency and sincerity without maneuvering the other. Again, citing the territorial issue in the process and the context of conflict resolution, it has observed that “the Government of India has been making dual commitment both to the people of Manipur and Assam, as well as to the Naga national leaders.”⁵⁴ If so, then it becomes important to inquire and read between the lines as to what the dual commitment of the state really imply? Does it means a politics of opportunism, convenience and indifference or politics of equi-proximity and distance so as to maintain the status quo through the policy of delaying tactics which will help to explain away the conflict in due course of time. Next, does the dual commitment could also mean the state becoming an external and outsider to the conflict?

All these looming and pending questions required to be answered in the proper context by testing the genuineness of the measures initiated and the outcome that followed out of the peace process and conflict resolutions. In addition, an interesting way of judging the impact of the peace process would be to ask and compare whether the effort for solution has really helped in mitigating and minimizing the conflict or on the contrary has it widened the chasm of the difference? As Sanjib Baruah observed and commented that “key to political settlement is the recognition on the part of all parties that there is an inherent crisis of territoriality in northeast India.”⁵⁵ However despite the completion of more than a decade of cease fire and the recent peace process, it also seems to enter into a kind of deadlock and stalemate. Though the peace process is still taking place, yet it has failed to come up with some substantial proposal based on mutual interest.

⁵⁴Laitonjam Muhindro Singh, “Naga Movement in Manipur: Its Genesis and impact on State Politics”, in *Eastern Quarterly*, volume 5, Issues 11 and 111, July –December 2008.

⁵⁵Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005), 102.

Supra State

Considering the present peace process within the mechanism of dialogue and discussion behind closed doors, the public at large has very little to speculate and analyse about, except the few information that is disseminated by the concern authority deliberately through the media to asses and feel the pulse of the public opinion and state's response. Proceeding the negotiation and dialogue within this framework, it came out with the concept of Supra State Model in the print media, Seven Sister Post in November 14, 2014 as a sort of settlement that might be granted as a Christmas gift for the Nagas. It pointed out that "the negotiation between the Indian Government and the National Socialist Council of Nagalim (Isaac-Muivah faction) is now in its final stages, and Seven Sisters Post has access to all its many details. The final settlement envisages a special federal relationship between India and Nagaland, and creation of a Supra-state body for the Nagas to preserve, protect and promote their cultural, social and customary practices."⁵⁶ The significance as well the subjectivity of contestation and contradiction of the proposed concept of a pan-Naga 'Supra state Body' lies in the fact that this arrangement is viewed as a trade off with the earlier concept of 'sovereignty' and 'Greater Nagaland' on the ground that the merger of the contagious Naga inhabited areas would amount to the adverse consequences due to the resistance from the neighboring states. The state also offer to transfer the legal authority as well as the power of decision making of those Nagas that inhabited in the state of Manipur, Arunachal Pradesh and Assam which will be seen as a "recognition of the distinct identity of the Nagas that will ultimately merit the amendment of the constitution."⁵⁷ According to the statement of a top official of the Home Ministry, "the proposed SUPRA-STATE body will oversee the cultural, traditional and other aspects of Naga life inside Manipur, Arunachal Pradesh and Assam. They will also ensure that nobody interferes with the lifestyle and dignity of the Naga people. But they will not have the power to oversee the security aspects of the Naga inhabited areas".⁵⁸ It is also pointed out that law and order along with the

⁵⁶This article is based on the article 'Supra State Model' written in the news report of *Seven Sisters Post*, November 14, 2011 which is later incorporated into the compilation of the documents called, 'National Workshop On "Mapping Naga Political Negotiations"'.
⁵⁷*Ibid.*, 30.

⁵⁸This article is based on the article 'Supra State Model' written in the news report of *Seven Sisters Post*, November 14, 2011 which is later incorporated into the compilation of the documents called, 'National Workshop On "Mapping Naga Political Negotiations"'.
⁵⁹*Ibid.*, 30.

police will “entirely be the call of the concerned State Governments” though the Supra State Body will have the advisory power to the concerned state with regards to the implementation of the various projects of development.⁵⁹ Following which, the leaders of the NSCN has taken up a lot of consultative meeting and interactive sessions with the frontal organizations, other factional groups and civil society “to figure out their reaction to the concept of Supra State Body.”⁶⁰ However, it also mentions that the Seven Sisters Post has refrained from receiving a feedback and an opinion from the Chief Ministers of the neighboring state so as to maintain the ‘exclusivity of this obviously huge newsbreak’. On the whole, it is seen as an “arrangement that will seek to retain the Naga-inhabited areas within the states of Manipur, Assam and Arunachal Pradesh but linking them to the state of Nagaland for ensuring the cultural unity of the Nagas and giving them a sense of cohesiveness.”⁶¹

Again, on 21 March 2012, in the same news report, it came up with another proposal as an extension to the concept of the Supra State Body in the form of “Special federal relationship that seek to give Nagaland much more than what is possible under the existing provisions of the constitution,”⁶² as the possible outcome of the intensive negotiation process for a period of 13 years.⁶³ Accordingly, some of the important point which is highlighted in this proposal with specific to the state of Nagaland pertains to granting special financial power in conjunction with the authority to own and establish “its own armed forces that will exclusively responsible for the internal security of Nagaland,” but both the centre and the state of Nagaland agreed to ‘jointly deploy for external defence,’ in case Nagaland face a threat from outside.⁶⁴ Subsequently, in April 4, 2012, another proposal came up in a phase manner as a kind of additional rider to the previous two proposals. In this piecemeal proposal, it emphasis on giving “the collective leadership of NSCN(IM) maximum autonomy with administrative and financial control over Nagas living outside the

⁵⁹ National Workshop On “Mapping Naga Political Negotiations”.

⁶⁰ Ibid.

⁶¹ Ibid.p.30.

⁶² Ibid.

⁶³ This article is based on the article that talks of “ ‘Special federal relationship’ final solution to the Naga imbroglio”, written in the news report of *Seven Sisters Post*, on 21 March, 2012 by Sujit Chakraborty which is later incorporated into the compilation of the documents called National Workshop On “Mapping Naga Political Negotiations”, 31.

⁶⁴ This article is based on the article that talks of “ ‘Special federal relationship’ final solution to the Naga imbroglio”, written in the news report of *Seven Sisters Post*, on 21 March, 2012 by Sujit Chakraborty which is later incorporated into the compilation of the documents called National Workshop On “Mapping Naga Political Negotiations”, 31.

Nagaland as an alternative to the demand for creation of a greater Nagalim.”⁶⁵ Moreover, “the centre has made it clear to the NSCN (IM) bosses that there would be no redrawing of the existing boundaries of Nagaland and other neighbouring states. But at the same time the union government is ready to amend the constitution to accommodate most of their demands to hammer out an amicable solution.”⁶⁶

Taking these three phases which are rolled out as different proposals after the process of dialogue, discussion and negotiation, it really seems complicated to comprehend and pass a judgment as to what does the proposal mean and what are its prospects especially within the context of conflict resolution? It also seems to have comprehensively deliberated over many of the complex and delicate issues as well. Besides, the very usage and the attempt to invoke and contextualized the concept of ‘Supra State body,’ signifies the creativity as well as the effort to resolve the conflict between and among the parties. At the same time, the rolling out of the proposal in a phase manner also in a way exemplifies the strategy to accommodate all the aggrieved sections of the parties. However, if we are to carefully read the contents and analyse critically as to whether there is a scope, condition and sufficient ground for amiable solution and at the same time to evaluate and inquire what are the possible flaws and the hindrance to the concept of Supra-State body, on a critical analysis and reflection, it is also noticed that it has untouched and avoided many contentious issues in an attempt to quickly please everyone. Corresponding to this explanation would be to study the central theme that constitutes the formation of the substance of the very concept of Supra-State body.

Thereby, interestingly in trying to capture the elements that constitute the proposal, it is found that the subject of sovereignty as well as territoriality were totally erased from the subject on conflict resolution and instead the focus, base and the lens through which the tension is viewed is from the perspective and the prism of culture in the form of recognition of cultural identity. This paradigm shift in favour to the approach of culture that has now seems to occupy a central position might in a way unfold the complexity of the process of reaching to a conclusion. Similarly, it could also mean the deliberate attempt of the constant process of constructing, deconstructing and resignifying the subject of conflict resolution which can also

⁶⁵ National Workshop On “Mapping Naga Political Negotiations”.32.

⁶⁶ Ibid.

imply the non validity of the conflict in the real sense. However, the fundamental questions that is essentially noteworthy to ask is whether those components that constitute the subject of the 'Supra State body' really informs the crucial debate of the conflict resolution, and at the same time is it really a sufficient condition for the realization of conflict resolution? Again, even if an accord is reached, will it be either temporal in nature or sustainable and durable with an element of justice? To answer such a crucial and critical question would indeed demand a thorough examination and exercise of the context, situation and the various processes as well as the politics of the peace process. Furthermore, is it suitably the best alternative and at the same time the most rational and logical choice in the interest of all the parties? Indeed, all these questions merit a deep and critical analysis as it involves a whole lot of empirical observations as well as subjective reflections.

However, as it is easier said than done on most occasions especially when it comes to the process of the politics of competition, conflict and cooperation which is played out in the schemes of conflict resolution and the peace process, it will also be equally hard and difficult to dismiss and nullify abruptly the entire exercise and the framework of the whole weighing of the pros and cons of almost the entire political nuances of the topic of conflict. At the same time it will also be extremely irrational and unreasonable to examine from a uni-dimensional approach of addressing only the interest of a particular group. Yet the entire process of the overall decision making through deliberation of the leaders and the authority in the end has to be in tune with the wishes of the communities of the conflicting parties at large in order to conclusively arrive towards a meaningful and honorable solution. Sensing the need to engage and relate to the community within as well as between the communities or groups of the contested parties at large at the higher level, this intra and inter relational strategy of building consensus and understanding was undertaken at the various levels by different groups. As for instances the leaders of the NSCN (IM) has over a period of time taken up consultative meetings with the frontal organizations of the Nagas and the civil society at the same time 'under the banner of Forum for Naga Reconciliation (FNR)' leaders of various underground organization held a consultative meeting on 15th of April as a part of the process of reconciliation among

the Nagas.⁶⁷ Therefore, after all these endeavors and the effort to hammer out an agreeable answer through the negotiated project and the concept of Supra State body, and at the same time the silence, indifference and the non progress after the initial fervor and the excitement seems to indicate that there is a flaw, loopholes and shortcomings in the overall analysis of the project of the so called Supra State body. Or if that is not the case then what might have been the probable and possible hindrances, obstacle and the deadlock to the very peace process. In trying to unravel and unlock the mysteries, problem and the complexities that are involved, it also intrigue and compel us to interrogate and push the argument and the analysis further by asking whether if there is any essence and vitality in the finding and proposal of the exhaustive task of the peace process that can be correlated and connected to the missing link which will be supplementary and complementary in the future discourse. It is also important that the very content and element that constitute the Supra State body ought to be creatively constituted, constructed and at the same time seek an alternatives with a new modes of thought process and out of the box thinking instead of discounting the whole discourse and the outcome of the negotiations as totally baseless and unacceptable. Then, if some of the contents of the proposal are considered to be valuable and important to the finalization of the peace process then it becomes imperative for the conflicting parties and the corresponding civil society to religiously strive to find out what could be the missing link and nodes for the pertinent and persisting conflict rather than entirely dismantling the very concept of the Supra State body and other proposal.

Moreover, in taking the culture as the centre of analysis in the process of conflict resolution within the context of the above mentioned proposal, one can compare and contrast as to what was the nature and scope of the cultural right and its limitations specifically prior to the proposal in the Indian Constitution and at the same time intelligibly distinguish what are the new prospects, additional advantages and the disadvantages that entails in the current agenda and proposal. In retrospection, it also seems like the Constitution provide an ample scope, space, right and opportunities along with the corresponding duties and obligation towards the others. Some of the important provisions in the constitution that safeguard, promote and protect these

⁶⁷ “Naga Reconciliation Process: Top rebel leaders discuss pact” in *The Sangai Express*, 23rd July, 2014.

rights are seen in certain parts of the Constitution in some parts of the Fundamental Rights clearly lay down certain cultural right to the certain communities of the minorities. Besides, some other special and temporal provisions in the constitution also mentions about the socio-cultural aspects of the community. However, failing to appropriate, concretize, incorporate and institutionalize this right do not really amounts to the absence of these rights. Rather, the question should be on how the constraint and the non recognition in the fullest realization of the cultural identity could also be conditioned and circumscribed by the several external reasons and compulsions. Taking all these into consideration, it necessitates us to reflect further as to why the need to fervently demand and compromise within the framework of the cultural identity. Consequently with the failure of the plan to be concretized and fructify, it speaks volumes of the contestation as well as the differences in the narratives of the much negotiated terms and conditions.

Taking all these contentions and the context into consideration, it becomes obligatory to infer to the core nature of the conflict and trace the link and the connection with the historical contentions. With the passage of time and experience, it has been increasingly realized and come to a point of an agreement that the nature of the Indo- Naga conflict in a nutshell as a political problem that inherently is political in nature demanding the needs to be deciphered and read within the context of political artistry and content.⁶⁸ However the nature of the discourse and the dialogue seem to give a hint that the very crux and the basis of the tension has been sidelined and neglected in the interest of the immediate resolution of the conflict. This in turn brought about an ambiguity, vagueness and the subtle approach to deal with one of the longest protracted and controversial subject in the region. Therefore, should the inability to tackle the political contention and its frustration in a way be considered and regarded as the sufficient reason and ground to discard the very political content and the processes of political conflict given the fact that conflict and differences are often colored by our quest for recognition and approval. At the same time, if politics is considered and regarded as the art of possible and problem solving, then is the relevancy applicable for only a specific historical moments or for the interest of the

⁶⁸H. Srikanth & C.J Thomas, "Naga Resistance Movement and the Peace Process in Northeast India", in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005, 69.

humanity itself that surpassed beyond the past and the present. Similarly, not having the capacity and the political skill to maneuver and arrive at an appropriate decision should not be construed and manipulated as a medium to thwart and derail the overall interest, purpose and the goal of the peace process.

Considering this contentious and critical nature of the conflict, the debate and the discourse at hand is whether to be political or non-political and if the return to the political is seen, recognized and acknowledged as crucial and inevitable, then the term and the concept of the word and the meaning of political has to be reviewed, reinvented and rearticulated to suit, thrash out and translate into a politics of possibilities, understanding and problem solving. At the same time since politics is also a process that work, move in tandem and exist in conjunction and collaboration with the territorial, socio-cultural and the economic aspects, perspectives and dimensions, it would rather be interesting and important to delve as to how the political is related or ought to be related to the various fields of study and lived experience that surrounds the complex situations. Keeping this point in mind, we are bound to capture the essence of the proposal and then penetrate and push the argument further and at the same time narrow down the entire debate by asking certain fundamental and specific questions such as how the political nature of the Indo- Naga conflict is related to territoriality?

Further on account of the sensitivity, antagonism and the juxtaposition of the two related concepts between the territory and the political, one need to dispassionately and critically inquire one of the most fundamental questions that pertain to whether can there be political without territory? Or in the other word, on account of the centrality of the political nature of the conflict, then what would be the politics of political without integration or territoriality implies? Simultaneously, due to the contested nature of the concept and the context, what is the absence of the political and the presence and recognition of cultural identity mean? Does it merely mean benefits without right⁶⁹ responsibilities without power and duties without right?

⁶⁹Samir Kumar Das, *Peace Processes And Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 127.

Besides, since the very nature of the political also signify, indicate and entails the process and the element of legislation, execution and adjudication, do the very absence of political automatically and ultimately deprived the community and eventually the citizens of the parties to the conflict, the very content and the spirit of the political enacted and crafted within the very constitution of the state? And thereby, on the contrary will it merely succumb, surrender and appropriate the given identity and circumstances? In addition, is the social and cultural conditions alone sufficient enough especially in the absence of the political to determine the identity of a person and subsequently will it lead to a good life? In conjunction with this argument and the context, then what shall we say about the concept and the notion of the idea of Aristotle statement that man is a political animal? If it is so, then what would be its further implication in the overall politics of the various groups? Next, if political is crucial, significant and unavoidable for theory and praxis then what is political within the context of this conflict? After that, owing to the stalemate and the deadlock over the nature of the rigid stance between and among conflicting groups on the subject of political, would that ascertain and justify that the political is always static? Or how far can it be permissible to be constructively flexible and dynamic and in the process inquire what is to be political? Further, most importantly, what should be the contents of the political especially in the process and quest for the resolution of the controversial questions between and among the opposing groups? Finally, one can proceed to ask for the central question and theme as to how to carve out a political identity, space and content as far as possible, democratically in relation to others and in the process not to reduce and translate to cultural, security and economic perspective alone.

Taking all these into consideration, how are we to account, answer and analyse the politics that is responsible for the avoidance and the burial of the centrality of the political issues in privileging and preference of culture. And in the light of this debate and explanation, does citing the territorial objection and obstacle as the sole criteria for the withdrawal and demise of political really captures the rationale behind and the essence of forsaking and abandoning the very issues of political and territoriality from the peace process and its settlement? On the contrary, would not the challenge before us be to discover a multidimensional approach to delve and explain the limitations rather than simplifying into a uni-dimensional way of justifying the policies, plan and

agendas of the peace process in a single stroke. Following which, if we are to comprehensively corner the questions of territoriality and the political associated with it from different perspectives, then one important and interesting way of arguing, cross-counter and examination would be whether the dialogue, negotiation and the discourse of the Indo-Naga peace process underneath at the background is still based, conditioned and driven by the politics of suspicion, mistrust and deception rather than aspiring towards durable peace through the constructive medium of justice as fairness in the form of neutrality, impartiality and trust for a just and meaningful solution that will mutually benefit the conflicting parties in the eventuality. This in turn throws up a related question in that as to how and why can the Nagas trust the Indian state and in the same manner, can the Indian state expect the same from the Nagas? Hence, to justifiably answer such a critical and fundamental question, it befits and merits a substantive answer that operates and fructify in the true spirit of the realization of justice in the form of a just and durable solution which in the present situation of the peace process from the very inception of the conflict is bereft of. Thus, the failure to resolve the conflict even after six decades in a way testifies that the politics of the actualization and practice of mutual trust is still critical and crucial in the resolution of the pertinent contestations. Therefore, it demands and signifies of the relevance, importance and the authenticity to apply and infuse the concept of justice especially the relational, interface and the complementary aspects of the procedural justice in the form of a fair basis and procedure as well as the substantive justice that mainly focus on the processes of the realization, implementation and execution of the just, mutually arrived and agreed solution.⁷⁰

This in a way draws our attention and is also indicative of the very fact that the politics of the absence of the political reflect to some extent the breach of trust between the contending groups in the current political scenario and the climate of the peace process. Following which, it seems to hint and emphasis that the thread of neutrality that also encompass mutual trust has to consistently cohere and run along the entire course and the process of the conflict resolution so as to check and prevent the deviation, manipulation and derailment of the genuine effort of justice into

⁷⁰ The notion and the concept of procedural justice is taken from John Rawls, *Theory of Justice* while the idea of a substantive justice which focus on the processes for the realization of justice is borrowed from Amartya Sen's *Idea of Justice*. However, especially in the context of conflict resolution, it need to emphasis that both the aspect of procedural as well as substantive concept of justice are inseparably linked to one another at the same time it seems that they reinforce and complement one over the other.

injustice and non-resolution of conflict. This in turn will provide a yardstick and a kind of standard to measure, test and assess the genuineness, transparency, sincerity and trust that are invested in the attempt to resolve the conflict and at the same time seek to understand and prove as to what extent the peace processes, accords and the agreements are likely to be successful or a failure. Keeping this in mind, such a process and an act of competing claims of deconstruction of the political nature into cultural and the counter claims of utterances and performances of the construction of the cultural elements into political in a way represents a paradox and ambiguity where in the danger of such contestation lies in the fact that such conceptualization might in the long run blurred the very distinction and the demarcation of the very specificity of cultural and political and in the process could amount to either translate all issues into political or cultural. Further, it may even toss around the issues and compete to represent as neither a political nor cultural issue or perhaps transform into an amalgamation of both the characteristics of culture and political, eventually resulting to an entirely complicated and different subject of contestation which will act as a gross hindrance and an obstacles in the understanding and the resolution of the conflict through the peace process.

However, it has also to be kept in mind that the representatives of the parties to the peace process might have considered the concept of the Supra State body as one of the best viable options and alternatives that have emerged as a kind of a proposal arrived through the negotiated process in the path to resolve the conflict. And in the light of this debate and analysis, what matters and seems to be noteworthy, are the official approval and the consensus from the leaders as well as the public of the aggrieved and the conflicting parties. Thereby, the significance of the proposal with a timeline for approval or rejection lies in the fact that it allows a democratic space and opportunity for a thorough deliberation, review and also assessed the rationality along with the pros and cons of the aforesaid agendas. While it could also contribute to destabilize and ultimately led to the irrelevance of the peace processes and the consequent revival and intensification of the conflict associated with the cycle of violence due to the delay tactics and irresponsibility employed by the group or parties to the conflict. This in turn will lead to the mockery and the futility of the entire exercise of the arduous task of the meaning of dialogue and negotiations in the effort for the realization of amiable, durable and just solution.

Demand for Alternative Arrangement

It is also interesting to take into consideration that while the Naga movement has been spearheaded and overshadowed by the underground groups, yet it is equally important to take into note the role of the various frontal organizations and civil societies of the Nagas in the struggle and the process of the formulation of the political identity alongside the socio-cultural and economic interest of the Nagas. As a result, civil societies of the Nagas in different states has taken up and addressed collective as well as specific concerns and grievances of the community. Following this, the Nagas and the tribal communities in Manipur based their claim for recognition and justice on the ground that they were historically “self governed and self-administered people.”⁷¹ According to the United Naga Council argument and analysis, it is mentioned that the merger of the Meitei kingdom in 1949 took place,

“With the Indian Union along with the tribal areas without their consent, through deception and under protest of the Nagas and other tribal areas. Since then the story of the Nagas and tribals in Manipur has been one of marginalization, victimization, discrimination and domination. The imposed system of governance is resulting in systematic degradation and obliteration of Naga and tribal history, culture and identity and right to land and resources.”⁷²

Taking this into consideration, it further stated that the need, necessity and the demand for an Alternative Arrangement arose by citing that “because of the unmistakable facts that it is impossible to protect our rights, life, land, time-honoured institutions, customary practices and values under the administration of the dominant and communal Government of Manipur (GoM). Our history with the (GoM) has clearly confirmed the harsh reality that it has never recognized and respected the identity and dignity of the Naga people.”⁷³ Hence, basing on the above experience, they substantiated their grievances and discriminatory act with some examples like the imposition of the discriminatory and manipulative act of the “Autonomous District Council Act of 2008, Manipur Village Authority in Hills Areas Act 1956, legislating a policy of land alienation under Manipur Land Revenue & Land Reform

⁷¹ This information and ideas are based on the circulation of the publicity wing of the United Naga Council, a civil society of the Nagas on the theme ‘The Naga People’s Movement For Alternative Arrangement’ 12.

⁷² Ibid.

⁷³ Ibid.

Act 1960”, violent objection to the peace process of the Indo-Naga and the ceasefire in Manipur, “imposition of Meiteilon and Meitei script in education institutions and Imphal centric governance and administration: and concentration of all infrastructures and facilities in Imphal valley resulting in the denial of access to basic services and amenities, such as healthcare, education, communication etc”.⁷⁴ Therefore, citing these examples, it reiterates that despite the “ pending settlement of the Indo-Naga issue, the rights and identity, land and resources, time- honoured institutions, customary practices and values of the Nagas in Manipur have to be protected and defended from deprivation, de-recognition, obliteration and distortion with an Alternative Arrangement.”⁷⁵ Further, it also elucidates the argument by stating that all effort and “avenues for rapprochement for meaningful and peaceful co-existence have been exhausted and therefore the best way forward for the Nagas and the Meiteis is to part as good neighbours.”⁷⁶

Entering into the framework and the concept of Alternative Arrangement, it is define and viewed as a kind of a political and administrative system where “ Nagas have declared to sever all political ties with the communal GoM. Because of the severance of ties, the vacuum in governance and administration created thereby, must be filled with an alternative arrangement by the Government of India (GoI) in consultation with the Naga people at the earliest possible time” and any arrangement of such kind for the governance and administration have to be worked out for the Nagas in Manipur outside the jurisdiction of the state of Manipur.⁷⁷ At the same time, the advocacy and the agenda of the Alternative Arrangement gradually gain currency and support with the declaration to derecognize the current boundary which is deemed as artificial in nature and also to sever political ties and relation from the state of Manipur by various organization of the Nagas like the Naga Hoho, Naga Peoples’ Convention (NPC) and the United Naga Council (UNC). Following which, the United Naga Council on 14thSeptembe 2010, “submitted a memorandum to Dr. Manmohan Singh, the Prime Minister of India at Delhi demanding an immediate intervention with an Alternative Arrangement to avoid any catastrophic consequences. In response,

⁷⁴ This information and ideas are based on the circulation of the publicity wing of the United Naga Council, a civil society of the Nagas on the theme “The Naga People’s Movement for Alternative Arrangement”, 12-13.

⁷⁵ Ibid., 13.

⁷⁶ Ibid.

⁷⁷ Ibid.

P. Chidambaram, the Hon'ble Union Home Minister (HM) initiated the process of the tripartite talk (TPT) of the GoM, GoI and UNC.”⁷⁸ Since the beginning of the first tripartite talk which was held at Delhi on 21st Sept., 2010, the constituent group took different position and stands to address the issue. As a result the GoI accepted the petition, complaint and the memorandum of the UNC as legitimate, genuine and valid. On the other hand, the GoM insisted that such issues have to be in tandem with the territorial integrity of Manipur.

Therefore, the subsequent process of dialogue and negotiation of the Alternative Arrangement seem to have followed within the above stated parameters. Moreover, it seems like the course of the discourse have diverted to the processes, venue and the procedure of the meeting rather than focusing on the settling of the contentious issues.

Taking the above development into account, if one were to analyse as to what the Alternative Arrangement and the Tripartite Talks implies and entails, then one really need to make a deep and comprehensive analysis in order to understand the context and its implication. In doing so, the current political shape, happenings and the practices are to some extent correlated with the web of relationship that had in a way responsible for determining the present status and politics of a region. Keeping this notion of understanding in mind, it is also interesting to note that the demand and the struggle for the intervention of the state for the Alternative Arrangement is also viewed, associated and enmesh in connection with the Indo-Naga conflict and the peace process. Following which, this demand is also indicative of the processes of geo-political structuring and the historical phases as well as the events of construction of a state and nation building. This structural, political judgment and flaws that emerged out of such geo-political and socio cultural as well as the demographic determinism at the end erupt in the form of various conflicts, misunderstandings, discrimination and injustice. At the same time, non resolution, recognition, negligence and deliberate avoidance through the act of total restructuring without caring for the consequences have largely contributed to the complication of such rectifiable and corrective issue which could have been a resolved theme of peace and justice which

⁷⁸ This information and ideas are based on the circulation of the publicity wing of the United Naga Council, a civil society of the Nagas on the theme “The Naga People’s Movement for Alternative Arrangement”, 15.

was left unattended, in the later stages, developed into a deeply embedded conflict that transformed into a highly volatile and sensitive bone of contention that the responsible actors and groups sought ways and means to evade such undertaking of constructive rectification which will be in the interest of all the parties and at times might go even to the extent of justifying the injustice of the status quo by advocating the current position.

However, the outcome of the Alternative Arrangement in conjunction with the process of the tripartite talks (TPT) on a positive note signify the new mechanism to deal with the conflict based on relational basis of dialogue, talks and negotiations rather than pursuing through the old methods of direct confrontation and violence. It in fact, open a space to communicate the misunderstanding, differences, and even the politics of highly contested terrain and subject into the domain of democratic process of constant deliberation, rational scrutiny and refutation. Simultaneously, this kind of strategy are also prone to fall into the trap of delaying tactics, magnifying capacity of seemingly once perceived less controversial issues into highly critical and contested conflict and in the process transform, translate and supplant and replace the Bilateral conflict into one of a trilateral conflict or even to the extent of multilateral conflict. It might at certain point convert those issues into a localized form of multiple conflicts with many stakeholders in the region with the substantial exit of the state signifying the withdrawal of its overall responsibility as well as an escape route from the party to the conflict. Considering this development and the challenges for an Alternative Arrangement, the state has also taken cognizance of this relative issue that need to be read along with the Indo-Naga conflict and the peace process and consequently it seems like the state is harping and contemplating on the idea of granting “ maximum autonomy with administrative and financial control” to the Nagas that inhabits outside the present state of Nagaland as a trade off with the demand of greater Nagalim within the proposed plan of Supra State body.⁷⁹ Thereby, in the process of seeking a solution to the problem, various other forms of protest also crop up in the form of road blockage and bandh on account of the delay as well as the seemingly confusion in the

⁷⁹This article is based on the article that talks of ‘ Special federal relationship’ final solution to the Naga imbroglio, written in the news report of *Seven Sisters Post*, on 21 March, 2012 by Sujit Chakraborty which is later incorporated into the compilation of the documents called National Workshop On “Mapping Naga Political Negotiations”. 31.

responsibility and jurisdiction of meddling the issue. Similarly on the other hand, there is a counter contestation and uprising within the other ethnic communities.

Framework Agreement of 3rd August, 2015

The political phenomena, peace processes and the politics of the current nature of engagement is largely based on the effort of both the parties search for peaceful resolution of the embedded disputes. Thereby, the recent negotiation and the agreement on 3rd of August 2015 which is called the Naga Peace Accord⁸⁰ or Framework Agreement is the outcome of the Indo- Naga ceasefire Agreement of 1997 and the democratic processes of sustained dialogue and negotiation. These 18 long years of ceasefire has resulted into a 'Framework Agreement' for the realization of a final settlement to the pertinent conflict that has reached over a span of more than six decades. At the same time the pertinent question arose as to what is or will be the significance, impact and the relevance of this agreement unlike the other Accords in the past. Further, what are the challenges and specialty of this agreement especially within the context of a meaningful conflict resolution are some of the complexity that demands critical examination.

Taking the above condition and the background into consideration, the Framework Agreement was signed on 3rd of August 2015 between the Government of India and the NSCN (IM) as a basis for conflict resolution. The importance of this Agreement lies in the fact that it not only recognizes the unique history of the Nagas but also became the basis for the settlement of the conflict. Moreover the uniqueness and the complexity of this agreement is the secrecy of the content to the public with the exceptions to the representatives of the parties to the contract. Hence the analysis of the content of this Accord is shrouded in speculations, skepticism and apprehensions from different stakeholders and discordant voices. However, this agreement is considered as a foundational basis to hammer out a lasting and durable solution.

One of the interesting features of this agreement is an attempt to address and resolve the conflict beyond the contested questions like sovereignty, integration of

⁸⁰Samudra Gupta Kashyap, "Towards the Govt- Naga Peace Accord: everything you need to know" in the '*Indian Express*' 2006.

Naga inhabited areas toward a more flexible adjustment that seek to consider mutual interest within the notion of “Shared Sovereignty” and Federation with special status.⁸¹ According to the Parliamentary Standing committee report of 213th on the security situation of the North East with special chapter on the Naga peace process, it mentioned that since there is a special provision for the state of Nagaland in the form of Art 371A, “a similar kind of status with some local variation and some change to the Nagas in the neighbouring state can be explored.”⁸² Or in other word, the vagueness of the future outcome and certain terms like special status and arrangement has led the public at large to interrogate the very nature and content of the Framework Agreement. Following which the report cited that the contours of the Agreement have not been spelt out rather the framework was just about the unique recognition of the history of the Nagas and thereby “some special arrangement has to be made for the Nagas.”⁸³ The report also stated that the “position of the NSCN (IM) for the last 20 years from the very beginning has been that Nagas were exceptional, Nagas were not Indian, Nagas were sovereign” and as a result any settlement could be reached only on the basis of the fact that this is a “settlement between two Sovereign.”⁸⁴ Further when the question arose as to whether the question of Sovereignty is still a contested theme and a matter of concern or a settled account with reference to the Framework Agreement, the complexity arose in the sense that while Mr. Rijiju, the Minister of state for Home Affairs when raised on the question of sovereignty told the Hindu that “NSCN(IM) has given up on Naga Sovereignty, on the other hand, on the 69th celebration of the Naga Independence on 14th August at Hebron, Dimapur, Muivah clarified that “the NSCN had never given up on Naga Sovereignty” however he mentioned that the “Indo-Naga final settlement will be based on the concept of Shared Sovereignty.”⁸⁵ Further he stated that “if India recognizes the unique history of the Nagas, the Nagas should also recognize India’s problems and limitations. That spirit of give and take is most welcome but should not be misconstrued as a compulsion instead of a choice.”⁸⁶

⁸¹Vijaita Singh, “Detail of 2015 Naga Agreement by Vijaita Singh, *The Hindu*, July 19, 2018.

⁸²Vijaita Singh, “Detail of 2015 Naga Agreement by Vijaita Singh, *The Hindu*, July 19, 2018.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵Based on the article written in *The Hindu*, “Historic is still some way away”, by Subir Bhaumik, 27th August, 2017.

⁸⁶ Ibid.

Though the Framework Agreement is merely deemed as the guideline for settling the dispute, another important feature of the accord is the resultant increase in understanding the complexity and bridging the trust deficit through the democratic process of sustained dialogue and negotiation. Accordingly, the Prime Minister of India reiterated that the conflict has lingered for over six decades which incurred a great loss to both the parties. He also added that “unfortunately the Naga problem has taken so long to resolve because we do not understand each other.”⁸⁷ Prime Minister Modi also considers the Accord as historic in the sense that it “marked not merely the end of a problems but the beginning of a new future”⁸⁸ that strive to “not only heal and resolve problems, but also be your partner as you restore your pride and prestige.”⁸⁹ Similarly in a somewhat different note Muivah also said that “the government of India and the Nagas were entering a new relationship but added that beginning from now, challenges will be great.”⁹⁰

Essentially the main features of the Frame work Agreement includes the resolution of conflict within the mechanism of shared sovereignty, the formation of Pan Naga Hoho and Joint defense to protect the security interest of both India and the Nagas.⁹¹ At the same time this also means the absence of concrete finality. In the word of one of the member of the collective leadership of NSCN(IM), V.S Atem, “the mechanism would define by working out competencies, which are crucial to Naga political rights and history. Government of India has assured us to fully respect the rights and interest of the Nagas. In the defined competencies Naga People’s Sovereignty is paramount which India would not interfere into the specified domain of the Nagas” He also “disclosed that a fundamental part of the competencies being negotiated so far has a tremendous expression of the Naga national identity whose control over land and resources is substantiated for its independent utility only by the Nagas.”⁹² Then he said that, “two crucial aspect of competencies feature Naga National Flag and Naga Constitution called Yezhabo.”⁹³ This implies that the symbols

⁸⁷ Based on the Prime Minister statement on the conclusion of the ‘Framework Agreement’ that is extracted from the Wire with input from the *Press Trust of India*.

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ This is extracted from the article “Pan Naga Hoho under Framework Agreement” by K.K Sema, a Retired I.A.S, September 16th, 2017.

⁹² *Ibid.*

⁹³ *Ibid.*

represent the identity of the Naga people yet it in a way also points that the yezhabo as the Constitution of the Nagas “will be legally integrated as a historical document representing total function of the Naga cultural, religious, social, economic and political life. Therefore the final settlement would constitute a provision in the Indian structure of managing Naga affairs an article confirming the Yezhabo of Nagalim.”⁹⁴

In addition, one of the fundamental feature, contribution and significance of the peace process through this agreement is the positivity of the people in the non violence methods of conflict resolution. This is expressed in the concern and realization of both the Indian state and the Nagas that “military solution is not possible.”⁹⁵

In spite of the tall claim and the hope of a fruitful finalization of the outcome there are challenges that are seen in the form of multiple stakeholders to the very claim of the outcome of the Accord. Thereby the Government of India through its interlocutor consulted, reached out and entered into a dialogue with various factional groups of the militant as well as with a number of civil societies like the Naga mother Association, Naga Hoho, Naga Student Federation, Churches, Naga Forum for Reconciliation, and other tribal organizations apart from the NSCN(IM). As a process of reconciliation and peace process the Centre Government has also signed a “Preamble in Nov 2017 with the 6 Naga National Political Groups (NNPGs) to hold further discussions to find a solution to the long standing Naga issue.”⁹⁶

Criticism and Challenges

Despite the signing of the Agreement, some of the criticism revolves around the very question of transparency of the content of the Accord and at the same time over the very nature of the process of how inclusive it is when the decision is arrived. Following which the apprehension over the outcome is expressed not only from within the civil societies and groups within the Naga society but also from the

⁹⁴ “Pan Naga Hoho under Framework Agreement” by K.K Sema, a Retired I.A.S, September 16th, 2017.

⁹⁵ According to the speech of the retired General Khole, the Vice President of the People Republic of Nagalim on the 39th Republic Day of the Nagas, extracted from *The Morung Express* entitled “Framework Agreement will protect the future of the Nagas”, he mentioned that both the leaders of the Indian government and the Nagas believe that military solution is not only undesirable but at the same time deemed as not possible for a meaningful solution of the pertinent and persisting conflict.

⁹⁶ This point is with reference to the article in *The Hindu* “Naga peace Accord Awaits consensus on Signatories” by Vijaita Singh.

neighboring states. Moreover, according to the Naga Hoho, which is the apex organization of the Nagas, it opines that the delay in the finalization of the solution since the signing of the Framework Agreement hints that this particular accord is also “likely to vanish into thin air again”?⁹⁷ It further argued that “Indian state is not prepared for an honorable political solution, but will try to buy more and more time blaming the conflict of interest among the Nagas.”⁹⁸ While S .C Jamir pointed out that the agreement ought to be acceptable and inclusive both to the Nagas and the Government of India.⁹⁹ Other like Dolly Kikon, an anthropologist suggests the discourse to go “beyond the rhetoric of unique history and culture and push towards demanding a just future and a concrete political deal.”¹⁰⁰ In the similar line of thought, Naga Mother Association also interrogates the very process of negotiation so as to address and incorporate the very question of gender justice and equity within the very process and outcome of negotiation.¹⁰¹ Moreover, on account of the secrecy of the Framework Agreement, there is also a public discontent from the Nagas with demand for more debate, discussion and transparency.¹⁰² Accordingly, Patricia Mukhim is also of the view that “insularity and intransigence will only derail the Framework Agreement.”¹⁰³

However, despite the various criticisms and challenges of the peace process, she also pointed out that on a positive note “but to be fair to the NSCN (IM), its leaders have remained steadfast to the goal of wresting an honourable settlement for the Naga people from the Government of India.”¹⁰⁴ And at the same time she also

⁹⁷ The argument is based on the statement from the Naga Hoho that is reproduced in *The Morung Express* entitled as “Three years of Framework Agreement: India not prepared for honourable political solution says Naga Hoho”. August 3, 2018.

⁹⁸ Ibid.

⁹⁹ The then Chief Minister of Nagaland and former Governor of Maharashtra, Goa and Orissa S.C Jamir mentioned that the Framework Agreement should be inclusive, honorable and acceptable both the government of India and the Nagas.

¹⁰⁰ Based upon the writing of Dolly Kikon a Research Fellow at the Department of Social Anthropology, Stockholm University in an *EPW* article entitled “What is unique about Naga History” *EPW* Vol. 50. Issue No 35, 29th August 2015.

¹⁰¹ This emerges from the seminar hosted by the Naga Scholar Association in the Jawaharlal University in the School of International Studies for an interactive session with the Naga Mother Association over the Naga peace process with the government of India. The Naga Mother Association also made a presentation and had a discussion on the question of reconciliation and forgiveness within the Nagas society for the past injustice, violence and social mistrust.

¹⁰² Extracted from the article in *The Hindu* that is entitled “Forging peace in Nagaland”, by Patricia Mukhim, May 9, 2018. She also argued that the NSCN(IM) is also accused of trying to sabotage the space for alternative discourse as exemplified by the Forum for Naga Reconciliation (FNR).

¹⁰³ Ibid.

¹⁰⁴ Ibid.

argued that despite the apprehension from different civil societies and organizations “as far as the Framework Agreement is concern is that there appears to be a political consensus and faith in the process.”¹⁰⁵

Taking all the above into considerations there is a broad concern, consensus and understanding for the resolution of the pertinent conflict despite the disagreement over the very process and the nature of negotiation.

Peace Process and Its Implications

Taking into consideration all the historical account of the process of conflict and the subsequent efforts to resolve the conflict through the various means, techniques and mechanisms in the form of agreement, accords, ceasefire and others generally understood and categorized as a peace talks, negotiations, dialogues and peace process, it brings up a very vital question as to what peace process really implies in the context of the prolonged deadlock and the stalemate that have capitalized as a form of a seemingly status quo in the context of a Indo- Naga conflict that has surpassed over six decades. At the same time, it needs a deeper introspection and reflection on account of mostly viewing the peace process and its associated terms merely from the lens of security framework and analysis. Moreover, it becomes all the more important in the context of the conflict when violence, draconian laws, outright attack and aggression, and counter attack are all justified in the name of security. In addition, the irony is that, this different means are employed, monopolized, persuaded and superficially convinced as the pathway to peace.¹⁰⁶ In the light of this understanding and discourse, the very concept of peace and conflict studies often dissociate from the idea and practices of democracy and justice. In addition, “peace with justice seems to be an impossible agenda to the conflict and conflict resolution theorists and practitioners”.¹⁰⁷ Then, instead of merely reading the peace processes as a series of historical events and sequence of movement, on the contrary, it would better help us understand, evaluate, and explain if we seek to intervene and try to elucidate, discover and analyse as to what really constitute the intention, purpose and

¹⁰⁵ This is with reference to the article “Gathering the Tribe” written in *The Hindu* by Patricia Mukhim, the editor of Shillong Times, Nov.3, 2017.

¹⁰⁶ Ranabir Samaddar, “Series Note”, in *Peace Processes And Peace Accords*, ed. by Samir Kumar Das, in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 9.

¹⁰⁷ Ibid.

the corresponding course of action of the agents of the conflict in the enactment and the production of peace agreements and accords.¹⁰⁸

Further, we can embark upon as to why there are discrepancy, differences and misunderstanding in the interpretation of the various agreements that later translated as the one of the newer addition as a form of a web of conflict. Or in a nutshell, to interrogate and inquire with critical rationality as to what is the different intentions of the peace project and why it lingers without much headway? Then, does it implicitly indicates or design as an irony which in itself is constructed, produced and institutionalized as a hindrance and strategy to curtail, derail and defeat the very spirit and the purpose of a meaningful peace? As a result the peace process, talks and negotiation requires a critical and dispassionate inquiry in the ardent search for a just conflict resolution. At the foremost, on account of the different and multiple interpretation that eventually amount to the multiplication of conflict despite the ardent task to mitigate and root out the conflict. The failure of these whole perspectives, methods and the approaches that are applied to tackle the issue once and for all, convey us of the significance of prioritizing the concept and the issues of justice before one began the process of reconciliation.¹⁰⁹ For reconciliation without justice would merely skirt the issue and at the same time blanket the contentious and substantive issues which will be detrimental and instrumental for the realization of justice where the notion of justice is taken as the foundation for reconciliation.

Considering these obstacles, complexities and ambiguities that engulf the conflict at the background, it would be interesting to delve and examine some of the assessments and analysis of the Indo-Naga peace processes and agreements that emerge on account of the apprehensions as well as to genuinely assess the criteria, elements and the nitty-gritty that surrounds the peace process to seek and find a better explanation and an alternative to tackle the complex problem than to harp on to the conventional form of mere engagement. This should in turn help us to critic, warn and raise the concern of the common and complacent tendency to leave peace at the

¹⁰⁸Gurpreet Mahajan, *Explanation and Understanding in the Human Sciences*, (New Delhi: Oxford University Press 1992), 28-29.

¹⁰⁹Dipankar Gupta, *Justice Before Reconciliation: Negotiating a 'New Normal' in Post-Riot Mumbai and Ahmedabad*, (New Delhi: Routledge Taylor & Francis Group, 2011), 110.

“immanent goodness of human beings.”¹¹⁰ This assumption of inherent human goodness that naturally and inevitably lead to peace in a way seems to have overlooked the significance and the importance of dialogue, discourse, negotiation and moral reasoning on the subject of conflict resolution.¹¹¹ Hence, invoking and injecting the concepts and the ideas of ‘reconciliation and justice’ with the moral reasoning, shed us a light on the obligation and the responsibility of reviewing with critical bent of mind in looking at experiences and practices. These steps would in a process enrich us to reconfigure and renegotiate the terms and the conditions which in a way will assist in exploring the diverse modes and approaches to come to a solution.¹¹²

The challenge in a way is to study and find out the paradox to unfold as to whether the signing of peace process and the agreement that is undertaken can be considered as the culmination of the pertinent conflict and peace process on account of the enormous time and the resource involved in the contestation. Again, this could also point out how the very politics of signing an agreement could mean “either the continuation of the same conflict or simply its metamorphosis.”¹¹³ Owing to this vague, perplex and ambiguous notion of settlement that often implies instability and invariability when it eventually resurface again in a more vigorous and intense form, it thereby also proved that it temporarily has disguise and submerge the conflict from the very core issue of political debate and deliberation, and at the same time deviated from the long term interest of the public domain.

Again, it also signifies that the discourse and the entire effort has sidelined the importance and the element of rights, democratic values and justice that constitute the part and parcel of peace in the actualization of justice.¹¹⁴ Thus “negotiation is redefined as a joint problem solving on a long- term and sustainable basis rather than

¹¹⁰Samir Kumar Das, *Peace Processes And Peace Accords*, ed.in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 11. These ideas are mentioned in the preface of the book.

¹¹¹*Ibid.*, 12.

¹¹²*Ibid.*

¹¹³Samir Kumar Das, *Peace Processes And Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 13.

¹¹⁴Samir Kumar Das, *Peace Processes And Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 13.

one of hard bargaining and communication between the warring parties implies not just communication of their differences but of communicable differences.”¹¹⁵

Finally, it is worthwhile and important to note that “the struggle for peace is much more difficult than the challenge of war. More than resolving conflicts, peace is ultimately a question of establishing justice.”¹¹⁶

Accordingly, in the process to explore and find out the very nature of the conflict and capture the multifaceted and contested meaning of peace process, it is interesting to look into some of the analysis on the account of the past occurrences and the events that has played out at the time of discord. Following which, Samir Das stated that peace accords is one of a terrain and subject of ‘contested meaning’ while Ranabir Samaddar analysed it as a ‘technique of governance’ which in a way contributes in acknowledging the limit and shortcomings of the peace accords.¹¹⁷ At the same time it also to some extent testifies of the reason “why the rebel groups are cynical of accords and yet are compelled to participate in it, and how accords are but an ensemble of relations of rule and governance.”¹¹⁸

Another pressing question that popped up on account of the failures of the various ethnic agreements in India is the increasingly realization of the need to evaluate the outcome and the impact in the form of a peace audit. In doing so, it either end up in the politics of accusations and justifications. As for instances, Ved Marwah and Nari Rustomji who had a long experience in the region as a member of the state representative, pointed out that the state apathy and lack of understanding in conjunction with the politics of insensitivity and irresponsibility have contributed largely in the breach of trust and ultimately led the ethnic communities to the position

¹¹⁵Samir Kumar Das, *Peace Processes And Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 13.

¹¹⁶Shibashis Chatterjee, in his introduction to section I entitled “Theorizing Peace” in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 19, in bringing out the significance of peace accord as well as the importance and difficulty of honouring such an accord state these lines to bring home its utility.

¹¹⁷Paula Banerjee, in introduction to section II entitled “Peace As Process” in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 118.

¹¹⁸Paula Banerjee, in introduction to section II entitled “Peace As Process” in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 118.

of taking extreme poles¹¹⁹ While the agent of the state accused and blamed the leaders of the ethnic group for the rigid position that they uphold and believe in the struggle to achieve their goals. Still many others question the authenticity and credibility of the agreements and in the process blame the state for translating those accords into merely a “scrap of papers.”¹²⁰ Indeed the duplicity and the inefficiency of the accords have brought objection and many misunderstanding on the true intents of the peace accords. Therefore, it is no wonder that many varied versions of the accord crop up to examine the confused and the complex nature of conflict resolution. Accordingly, Kumar Rupesinghe argues and pointed out that the accords are nothing but an instrument of the state to “imposes its will on the body politics.”¹²¹ In addition, Kumar Sanjay Singh interestingly brings in another dimension of analyzing the peace accord by stating that the accords are used as a strategy through which “the state deploys in order to replicate the status quo and retain its legitimacy in the eyes of the disadvantaged.”¹²² Moreover, accords are viewed as a means of “managing set of norms and their management is what enables the rulers to rule.”¹²³

On a somewhat different note, Horam examined that the success and the failure of the accord will a lot depend on whose interest does it serve in the final analysis. Therefore, considering this framework of analysis he argued that the Shillong Accord of 1975 as a failure as it failed to satisfy both the groups in the long run due to the blunder and the mistake committed from both the conflicting parties.¹²⁴ However, Samir Das extended the argument that there are more tricky questions involved in the evaluation of the success and the failure of the accord. He stated that it can be tested by inquiring whether both the rival groups have a common interest and in the pursuance of that, to examine if they truly strive towards that interest or “are they sufficiently isolated so much so that each can attain its interests only in exclusion of the other, thereby making the accord fail. It is essentially the definition of their

¹¹⁹ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 120-121.

¹²⁰ *Ibid.*, 120.

¹²¹ *Ibid.*

¹²² *Ibid.*, 121.

¹²³ *Ibid.*

¹²⁴ M. Horam, *Naga Insurgency: The Last Thirty years*, (New Delhi: Cosmo Publications), in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 122.

interests that sets these two positions apart.”¹²⁵ He elaborates further that the accords in the region could also seem to refer to the mechanism through which the actors engaged in a kind of indecisive battle and hence “none is strong enough to assert its interests and wipe others out. Accord instead of putting an end to the battle that we are referring to, reflects its continuing nature. The battle, in other words, is embedded in the accords.”¹²⁶ Das also hints at the transformative potential of the accord especially a shift in the nature of the subjects of discourse and as a result it necessitates the content of the deliberation and the accord to be open-ended which also implies the unpredictable and unforeseeable path in this battle of interest that is inherent in the conflict itself. Thus, for him, “since the accords embody the battle that is protracted and indecisive, they pertain to nobody.”¹²⁷ Moreover, he also delves into how the accords despite the drawback of protracted delay and indifference yet on the positive note it contributes in the “reconstruction of subjects, and a re-negotiation of their relationships. Subjects do not create accords, accords create subjects” which will also offer the novel way of looking at the changing and the dynamics of the reconstructed and reconfigured subjectivities.¹²⁸

This new context, subjectivities and the politics of conditioning is a complex category which also represents a kind of paradox in the sense that if “subjects do not create accords, accords create subjects” as Das articulates and pointed out and if this proposition and technique is assumed as the most feasible and viable options, then it seems to be suggesting that the accords merely confine itself and reduce to the position of merely a means and at the same time it grant equivalent position to that of the processes of dialogue, negotiation, peace talks rather than viewing the accords as a refined outcome and conclusion that arrived and emerged out of the churning process and deliberation. This approach could in turn, transform the accords and later translate into an object for the creation of new subjects. The importance of paying attention to this enigma, subjectivity and contestation lies in the fact that, as accords are generally believed to be signed and intended to reduce, minimize and wipe out conflict, the problem arose when the accords rather metamorphosed and becomes a

¹²⁵ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 122.

¹²⁶ *Ibid.*, 123.

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*, 124.

space and a means to produce subtle, vague and imprecise subject of conflict without concrete impact and principles which often amounts to more contradictions and controversy that in itself contain the seed for its own destruction and defeat the very purpose and the true meaning of ‘accords’ and ‘agreement’ in the name of conflict resolution.

On the contrary, it is the contentious and competing subjects and issue that should create the accords. The reason being that indifference to the so called perceived and potential irreconcilable differences and antagonism if unattended, ignored and unaddressed could lead to the point of departure and finally transformed the conflict into the Hobbes state of nature where the principle of ‘might is right’ govern and rule the society. Hence, the fear and the irrationality of this non-engagement and non-resolution which often lead to adverse impact to either or both the parties in the same or differential consequences, and even the analysis of the future implication largely necessitate the parties to step up for conflict settlement. Thereby, so long as the motive and the intention of the accord is merely viewed as a continuous process of manipulative engagement rather than relational engagement with the substantial content of justice, it might not be able to resolutely resolve and instead assist in the multiplication and prolonging of the conflict. Yet, there is also no denying of the fact that there are many other reasons for the coming to the table of negotiation.

However, it is also interesting and noteworthy to mention that Das pointed out and unfolds the nature of the peace process and the accords that had taken place in the period of the conflict. He observed that the different parties interpret and substantiate differently by constructing and conceptualizing its own version. In doing so the state set a pre condition of its sphere of negotiation before it enter into an accord with the contending parties by dividing them as ‘civilized and uncivilized’ or citizen and subjects and accordingly the state devised a mechanism to tackle the issues. As per the state explanation, the civilized are those that falls into the category of potential accord – partner while the uncivilized one are those who are deprived and forfeited of the facilities of such contract on account of their very un-civility. As such, “since

subjects do not deserve to enjoy the right to security of their life, liberty and property, their acquiescence to the state is bound to precede their entitlement”.¹²⁹

In conjunction to the above inference, the state policy with regard to the tribes of frontiers of the northeast, it is believed and understood that that no formal agreements and treaties had ever been concluded. Rather the policy of the Indian Government as such had been “merely to extend gradually to those areas the benefits of settled administration.”¹³⁰ In the word of Das, this policy meant to say that “subjects only understand the language of benefits and not rights.”¹³¹ These strategies that are invoke, applied, and constructed in the process, help in the reconfiguration of the particular concepts and ideas through the process of typifying the other or othering from the dominant perspective. Moreover, this very policy through the developmental approach in a way disguise the bone of contentions and at the same time undermine and the complex and critical nature of the conflict. Further, the argument and the very politics of divide and rule seen in the form of dividing and constructing into civilized and uncivilized, citizen and subjects, and eventually equalizing the subject with the benefits, downgrade the very word conflict which on the contrary in a way implies and pertain to the competing and contested space or arena for right, benefits and justice. Taking these into consideration and also a note of this project of nation building and the integration of India, it overlooked the differences and instead focuses on homogenizing the region through the means of militarization, development incentives and demographic changes toward the agenda of nationalizing space in the region.¹³² Following which, it failed to recognize the different narratives, historicity and the plurality of the different historical world views. Hence in analyzing “the lived experienced of men, we need to study them in the context of their own historical world and with reference to the shared values and practices of their time.”¹³³

¹²⁹ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 125.

¹³⁰ V.P. Menon, *The Transfer of Power in India*, New Delhi, 1957, p.407 in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 127.

¹³¹ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 127.

¹³² Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005), 34-35.

¹³³ Gurpreet Mahajan, *Explanation and Understanding in the Human Sciences*, (New Delhi: Oxford University Press 1992), 51.

The other observation that Das interestingly unveils is the way in which the state uses and maintains the process of peace peacemaking and the accord in particular, is the way it seems to act against the unity of the community and it rather helps to disintegrate and deconstruct them. Consequently, the accords became a tool and assist in the fragmentation and dissection of “the pre accord agenda of ethnic communities.”¹³⁴ Besides, it is important to note that he touches upon the issues, content, substance and outcome of the accord by stating that the deal and the packages that is provided in the accord hardly linked to the interest and the inclusive project of the communities. On the contrary it pertains to the specific individual categorized as Indian citizen who might belong to member of those particular communities. “Thus, the agenda of the community for its collective well being always remain unaddressed.”¹³⁵

Thus, he also considers this policy, peace process and the process of signing the accord as the act of de-ethnicization as well as to break up the whole agenda and the goal of self determination.¹³⁶ Subir Bhaumik mentioned this strategy as a, “tribe by tribe approach” opposite to the Pan-Naga issue and conceptualization of the Naga National Council.¹³⁷

Another issue that Das critically examines is on the question of authority of the accord in terms of the gap and the difference between the procedure and the substantive realization of the agreement. Here, he analysed that the state is not a simplified body in the sense that the one who represents the state at the critical stage of signing the accord is not the same as the one that implements. As a result, he essentially noticed and pointed out that accord offer and entails “subversive political practices.”¹³⁸ Thereby, it makes the implementation process another hurdle in the containment and resolution of the conflict in the fullest sense.

¹³⁴ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 135.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 135.

¹³⁸ Samir Kumar Das, “Nobody’s Communique: Ethnic Accords in Northeast India”, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 139.

Since the inception of the Indo-Naga conflict, it has come to the attention of the two parties that there has been three accords had been signed. In doing so, some analyst of the accord like Bhaumik elucidates and inferred that creation of the state of Nagaland marked the first concrete step “to divide the Naga society between the moderates and the hardliners” and it also seek to deepen this division by advancing the politics of recognition in the manner of shifting in granting authority and legitimacy.¹³⁹ He reiterated and also affirmed that the grievance and the branding the Shillong Accord of 1975 as a ‘sell- out’ on the part of the detractors as justified on the ground that even after 20 years of bloodshed, the other parties to the conflict could not bargain and gain anything out of the outcome of the accord and in the process it delegitimized the Naga National Council. Next, he observed and argued that the accord has to be read within the historical context such as the creation of Bangladesh in 1971 and the subsequent reorganization of the North East in 1972 that precedes and conditions the structure of the accord.

In a nutshell, he viewed and the accord as a “one way traffic” in complete favor of the Indian state and even the incorporation of the word ‘reasonable time’ seems like a ‘time buying tactics’ which eventually proved the indifference even after 25 years of the conclusion of the accord.¹⁴⁰ Then, he went on to contextualized the current political scenario by connecting with the past experience and precedence by stating that the present ongoing peace talk that kicked off with the signing of the ceasefire agreement in 1997 might be nothing more than the deliberate well rehearsed delay tactics of buying time to wear down the ‘strongest rebel group’ and when the movement eventually swoop to the lowest ebbs, it would finally either escape settlement of the long pending conflict or coerced and circumvent them to an inescapable position of accepting a deal that might be of minimal significance.¹⁴¹

Moreover, he also highlighted the difficulties and the challenges that the movement faced and the foreseeable future course of decision making and action that might intensify on account of the resistance to the agenda of the formation of a greater

¹³⁹Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 201.

¹⁴⁰*Ibid.*, 203.

¹⁴¹Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 206.

Naga state that would be constituted out of the contiguous inhabited areas of the Nagas from the neighbouring state of other ethnic groups. On the other hand, the ceasefire agreement has better served the purpose and the interest of the Indian state through the transfer and supplanting of the conflict in the region by splitting and dividing the movement in the region as antagonistic and detrimental to the interest of the other. This resistance according to him will be used and manipulated as the strongest excuse in the search to tackle and hammer out the real solution.¹⁴²

Considering all these analysis and critical examination of the peace process and the accords in the form of a peace audit, it is interesting to note that the nature of the outcome seems to have portrayed the politics of irresponsibility towards a meaningful discourse. Rather, it seems to have indulged in the game of accusation, justification and at the same time view and played the conflict within their self interest. Understood in the light of this context, then a pertinent question arose as to whose responsibility is it? Then viewing justice as a neutral concept and impartial entity, the question arose as to what would be the role of justice in the peace audit and in conjunction with this, how it is related to the question of responsibility. In seeking to answer these complex questions, justice as a neutral concept and entity demands and obliges a mutual responsibility from both the parties. At the same time, granted the very fact that often group or parties are essentially 'self-focus', defensive and irresponsible towards problems solving and in turn indulge in the politics of blame game which lead to the perpetuation of injustice and thereby, Young argued that we have a 'shared responsibility' to mitigate and root out the injustice.¹⁴³ Further, she holds that "many injustices in the world result from structural processes, but it seems hard for individuals to accept even a shared responsibility for so many of them."¹⁴⁴ Thereby, the questions emerge as to whose responsibility to shoulder the tackling of the contentious issue when the parties engaged in the conflict increasingly evade responsibility. Following which, she asserted that one needs different parameters and degrees of obligated responsibility based on the agents influence, power and interest

¹⁴²Subir Bhaumik, "The Accord that Never Was: A Critique of the 1975 Shillong Accord," 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005),

¹⁴³Iris Marion Young, *Responsibility for Justice*, (New York: Oxford University Press, 2011), xvi.

¹⁴⁴Iris Marion Young, *Responsibility for Justice*, (New York: Oxford University Press, 2011), xvi.

and at the same time young also sufficiently emphasized on the importance, potential and the role of ‘collective ability’ in order to address the tensions in the society.¹⁴⁵

Therefore, the present political climate, controversy and situation with special reference to the issue that revolve and generate around cease fire and territorial conflict cannot be read in isolation as an accidental or sudden outburst to the very notion of Naga integration. Thereby, one has to trace and locate carefully the political nuances and the origin of the conflict rather than merely reacting to the immediate outcome and consequences. So, it is equally important and necessary to take into account the parallel development, establishment and the policies that are carved out and institutionalized in the past that run along the course of history. In the same line of thought, it necessitate up to look back at the significant nodes like the reorganization of the Northeast in 1972 which is solely carved out within the framework of the Indian Constitution irrespective and independent of the various movement in the region. The essence and the irony of such kind of restructuring lies in the fact that it has the capacity and the potential to totally revamp not only the geo-political past but also the socio-economic orientation of the various ethnic communities. Such reorganization and configuration through a process of deconstruction of the previous ethos and embedded values, practices and belonging in the long run could amount to the identity crisis seen in the form of various ethnic uprising and demands due to the gradual processes of naturalization and normalization which SanjibBaruah similarly term as a form of ‘cosmetic federalism’ in order to nationalize the nation building process.¹⁴⁶ Further, such political formation demand critical reflection as to why and how such enactment happen and at the same time to delve into what are or would be the possible impact of such political action rather than merely flipping at the surface and accepting as the outcome of the immediate political exigencies. The complexity of such creation could accentuate in the multi-layered superimposition of problems on account of the amalgamation of the web of problems.

It is in the context of this reading that the conflict and the peace process along with the accord requires a close and connected reading as certain subjectivity determine and shaped the important issues in a more substantial way rather than the number of less connected empirical events. Another fundamental question that

¹⁴⁵Ibid., xvii.

¹⁴⁶Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005), 45.

interlinked with the reorganization and the current controversy on the issue of territorial claim perhaps would be to critically review the criteria and the basis of the formation of the reorganization of the North East and at the same time inquire and compare with the other kinds of state establishment. It is in this context that the very concept and the notion of states emerge and thereby it interrogate as to whether to consider the state as a territorial concept or a civilisational expression. In these contestation and competing account, it is rather argued and understood as a “civilisational concept.”¹⁴⁷ Concerning this expression with the situated narration of nationalism, some researchers are of the view that the codification and the used of the term ‘state- nation’ seems more rational and sensible than the word “nation-state.”¹⁴⁸

Then another pressing question that is worth examining in the political culture and nuances in the politics of nation building is to elucidate in the light of this comparative account of the state formation that is played out in the events of the reorganization of the states based on the State Reorganisation Commission Report (SRC) OF 1956 and the Reorganisation of the North Eastern states in 1972. It is interesting to note the different principles and criteria that were applied to evaluate and legitimize the state formation. Then, in comparing the principles, it compel and help us to inquire, counter and critique as to why different principles were enacted and graded differentially in the pursuance of the remapping the Indian states after independence. One important point to take note in the reorganization of state in 1956 is the linguistic criteria that form the basis of the legitimate foundation for such change. On the contrary, the creation of state in the North East region and the subsequent reorganization merits different narration on account of the different contexts, principles and the experienced that the region undergoes, especially, which can be primarily attributed owing to the conflict with the Indian state.

Therefore, keeping this conflict at the central of political discourse and structural policy, the state emphasis can be stated as one that “at the centre, there was an understandable desire to ensure the rapid integration of these peripheral areas and peoples into the Indian union.”¹⁴⁹ Verghese further points out that there was an

¹⁴⁷B.G. Verghese wrote this statement in the foreword of, *Interrogating Reorganisation of States, Culture, identity and Politics in India*, ed. Asha Sarangi and Sudhapai , (New Delhi: Routledge Taylor & Francis Group, 2011), vii.

¹⁴⁸ Ibid.

¹⁴⁹B.G. Verghese wrote this statement in the foreword of, *Interrogating Reorganisation of States, Culture, identity and Politics in India*, ed. Asha Sarangi and Sudhapai , (New Delhi: Routledge Taylor & Francis Group, 2011), xi.

absence of a distinct border policy despite the presence of a boundary line which the government views it as a strategy of defense and in effect “territory was placed above the people.”¹⁵⁰ This differential prioritization and understanding along with the misunderstanding of the politics of the region is reflected in the form of the application of a separate policy, preferring the principle of security as the most suitable approach ultimately resulted in the creation of Nagaland in 1963 right after the Chinese invasion of 1962.

Similarly, the succeeding reorganization of the state of North East in 1972 also took place immediately after the creation of Bangladesh in 1971. This historical event and the context of liberation of Bangladesh played a very significant role in the dismantling of main regrouping zone of the insurgents of the North East in the background of the external relations. At this critical juncture, the state simultaneously and tactically pursued a policy of militarization with the unleashing of a ‘powerful military offensive’ and also push for a “comprehensive reorganization of the North East immediately after the Bangladesh war, and that led to the creation of new states and ever- new power- sharing mechanism’ that was designed for the ‘co-option of the local elites in the national power structure.”¹⁵¹ Thus, it can be said that the core principle of looking at the North East was primarily through this lens of security. However, it would not be wrong to asses and state that it is a faulty notion of security or incomprehensive and hasty notion of coercive security where the conflicting nature and the politics of confrontation and contestation was not complementarily studied and taken into consideration. Which in a way, through experience seems to indicate that instead of solving the security problem, rather it has compounded, though it might seems like it has settled the conflict once and for all. This whole exercise in a nutshell can be seen and taken as the greatest stumbling block in the restoration of order and the realization of justice.

Following which, Bhaumik made some other observations and provided an alternative suggestion through re-introspection by stating that the negotiation process particularly with reference to the Shillong Accord. He stated that the Naga insurgents would have seen and experienced different outcome and result had they ventured into the process of dialogue at the time ‘when the movement was at its peak’ which would

¹⁵⁰Ibid.

¹⁵¹Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 207.

provide a space and even compel the state to “concede any legitimate political demand”¹⁵² with the exception of the sovereignty of the Nagas, while on the other hand, the state was constantly advised and suggested by “its official that that India should negotiate from a position of strength, not from a position of weakness”¹⁵³ and in the process wait “until we gained the upper hand over the rebels and could clearly dictate terms”¹⁵⁴, or at a certain point of critical history the state was even at the point of almost “accepting a Bhutan- style protectorate arrangement with Nagas.”¹⁵⁵

In the debate and discourse of assessing the peace process and the accord particularly between the Government of India and the Nagas, Bhaumik very interestingly highlight and brought up an important question as to whether the state has a moral authority to coerce the Nagas to accept the Indian hegemony, and at the same time he rather focus more on how any nation state would have acted in such a given circumstances, context and situation of conflict. Here, he illustrates the double standard and the hypocrisy of the Indian state by citing that, ‘while steadfastly refusing to deny Nagas the right of self determination, would within a few years back the Bengalese nationalist struggle in East Pakistan to the point of a decisive military intervention.’¹⁵⁶ Thus, the political underlying, politics and the process that are involved in the making and unmaking of the new states within the framework of the Indian nation building, draws the attention of many scholars over the years and in turn exerted many tensions, arguments, deliberation and justifications.

Thereby, taking these different explanation, calculation and validation into consideration, in order to find the unresolved and unanswered question, one has to seriously ponder, examine and reflect as to “whether or not the rationale of reorganization was democratically initiated and pursued or it was simply a case of

¹⁵²Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 209.

¹⁵³ Ibid.

¹⁵⁴Y.D. Gundevia, *War and Peace in Nagaland*. Delhi, 1988, cross referred by Subir Bhaumik in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 209.

¹⁵⁵Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 206. This statement is taken from the version of Muivah who is the general secretary of the NSCN (IM) which was made known to the B.K. Nehru in an interview to the Bhaumik on January 20, 1984.

¹⁵⁶Subir Bhaumik, “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” 1999, in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 215.

political strategy or expediency can only be ascertained by analyzing various reasons responsible for redrawing the state boundaries and their territorial justifications.”¹⁵⁷ As for instances, Ambedkar vouched for the reorganization of states on linguistic basis. He enunciated and justified that it would assist and help in accruing ‘definite political advantages’ that will yield result in the form of better ‘development, efficiency, equality and democracy’ while he denounced and argued that a heterogeneous population “could get divided into hostile groups leading to discrimination, neglect, partiality and suppression of interest of the smaller groups with power remaining in the hands of one powerful groups, which would be detrimental to the working of the democracy.”¹⁵⁸

However, on critical analysis and on reading through experiences of the process of the nation building, it can be stated that carving the state on linguistic and other cultural ground seem to convey the message in a better way. At the same time, it has provided a better and smooth transition than those states which were randomly carved out on the pretext of political expediency without deliberation and subjective articulations. While the North Eastern states that were formed based on the criteria of security have on the contrary produced and transformed as a big threat to the security itself which in fact defeat the very purpose of security. This experience tends to teach us a lesson that any contentious issue and conflict ought to be dealt in a fair and comprehensive manner rather than merely reducing and narrowing down the whole agenda to one specific and immediate concern that at the eventuality became the crux of non-resolution of the conflict.

However, the hasty reorganization of the North East states after the aftermath of the Chinese invasion and liberation of Bangladesh, the Indian state has on the contrary seems like reformatting the linguistic-cultural and reorientation of their regional identities. Nehru on the other hand opposed state formation solely on linguistic lines on the ground that it would lead to the disintegration of the country and “rise of communalization over language politics in the aftermath of the partition

¹⁵⁷ Asha Sarangi and Sudha Pai, ‘Introduction: contextualizing reorganisation’, in *Interrogating Reorganisation of States, Culture, identity and Politics in India*, ed., (New Delhi: Routledge Taylor & Francis Group, 2011), 1.

¹⁵⁸ Ibid.p.8.

in 1947.”¹⁵⁹ He was deeply focused on the security and stability of the state after the episode of partition and Chinese invasion. Hence “he did not favour radical change in the boundaries of the provinces.”¹⁶⁰

Owing to the complexities of the problem of conflict, which is deeply entrenched, multifaceted and has layers of meanings and interpretation, it becomes all the more important to examine and reflect the different process, methods, techniques and strategy employed by both the contenting parties to topple over the other, in the name of peace process, accords and other political and non- political mechanisms. It is within this context and framework of understanding, most of the discourse and the debate of the scholar and the policy makers is focused on how to end the conflict and insurgencies. But the more pertinent and critical question that required to be addressed and answered is on how and why the conflict is to be resolved?

In the effort to arrive to the conclusion of this long and protracted question, it becomes all the more necessary to unfold and comprehensively analyse all the means, methods and processes that were used, and the outcome that has generated out of such endeavors. In doing so, Baruah has observed that over the years of the conflict and the corresponding project of political engineering in the quest for peace and conflict resolution, it has rather produced a new politics and a trend of practices wherein “ ethnic militias, counter- insurgency operations, state backed militias, developmentalist practices, and the deformed institution of democratic governance together and suggest that for analytical purposes they can be seen as constituting a coherent whole that I will call durable disorder.”¹⁶¹ He also pointed out that the path to counter- insurgency was assumed as the most practical and the right strategy to eliminate the North East Insurgency. Yet, he posed a challenge on the validity and the credential of such proposition and premise.¹⁶² In fact, he bring to light some of the structure as well as the nature of the politics of the regions by stating that a new system of governance and structure has evolve and actualized over a period of time in the form of a nexus

¹⁵⁹ Asha Sarangi and Sudha Pai, ‘Introduction: contextualizing reorganisation’, in *Interrogating Reorganisation of States, Culture, identity and Politics in India*, ed., (New Delhi: Routledge Taylor & Francis Group, 2011),p.33.

¹⁶⁰Ibid.p.37.

¹⁶¹Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005), 13. However, he borrowed the phrase ‘Durable Disorder’ from Cerny, 1998.

¹⁶²Ibid.

and partner between the insurgents and the political system.¹⁶³ The general characteristics of this nexus in the North East can be illustrated in the policy of the successive Nagaland Government. As for instances, Chief Minister of Nagaland, Neiphiu Rio in July 2003 stated that “ while the previous government believed in ‘equi-distance’ from different Naga underground factions , his policy, he said , is one of ‘equi- closeness’ ”.¹⁶⁴ Besides, different reasons and explanation were given for the continuation of Naga Insurgency. Some argues that the non resolution of “Naga Insurgency’ is attributed to the benefit that is accrued from the conflict itself by some of the ‘mainstream political players.’¹⁶⁵ Others, like Udayon Misra considered this issue as an ‘excuse’ by the elected representatives of the state for obtaining more resources from the central government.¹⁶⁶

Another important and interesting feature that came to shape over a period of time that emerge out of the competing geo-political space is the formation of the ‘ parallel structure,’ ‘a kind of virtual parallel government’.¹⁶⁷ In relation to this informal institutionalization is the question of sustaining the movement. Here the movement finance mostly through justified claim of the means of taxation, which the Indian government term as extortion. Further, in addition to the subtle and contested field of control in economy, there is another dimension of reality that is faced and challenged in the context of democratic practices and experiences in the region. Following which, Baruah brought out the true color of the state by stating that in addition to the multiple strategy that is pursued to suppress the problem, it has also came to the realization that the policy of counter-insurgency denotes and indicates the “de facto suspension of the rule of law” which ultimately led to the democratic deficit and hence militarization has become a “way of life.”¹⁶⁸ Therefore, taking all these web of network, policy, events and the current politics into consideration, one have to critically assess the ‘current political talk’ that is in place and at the same time probe deeper as to what shape of politics would it expect in the near future. Again, it also

¹⁶³Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi: Oxford University Press, 2005),

¹⁶⁴*Ibid.*, 15.

¹⁶⁵*Ibid.*

¹⁶⁶*Ibid.*

¹⁶⁷*Ibid.*

¹⁶⁸*Ibid.*20. This statement is based on the report titled, *Where peace keepers Have Declared War* from the fact finding groups of diverse background that includes lawyers, journalists and human right activists in order to analyse the impact of the frequent imposition of the Armed Forced Special power Act (AFSPA).

demand us to question as to whether similar pattern of result or different outcome to happen and if so then how and why? In doing so, it might help us to discover the reasons for the success as well as the failure of pursuing such methods and strategy.

Thus, stereotyping, constructing and explaining the whole geo –political conflict and socio-cultural dimension of the region only within the lens of the security perspective to control, dominate and integrate into the Indian Union can be considered as one of the most ruinous policy and blunder that the state has followed in the attempt of nation building. At the same time, it is very important to consider that this kind of superficial marking and empirical understanding that led to the establishment and the institutionalization of the states in the region are largely responsible for the chaos, disorder and persisting conflict in the region. As a result, the policy of the state reorganization has failed to take into account the subjective paradigm and interpretation, which in fact, constitute the embedded, core and substance of any discourse and its fructification especially in the context of the quest for a just conflict resolution.

Considering the whole gamut of the conflict within the context of the peace process and the accords, it also seems to reflect the distinct path and the different intention that each parties unilaterally undertake despite the opposition from the other. At the same time, it has also been proven on many counts that the accords often re-configure as the new text and the basis for the next level of negotiation. But one of the most pertinent questions which are consistently neglected is the way and the context in which the accords are arrived at the disadvantages of the other. At the same time, this politics of sectarian accord and the conclusion often seem to depict the faulty method and approach to the overall notion of conflict resolution. This in turn produced hostility, nullification and non- acceptance of the accords.

However, if one is to critically examine the very notion of the accord in the context of conflict resolution, these entire exercise of the peace process to move forward towards a rational and progressive realization of justice by using the means of dialogue, deliberation and negotiation that is purposively and supposedly designed to mitigate, defuse, minimize and finally root out the pertinent and persistent questions of conflict. Moreover, through the signing of these accords which is a kind of contract build on trust, understanding and relational in the sense that it pre-supposed the

consideration of mutual trust and interest that truly reflects the substantive fulfillment of the objective that were laid down or implied. However, the various analyses, experiences and the explanation that portray and unveil the very color of the various accord seems to have travel different route to achieve different ends which in a way nullify the overall essence, meaning and the spirit of dialogue which implicitly involves two distinct entity.

Thus, failing to take this into account often amounts to the attainment of the interests of one side or specific group which in a way can be termed as a monologue and one-dimensional which also indicates the cycle of reversing back to the original position and taking recourse to the pre-negotiated positional conflict of status quo. This in a way specifies and reiterates the significance of a collective responsibility or mutually obligated responsibility to a just cause, especially in a conflict ridden terrain and subject so that it benefits all in the end. Finally, the manner in which the protracted and persisting conflict is resolved would to a large extent determine and shape the very outcome of the question of integration.

CHAPTER 3

Accords and Agreements between the Indian State and Jammu and Kashmir

Conditions and the Basis for the Accords and the Peace Process

The partition of Indian and Pakistan along religious line to a large extent, shape the politics of the Indian Subcontinent soon after the Colonial departure and the Independence of India in 1947. Following which, the Princely State of Jammu and Kashmir was also provided an option either to join India or Pakistan. On the contrary, the Ruler of the state desired to retain as a sovereign entity and sign a Standstill Agreement. However, the tribal invasion led to the process of integration with the signing of the Instrument of Accession on 26th October, 1947. At the same time one can hardly neglect the role and contribution of Abdullah and Nehru, especially Abdullah's desire for the abolition of autocracy, exploitation and domination of the Princely Rule and hence he initiated the land reform. In the light of this, Abdullah rejected joining the Muslim state on the ground that it is feudal society and hence non secular and non democratic and in the process have the apprehension that it would led to continued subjection

Taking this into consideration we can examine the accords within the context, contestation and the interest or even the overlapping interest of the bilateral conflict between India and Pakistan. Further, the politics that is played within the state of Jammu and Kashmir in the form of communalism, polarization and contestation for retention of power and sovereignty between the Prince and the people especially the Muslim community during the transition of power from ruler to the people also constitutes important conditions for the making of the accord. Besides, the role of the British in the formulation of policy, the cold war politics, India's foreign policy etc are some of the context and the background for the analysis of the Accords and Agreements.

To begin with, the Instrument of Accession of 1947 is based on the concept of shared sovereignty or division of power in the sense that certain power and authority was parted and at the same time sovereignty of other subjects were retained especially based on the interest and the security of the Ruler. The essence of this Accession lies

in the fact that it is often construed as the basis for other succeeding accords and agreements. However, the conflicting interest between the Ruler and the people arose in the form of demand for transference of power and democratisation to the people. The contradiction arose from the very fact that the conflict of interest within the state and at the same time the transition from princely rule to democracy entails a paradoxical dilemma wherein the Act, decision and the outcome contains an ambiguity of both safeguarding of sovereignty and at the same time parting of sovereignty in the form of democratization through the process of acceptance of the Indian Constitution. In other words, the parting of sovereignty as a means or in exchange to safeguard sovereignty became an important concern for the princely state of J&K. At the backdrop of this transition of political history and the process of decolonization, there is a contestation over the very idea of sovereignty as to whether it should reside with the people or locate with the Princely Ruler. The conflict of interest within the state of Jammu and Kashmir and the attempt to safeguard the interest of both the ruler and the people of Jammu and Kashmir have in a way rather benefit the Indian state in the process of legitimating integration and nation building.

While on the other hand, the conflict of interest have persisted the tension on the other. Therefore in the very study over the question of Accord, one of the important grievances that the people of J&K alleged is the erosion of Autonomy that is guaranteed in the Art.370 of the Indian Constitution. On the other hand, there is also a demand for more regional autonomy within the state of J&K. Still, other section demand for abrogation of the same provision for more integration within the Indian state. Following which, the question arose as to whether the Accord was successful in the resolution and the mitigation of the conflict. The persisting conflict also brings forth the apprehension that loom at large over the question of whose interest has the special provision served more in such situation and context and at the same time, whose religious, ethnic, regional interest within will it serve in the long run with the continued provision or in the event without the special safeguard in the constitution.

Moreover, it is also essential to inquire and examine as to whether there is a concerted effort in the claim of erosion of Art.370 and democratic principles or whether there is a common interest to restore the same provisions in the very study of the politics and the processes of Accords and Agreement. As a result, it necessitates

interrogating and critically examining whether the political conflict, the perpetuation of violence and polarization along religious and communal lines has rather conformed to the political economy of conflict by the different stakeholders thereby discounting the discourse of Federal issues, secular and democratic principles as seemingly unimportant.

Taking this background into consideration, let us examine some of the accords and Agreement post India Independence with the state of J&K and related conflicting issues with Pakistan.

Instrument of Accession 26 Oct. 1947

As per the Government of India Act of 1935, the princely state may accede to the Dominion of India by an Instrument of Accession. This Instrument provide the basis for the Dominion of India to have sovereign right with regards to the subject of “defense, communication and external affairs”¹ and retain other sovereign rights over other matter. Accordingly, Maharaja Hari Singh entered into an Instrument of Accession on 26th October, 1947. One of the feature of the agreement that is laid down in the fourth point declared that the Ruler

“acceded to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administrations in this state of any law of the Dominion legislature shall be exercised by the Ruler of this state, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effects accordingly.”²

Further, the 5th point emphasized the legal sanctity by stating that the terms of the contract of the Instrument of Accession “shall not be varied by any amendment of the Actor of the Indian Independence Act, 1947, unless such amendment is accepted by an Instrument supplementary to this Instrument.”³

¹ A.G Noorani, *Article 370 A Constitutional History of Jammu and Kashmir*, (Oxford University Press, 2014), p.39.

² This is extracted from the quotation of the ‘Instrument of Accession of Jammu and Kashmir State’ which is encoded in the Book ‘*Report of the State Autonomy Committee*, Srinagar, 2000

³ *Ibid*.p.143

Another important point in the contract pertains to the question of the authority and sovereignty over the question of land on the issues of the jurisdiction of making law over the question of land acquisition. Here, the Ruler of the state retains the original right over the sovereign right of land ownership. However, this Agreement also interestingly empower and authorize the Supreme Court of India through an arbitrator to be appointed by the Chief Justice of India when controversies arose on the agreed term over land especially ‘in default of agreement’ entered between the Ruler of the Princely state and the Dominion of India.⁴ Then, the subsequent point mentioned about the responsibility over the agreed terms and at the same time it detached its responsibility over the future constitution which is not signed within the Instrument of Accession. Finally, it reemphasized the importance of the continuity and the validity of His Sovereignty in and over the state of Jammu and Kashmir, by virtue of the agreement as well by the rights that he enjoyed as a ruler of the state over the non negotiated Sovereign power. ‘The Instrument of Accession’ of 1947 was signed to sort out the fundamental questions of legitimacy and sovereignty with the lapse of the Colonial authority power and sovereignty. It is also a politics of struggle for legitimacy as well as a justificatory process of power for the transitional period and the future politics of Jammu and Kashmir in particular within the context of the development in the Indian subcontinent. Following the application, the Accession of the State of Jammu and Kashmir was accepted into the Dominion of India.

However, the acceptance was granted on the condition that if any dispute arose on the very question, then it should be decided “in accordance with the wishes of the people of the state.”⁵ Further it stated that in such a situation, the government of the Dominion of India wish to ascertain the process of Accession with the reference of the will of the people of J&K when law and order is restored and the invaders cleared off for the state.

Taking this into consideration, the reading of the process of Accession in a way implies two important points. Firstly it demands a comprehensive and unified

⁴This is extracted from the quotation of the ‘Instrument of Accession of Jammu and Kashmir State’ which is encoded in the Book ‘*Report of the State Autonomy Committee*, Srinagar, 2000. P.143.

⁵ This is based on the record from the paper of the ‘Acceptance of Accession’ with reference to “Lord Mountbatten’s Reply to Maharaja Hari Singh Dated 27th October, 1947. It is extracted from the Book ‘*Report of the State Autonomy Committee*, Srinagar, 2000. P.144.

reading of the application of the Instrument of Accession as well as the Acceptance of the same. Secondly, a close reading of the agreements signifies the initial process of accord and at the same time understanding of the political situation of that time and at the same time hints the possible conflicts that will unfold in the near future. Thereby, the accord was temporal and strategic in nature. The accord in a way entails not only the political process of the struggle for power but also embodies the negotiated sovereignty. These accords also project the impending tension between the traditional authority of the Princely state and the modern conception of Democracy where sovereignty lies with the people. On critical analysis of the Instrument of accession, it is also noteworthy to mention that it has become the basis as a reference point for all the subsequent agreements, dialogue, negotiation and analysis. Next, there is an element of ambiguity in the agreement itself as to where the sovereignty lies with. While the Dominion of India accepts the legitimacy and sovereignty of the Ruler, on the other hand, it denies the authority when it involves the question of fundamental decision making especially when dispute arose within the very question of accession.

This ambiguity has paved the way for the justification of the process of integration and at the same time as a source of conflict and struggle for power in the state of J&K and Indo Pakistan relation.

The next development after the accession of the state of J&K into the Dominion of India in limited areas, Yuvraj Karan Singh issued the Proclamation on May 1st 1951 that states the establishment of a constituent Assembly constituted by a representative of the people elected on the basis of Universal Adult Franchise to frame the Constitution of the state. As a result, with the election of the Constituent Assembly, the process of making the Constitution begins and on 12th November 1952, “the state Constituent Assembly formally terminated the Monarchical Rule in the state.”⁶ Similarly, in the Ghulam Rasul case, a full bench of the Jammu and Kashmir High Court holds that the rights, jurisdiction and authority of the Ruler were surrendered to the people of the state with the existence of the Constituent Assembly represented by elected representatives.⁷ Subsequently, after much deliberation, on 15th Feb, 1954, the Constituent Assembly of the state endorsed the Accession of the state of J&K into the Indian state. Again “The Constitution of Jammu and Kashmir of

⁶Aman. N. Hingorani, ‘*Unravelling the Kashmir Knot*’ (New Delhi: Sage Publication, 2016), p.135

⁷Ibid.p.135.

1957 framed by the State Constituent Assembly, declares the PIS of J&K to be an integral part of the Union of India and puts a limitation on the legislative power to amend the constitution of Jammu and Kashmir of 1957 to alter this position.⁸Therefore, taking this into consideration, the question of self determination and plebiscite seems to have been resolved legally.

However, one the strongest point of contention apart from the agreed accord has been on the very question of the will of the people. The problems lies in the very fact on what constitute the will of the people and at the same time through what methods will the question of accession be insured. Hence forth several interpretation and political maneuvered took place in the language of referendum, Plebiscite and also through the Constituent Assembly. The simmering conflict in the process of nation building is played out by the leaders of the respective states.

Nehru in a special way played an important role in shaping the opinion and the politics of the time. On 28th October, 1947 he reassured to the then Prime Minister of Pakistan that the question of accession “is subject to reference to people of state and their decisions.”⁹ He also suggested to the leaders of the J&K that the very issue be decided by the people ‘under the auspices of the United Nations’¹⁰ and also went on to announce on All India Radio on 2nd November, 1947, from New Delhi by stating that:

“It has been our policy all along that where there is a dispute about the accession of a State to either Dominion, the decision must be made by the people of that state. It was in accordance with this policy that we added a Provisio to the Instrument of Accession.....we have declared that the fate of the Kashmir is ultimately to be decided by the people. That pledge we have given.....not only to the people of Kashmir but to the world. We will not, and cannot back out of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nation....”¹¹

Following which, the subsequent discourse on the question of referendum, plebiscite and accession as provisional is conceive by the international community as a commitment from the Indian state and at the same time was assume as agreed upon

⁸Aman. N. Hingorani, ‘*Unravelling the Kashmir Knot*’ (New Delhi: Sage Publication, 2016), p.136

⁹ Ibid,p,139.

¹⁰Ibid.p.140.

¹¹Ibid.p.140.

by the Pakistan. As a result the denial of the Indian state at the United Nation and the world “failed to impress the international community.”¹² Noorani reiterate that despite the UN failure to conduct referendum, he asserts that the future of the Kashmir must be decided by the people and not the Constituent Assembly. He also argued that “a plebiscite in Kashmir was a moral imperative besides being a democratic necessity.”¹³

Taking all these implication into consideration, the very question of accession with reference to the question of plebiscite, referendum and the will of the people still remains a contested concept. It is interesting to note that various statement use this conflict and dispute as an important issue to shape the politics and the foreign policy of the time. But the larger question that remains before the succeeding generation is to critically ponder and examine why certain contracts are legitimate and why other commitments are not binding and obligatory. Further this also help us to ponder as to how the historical and political processes undergoes a change and a challenges that can be seen especially in the form of national integration within the Indian State and at the same time a contestation, resistance and movement for self determination, separation and autonomy. This vague and multi facet conceptions, construction and meaning of what constitute the sovereign will of the people in a way lies in the process of justification and legitimating of certain will as a form of contextual will on one hand, and yet denying it's will or sovereignty for the near future simultaneously create a political dilemma, conflict and controversy on the other.

Moreover, the transition from the sovereignty of the Ruler to the sovereignty of the will of the people in turn led to another ambiguity as to when the question arose as to which will of the people matter as to whether the will of the people through the elected representative in the Assembly and Constituent Assembly or the General Will that is exemplified in the form of Plebiscite and Referendum. Due to the differing point of understanding of the very concept compounded by the assurance of political statements has led to the justification of the status quo on one hand and rejection of the same by the other. This is reflected in the contemporary politics in the form of reiteration of the acceptance of the Indian Constitution by the Indian State on one side, and the resistance movement of the people of J&K and demand for the very right to conduct plebiscite and referendum on the other. This also in a way resulted to the

¹² Aman. N. Hingorani, ‘*Unravelling the Kashmir Knot*’ (New Delhi: Sage Publication, 2016), p.141.

¹³Ibid.p.143.

notion of the hegemony of the dominant conception of sovereignty which in the process undermines all other form of conception of the will of the people that in turn perpetuate conflict and violence. The conflict and violence in turn widen the differing political claims and stands.

After the signing of the Instrument of Accession on 26th October, 1947 and the formation of the Constituent Assembly of J&K, on 25th of November, 1949, The Maharaja “made a proclamation declaring that the Constitution of India shortly to be adopted by the Constituent Assembly of India shall in so far as it is applicable to the state of Jammu and Kashmir, govern the Constitutional relationship between this State and the contemplated Union of India.”¹⁴ Following which, on 26th January 1950, The President of India made the First Constitution (Application to Jammu and Kashmir) Order, 1950, under Article 370 of the Constitution of India in accordance with the Instrument of Accession.¹⁵ Accordingly, the division of power and jurisdiction was demarcated as per the Article 370 of the Constitution of India especially granting the sovereignty right of three subjects namely Defence, Foreign Affairs and Communications.

It is also noteworthy to take into account the important provision and the complex clause that either limit or permits the legislation and also the exercise of power so as to better understand the conflict, tension and the misunderstanding within the Article of 370. As for instances, the 3rd provision of this article also mentions that “Notwithstanding anything in the foregoing provisions of this article, The President may , by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify: provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such notification.”¹⁶ Another important feature of the relationship of the State of J&K and the Indian state is the recognition of the space for the formation of existence of the own Constitution of J&K within the Union of India.¹⁷ Thus if any other Constitutional

¹⁴ This is extracted from the white paper on Indian States: Government of India, Ministry of States, New Delhi, 1950. p.371 which is further reproduced in the book ‘*Report of the State Autonomy Committee*, Srinagar, 2000. P.26.

¹⁵ *Report of the State Autonomy Committee*, Srinagar, 2000.p.145.

¹⁶ *Ibid*.p.29.

¹⁷ *Ibid*.p.29.

provision and the power of the Union is to be extended then the prior concurrence of the state government of Jammu and Kashmir was required.¹⁸

It is also interesting to study the background, basis and the challenges of Constituent Assembly of Jammu and Kashmir as mentioned by Sheikh Abdullah through his inaugural speech on November 5, 1951. He lauded the historic moment and destiny of the Kashmiris and stresses the spirit of tolerance, mutual respect and brotherhood for mutual advantages of all section of the society. He addressed the issues of communalism, independence from autocratic rule, land reforms to envisage a social justice for the New Kashmir. He asserted that “The future Constitutional set up in the State of Jammu and Kashmir cannot derive authority from the old source of relationship which was expiring and was bound to end soon. The set up could only end on the active will of the people of the state, conferring on the head of the State the title and the authority drawn from the true and abiding source of sovereignty, that is the people.”¹⁹ Next on the complex political question of Kashmir, he is optimistic that a solution would arrive provided there is genuineness and a determinate will to face the issue in a fair manner to find a solution.

On the question of the legality of the Accession of the Maharaja to the Indian state he is of the view that “the legality of the accession has not been seriously questioned by an irresponsible or independent person or authority.”²⁰ He continued to argue that the struggle of the Kashmir was against autocracy and thereby the fundamental issue is to establish a popular government to decide the aspiration and the future of the people.²¹ Citing the invasion of the tribal apart from the resistance against the autocratic rule, he evaluates the accession to India with special and specific reference to the Constitution of India. He mentioned that “the real character of a State is revealed in its Constitution”²² and since the Indian Constitution is based on the secular-democratic principles that promotes justice, liberty, equality for all without discrimination, and therefore this should paved the way for the merger of the

¹⁸ *Report of the State Autonomy Committee*, Srinagar, 2000.,p.29.

¹⁹ *Ibid.*p.173.

²⁰*Ibid.*p.181.

²¹*Ibid.*p.187.

²²*Ibid.*p.192.

Muslims of the Kashmir against the notion of the fear of discrimination, domination and hegemony from the majority of the Hindus of India.²³

Similarly he argued that the goal of the people of Jammu and Kashmir is to establish a secular democracy.²⁴ However, his apprehension of the disadvantages of accession to the Indian state lies in the fact that the recurring certain communal tendencies that assert in India and in the future might translate the state of Jammu and Kashmir into a deep communal divide, tension and conflict. In the same manner he posed the public to evaluate as to what extent merger of accession to Pakistan be more advantages and at the same time compare and contrast the disadvantages as well in the immediate and the near future. He argued that,

“the most important argument which can be advanced in her favour, is that Pakistan is a Muslim State, and a big majority of our people being Muslim the state must be acceded to Pakistan. This claim of being a Muslim state is of course only a camouflage. It is a screen to dupe the common man, so that he may not see clearly that Pakistan is a feudal state in which a clique is trying by these methods to maintain itself in power. In addition to this, this appeal to religion constitutes a sentimental and a wrong approach to the question.”²⁵

Delhi Agreement of July 1952

Noting this, when the very idea and the process of integration and separation is pursued respectively by the Indian state and resistance movement of the people of J&K through violent confrontation without political dialogue, it seems to be counterproductive to the very idea and the process of integration. It also seems to indicate that when more will of the people is expanded and the sanctity of the contract and the autonomy is upheld by the conflicting parties, then the pace of the process of integration increases. In the same manner when the legality of the contract is encroach and forfeited without the consent of the other, then the politics of separation, resistance and demand for autonomy intensify. Furthermore, considering the political concern challenges in mind, from modern political angle Sheikh Abdullah opines that religious consideration alones should not and do not necessarily define the relation of

²³*Report of the State Autonomy Committee*, Srinagar, 2000.p.192.

²⁴*Ibid*.p.192.

²⁵*Ibid*.p.195.

state. Rather, at the present political context the “economic interest and a community of political ideals more appropriately influence the policies of States.”²⁶

In addition to the economic constraint due to lack of industrialization and market, he also depicts the reality of the condition of the lot of the helpless state subjects that are under subjugation of their Ruler. Besides, one of the biggest disadvantages for opting Pakistan according to Sheikh would be the ‘lack of Constitution in Pakistan’ and at the same time the prevailing situation of that time shows that “this state enjoys the unique position of being governed by a Constitution enacted by an outside Parliament which gives no idea whatsoever, of the future shape of civic and social relation.”²⁷ Sensing this, he cautioned that it would deprive them of their basic fundamental rights, democratic rights and values to its citizens.

Apart from these arguments, he also provides an alternative to ponder over the political future of the state of J&K in the line of Switzerland as a viable tourist country. However, he is of the view that even as an independent and sovereign country, on practical consideration, it would not only be difficult to defend due to small size but also must have a cordial relation and goodwill of all neighbours. Further there is a need for a powerful and strong guarantor who can assure protection from the threat and aggression of the other. Taking this into consideration Sheikh cited a tacit example when he reminded that “from August 15 to October 22, 1947, our State was independent and the result was that our weakness was exploited by the neighbours with whom we had a valid Standstill Agreement. The State was invaded. What is the guarantee that in future too we may not be victims of a similar aggression?”²⁸

Taking into account all the pros and cons of the political situation, context, options and the political future of the people of Jammu and Kashmir into account, Sheikh Abdullah seems to have preferably opted for a Union with the Indian state with the condition of maximum autonomy that is guaranteed within the constitution of India. The critical evaluation of the practical assessment and consideration of Sheikh Abdullah is important to better understand the process of integration as well as

²⁶ *Report of the State Autonomy Committee*, Srinagar, 2000., p.196.

²⁷ *Ibid*, p.197.

²⁸ *Ibid*, p.198.

the demand for separation and self determination. The autonomy that he proposed and entered into agreement on behalf of the people of the state of J&K with the Indian State can be taken as a yardstick to measure the intensity and dynamics of relation. Moreover, the allegiance or the deviance from the agreed accord will be crucial in determining the very politics of peace and conflict in relation with the very process of integration and nation building. These points and the rationale that he enunciated before the State Assembly and the people of J&K presents his best options and the justification that he made in the political choice of the people. This also provide a space for further reflection to the people of the state on the future identity and well being in relation to the politics of the region, neighbor and global context and especially as this relevance is manifested in the continued and persistent violence and conflict in the region.

Following which, the political history of the State of J&K post Independence can be trace in the process of the evolution of the Constitution of the state in tandem with the defining of the future relationship with the Union of India. Keeping this in mind, it primarily focus on the development of Constitution, settling the future of the ruling Dynasty and at the same time it also mapped out the relation of J&K with the Indian state through Constitution. Therefore the necessity to define the basic structure, jurisdiction and power led to the formation of a Basic Constitution Committee on June 10, 1952 by the Constituent Assembly of the State. Thereby, the report of the Committee and its acceptance by the Constituent Assembly led to the termination of the Hereditary Rule on June 12, 1952.²⁹

It is against this background that the historic Agreement of the so called Delhi Agreement was concluded between Jawaharlal Nehru and Sheikh Abdullah on 24th July 1952. Subsequently, it paved the way for the President's Second Order under article 370 on November 15, 1952. It is noteworthy that the First President Order of 1950 was based on the recommendation of the Constituent Assembly of J&K while the latter was made as per the Delhi Agreement³⁰. Accordingly, Nehru highlighted the significance and the terms of agreement in The Lok Sabha. He stated that the essence is contained in the Article 370 of the Indian Constitution and President Order of 1952. He pointed out that Article 370 is transitional in nature and at the same time it

²⁹*Report of the State Autonomy Committee*, Srinagar, 2000.,p.49.

³⁰*Ibid*,p.47.

empower the President to alter and add without undergoing the process of amendment in the constitution on the subjects related with the state of Jammu and Kashmir. However, he also mentioned that in “Article 370 the old principle was repeated and emphasized that all these changes or any change, required the approval of the Constituent Assembly of the Jammu and Kashmir State.”³¹ He further mentioned that when these provisions were made in the Indian Constitution, there was no Constituent Assembly in the State of Jammu and Kashmir and as a result, “if the Constituent Assembly was not there, then it required the consent of the Jammu and Kashmir Government. So that was the position.”³²

Some of the important provisions of the Delhi Agreement of 1952 relates to the questions of residuary power, Citizenship, Fundamental Rights, Supreme Court, Financial relations between the centre and the state, Election Commissioner, power of President with the abolition of hereditary rule. Besides, some distinctive features includes; Unlike other states, the Residuary power is vested with the state of Jammu and Kashmir, Citizenship with special rights and privileges of permanent residents especially with regards to appointment of services, acquisition of immovable property and at the same time, the Fundamental Rights of the Indian Constitution is to be applied with certain modification, restriction and changes. Next, with regards to financial relation it is to be evolved and negotiated. Further, this provision provides for varying conditions for the application of emergency in case of external aggression and internal disturbances.

However, according to Sheikh Abdullah, the Fundamental Rights

“which are contained in the Constitution of India could not be conferred on the residents of the J&K State in their entirety taking into account the economic, social and political of our movement as enunciated in the New Kashmir Plan. The need for providing suitable modifications, amendments and exceptions as the case may be in the Fundamental Rights Chapters of the Indian Constitution in order to harmonize that provision with the pattern of our principle was admitted”.³³

³¹ *Report of the State Autonomy Committee*, Srinagar, 2000.p.49

³² *Ibid*,p.49

³³ *Ibid*,p.53.

As a result, he pointed out that the question that is yet to be resolved pertains to the very question as to “whether The Chapter of Fundamental Rights should form part of the Constitution of Jammu and Kashmir or that of the Union Constitution.”³⁴ Thereby, this remains a space for further agreement and negotiation to be dealt with. Another important subject that demands further examination is the issue on the subject of financial integration. Sheikh argued that while there is a need “to evolve some sort of financial arrangement between the state and the union, in view of the far reaching consequences, involved therein, it was agreed that a detail examination of the subject would be necessary before doing that.”³⁵

Thus, the Instrument of Accession was the basis for a constitutional relationship of the state of J&K with the Union of India. This also implies the division of sovereignty as a Federal feature in a way in which the Union exercises its sovereignty over the jurisdiction of Defense, External Affairs and Communication, while the rest is left to the state of J&K in the form of residuary sovereignty.³⁶ Further the main issues and concern of the Assembly of the state of J&K concentrated on the four vital questions of “the future of the Ruling Dynasty, payment of compensation for the land transferred to cultivators under the big land Estate Act, Ratification of the state’s accession to India as well as the framing of the constitution for the state.”³⁷

With this background, the special provision of Article 370 of the Indian Constitution was thus framed and incorporated. Nehru, the then Prime Minister who played a key role in the process of accession and integration of J&K into the Indian state stated in the Lok Sabha on July 24, 1952 that with the framing of the Indian Constitution and the article 370 becoming a part of it along with the President order, the relationship between the state of Jammu and Kashmir and the Indian State became a reality. He pointed out that article 370 is transitional in nature. Next, drawing from the above conclusion he concludes that state of J&K is a constituent unit or part of the

³⁴*Report of the State Autonomy Committee*, Srinagar, 2000.53.

³⁵*Ibid.*,p.,55.

³⁶ *Ibid.*p.203. This is based on the Speech of Sheikh Abdullah on the future of the constitutional relationship between the Indian state and the state of Jammu and Kashmir in the Constituent Assembly of J&K on 11th of August, 1952.

³⁷ This is with reference to the Speech of Sheikh Abdullah on the future of the constitutional relationship between the Indian state and the state of Jammu and Kashmir in the Constituent Assembly of J&K on 11th of August, 1952 which is quoted from the *Report of the State Autonomy Committee*, Srinagar,p.210

Indian Republic. Since it constitutes a unit of India thereby it is a part or integral part of the territory of India.³⁸

Some of the notable observation of Nehru on the Delhi Agreement of 1952 concerns to the issue of land legislation and the differences with the fundamental rights of the Indian Constitution. He is also of the view that the state has a right to legislate on land but at the same time he cautioned that tacit understandings need to be worked out. Another important point that he mentioned is on the political situation in the state of J&K. Here he observed that despite the political conflict, tension, infiltration, propaganda and seemingly projection of disturbances in the region, the ground realities on the other hand reveals that there is normalcy which means the state is also “functioning adequately normally, but behind that normalcy, there is this tension, constant tension of an enemy, trying to come in to create trouble, to disturb and all that. And that the state government has to be wary and watchful all the time and so we were told that it was possible that some part of the fundamental right provisions might very well hamper the activities of the state government from taking this precaution and these measures.”³⁹ Another point of this agreement pertains to the extension of the original Jurisdiction of the Supreme Court to the state of Jammu and Kashmir wherein it has the power to settle the dispute the as per the Article 131 of the Indian Constitution. Moreover, according to Nehru, as per the 1952 accord, it was also “agreed that the Supreme Court should have jurisdictions in regards to fundamental rights, which are applied to the state.”⁴⁰ Besides, financial integration is another point of contention that is yet to be resolved as per the President Order (Application to the state of J&K), 1952.

Furthermore, another bone of contention that was perceived during the time of the Delhi Agreement of 1952 lies to the very question of the extent of the power that is granted in the article 370 of the Indian Constitution. Rajendra Prasad, the then President observed that the proviso of clause (3) of article 370 is of an exceptional one in the sense that “the recommendation of the Constituent Assembly of the state is

³⁸The argument is extracted from the speech of Jawaharlal Nehru that was made in the House of the People on the 24th of July, 1952 which was incorporated in the book ‘*the Report of the State Autonomy Committee*, Srinagar, p.220.

³⁹The argument is extracted from the speech of Jawaharlal Nehru that was made in the House of the People on the 24th of July, 1952 which was incorporated in the book ‘*the Report of the State Autonomy Committee*, Srinagar, p.224.

⁴⁰Ibid.p.224.

a condition precedent to the issue of any notification by the President under the substantive provision of the clause”.⁴¹ He also noted that this provision excludes the power of the Parliament and as a result it would lead to further complication in the future over the very exercise of the power provided in this provision. In his own word he stated “that the exercise, scope and the extent of the President Order cannot be seriously maintained that for all time to come the application of our Constitution to Jammu and Kashmir would derive its authority from Article 370 to the complete exclusion of the Parliament.”⁴² Further, he argued that Article 370 is temporal in nature and as a result clause (3) of the Article 370 ought to be temporal in the sense only at a time when the Constituent Assembly of the State of J&K framed its Constitution.

These above points to the possible tension and the complexities that will be involve in the application process of article 370. However, it is important to note the political circumstances that necessitate the framing of these special provisions. Thereby, on this question, the then President, Rajendra Prasad’s position seems to focus more on the limits of the power of the President rather than the process of conflict resolution and integration with constitutional safeguard. It is also important to note that President is very much a part and parcel of parliament. Further, the conflict over the power and the jurisdiction over the President power within the Article 370 and at the same time the violation of the provision based on the electoral politics in the form of imposition of President Rule and enactments of extrajudicial measures has in the long run blurred the relation and the division of power. This in turn, led to the skepticism and doubt over the very provision and safeguards. Thus, the power of the president and the abuse of the same has been one of the crucial reasons for the cause of tension and conflict.

Taking this into consideration, the Delhi Agreement of 1952 entails both the basis of building the centre state relation as well as an element of tension between the Indian State and the State of J&K. One of the notable examples revolves around the

⁴¹This is with reference to the letter written by Rajendra Prasad to Nehru, the then Prime Minister of India on the Delhi Agreement of 1952 over the power and the challenges of Article 370 which is incorporated in the book *Report of the State Autonomy Committee*, Srinagar, p.235.

⁴²This is with reference to the letter written by Rajendra Prasad to Nehru, the then Prime Minister of India on the Delhi Agreement of 1952 over the power and the challenges of Article 370 which is incorporated in the book, *Report of the State Autonomy Committee*, Srinagar, p.235

domain and jurisdiction in the sphere of its function and governance. Then, it also helps us to interrogate as to whether in the interest of the national security the fundamental rights of the people can be abrogated. If so, then up to what extent can it be encroached upon? This remains a pertinent question in the relation of J&K with the Indian State on account of the persisting conflict and also due to excessive violation of human rights through extra judicial measures and Act like the Armed Force Special Power Act, TADA and other provisions that provides impunity in the name of national security to those who violates fundamental rights and human rights. Moreover, it becomes important in the sense that the controversy and the unresolved jurisdiction has become a bone of contention that in the process has intensified the conflict especially in the form of demand for independence on one side and the attempt for coercive integration on the other. Thus, this very policy and confrontation rather led to more violation of Fundamental rights and loss of lives across the section of the society that includes the State security personals, militants and the local civilians.

As a result, one of the important demands for more autonomy entails the restoration of Fundamental rights with proper demarcation of jurisdiction failing which has led to the continuous cycle of violence. The resolution of the constitutional relation between the state of J&K and Indian state would largely depend on the willingness to delve and distinctively evolve a proper demarcation of fundamental rights and security concerns of the state. This in turn would lead to the ways in which the state can further concentrate on the other disputes and issues that pertain to the financial integration, imposition of President Rule and powers of Supreme courts. It also seems to indicate that the proponent and the advocates of maximum autonomy as well as the security proponents fail to address the specificity around the fundamental rights along with the necessary limitation in the interest of the security of the state as a whole.

Later on, in the aftermath of the dismissal of Sheikh Abdullah Government, the Constitutional (application to J&K) Order 1950 was superseded by the Constitution (Application to J&K) Order, 1954. As a result, subsequent changes, modification and variation were further brought about through these orders. As for

instance, Article 31 and some of its clauses were changed and at the same time article 35A was also added in the new Provision.

The political dynamics and the climate of the state of J&K also undergo a change with the dismissal of Sheikh Abdullah government in 1953. Further the political conflict especially in the form of territorial contestation and disputes between Pakistan and the Indian State continued to largely shape the politics of the region. Following which, Indo-Pakistan War broke out in 1965 and due to the international pressure from the Big Powers and the United Nation, the Tashkent Declaration was signed on 10th January 1966 to restore the status quo and return to prewar position.⁴³ It was a peace agreement that was entered to maintain peaceful relation and understanding between the countries. Further, it agreed to a policy of non-interference in the internal affairs of each other. According to one of the agreement, it strives to establish a friendly relation between the countries as conflict harm both the entities. Taking this into background, it made an effort to resolve the pertinent tension over the issue of Kashmir.

Shimla Agreement of 1972

However, despite the peace agreement, another war broke out in 1971, that culminated in the formation of a Bangladesh. It is important to note that there was a massive attack on the state of J&K on 3rd December, 1971 when East Pakistan rebellion tried to free as an independent nation with the assistance of India.⁴⁴ Finally, Shimla Agreement was signed on 2nd August 1972 between India and Pakistan. Some of the important provision includes the commitment to resolve all conflicts through bilateral means, recognition of the ceasefire line as the actual line of control, “respect each other’s territorial integrity, will refrain from the threat or use of force against the territorial integrity or political independence of each other.”⁴⁵ It is interesting to note that this Agreement to a large extent touch upon the issue of Jammu and Kashmir. At the first place it resolves to deal all disputes including Jammu and Kashmir through bilateral means. Next, it agreed to recognize and respect the ceasefire of December

⁴³ Dina Nath Raina, *Unhappy Kashmir, the Hidden Story*, New Delhi, 1990.p.193.

⁴⁴ Ibid.p.194.

⁴⁵ This is extracted from the document of the Shimla Accord, 1972.

17, 1971. Moreover, it also made a provision for the future settlement of the different disputes that includes Kashmir.

From the above consideration, it is also seen that the bilateral and the national interest of respective countries of India and Pakistan precede the politics and the resolution of the Kashmir conflict. Hence, it often resorts to the position of status quo. However, the tragedy and the nature of the agreement lie in the fact that the Agreement often takes place due to some external pressure or situational compulsion. This in the end lead to the non obligatory commitment but rather as a process of political bargaining to subside the issue for a temporary necessity. The larger implication of the Accord especially within the context of J&K in a way depends on the whims of both the countries. As a result, the resolution of the political conflict seems to lies at the condition and the political relation between India and Pakistan. History has also proven that non adherence to the Agreement and the Accords at bilateral level and the hostility has intensifies the militarization of Kashmir. Further, the notion of the status quo in a way implies the corresponding justification for the pursuit of integration process within the respective state by both the countries. In addition, the provision to settle all dispute through bilateral approach has also provide a space to argue and rationalize that Kashmir issue would only be resolve through bilateral negotiation without intervention from any third party which eventually seem to nullify the language, politics and the process of referendum, plebiscite and self determination.

However, the people of Jammu and Kashmir assume or might argue that the agreements between the two countries are not binding as it did not take into account the wishes of the people of the region. As a result, the previous assurance ought to be reconsidered. Nevertheless, the Indian state following the aftermath of the Shimla Agreement of 1972 continued to stress that all the future and unsettled accounts has to be within the framework of Indian Constitution. Thereby, the negotiation and dialogue ought to be in terms of the quantum of autonomy for being a unit of the Indian Union. Yet the non adherence to the terms of the contract and contestation by Pakistan in particular has on the contrary perpetuated the conflict and at the same time produced conflicting interest and dilemma within the people of J&K in general. This has led to further victimization of the people of J&K who has no say in the decision

and the outcome of the reality. The adoption of the coercive method of integration and nation building has resulted to counterproductive action, justification, assertion for separation and self determination.

Indira-Abdullah Accord of 1975

Taking this rationale and the context into consideration, Indira–Abdullah Accord of 1975 was signed to reconfigure, consolidate and concretized the new development that emerges in the Sub-continent of South Asia. The defeat of Pakistan in the 1971 and the Shimla Agreement of 1972 laid a new framework to deal with the Kashmir conflict. Next, there have been multiple changes through various amendments and President Order in the Constitutional Provision of Article 370 since the dismissal of Sheikh Abdullah in 1953. Further, it also seems to hint that the electoral politics took precedence over the question of autonomy on most cases. Taking the context and the political situation into consideration, Sheikh Abdullah was invited to negotiate the terms for new centre- state relationship. Abdullah’s acceptance and keenness lies in the very fact that he was conscious of the new political reality that unfolds and at the same time his absence from the active political engagement not only led to the de-legitimation and erosion of the Constitutional protection and autonomy.

Following which, he felt the need and urgency to restore the sanctity of the special provision though he knew that many subjects has been encroached and integrated within the domain of centre legislation and power. However, Sheikh along with his party National Conference is accused of a ‘sell out’ and indulging in a double standard politics over the question of autonomy through The Indira- Sheikh Accord of 1975.⁴⁶ Perhaps his acceptance without much criticality to the accord and the integration process was due to the change in the political climate and realities.

Some of the important provisions of the accord were as follows: Firstly, the relation of Jammu and Kashmir with the Union shall continue to be governed by the Article 370 of the Constitution of India. Next, it reaffirms that the residuary power will remain with the state but at the same time the Parliament continue to posses the right to legislate with regards to preventive activities in order to protect sovereignty

⁴⁶ A. G. Noorani, *Art. 370 A constitutional history of Jammu and Kashmir*, Oxford University Press, New Delhi, 2014. p.402.

and territorial integrity of India. Then, the state legislature was also granted the right to review and decide which laws need amendment or repeal the laws enacted by the Parliaments in the concurrent list that extended to the state of J&K after 1953. One of the complexities and challenges of this agreement lies in the fact that despite being a provision for the safeguard of Autonomy, it also entails an element of ambiguity and overlapping jurisdiction in the division, legislation and exercise of power. As for instances, in some respect The President have the sole authority to alter and amend when it comes to the applied adaptations and modifications.

While in other cases the state government would only be consulted for consideration. This brings out the very fact that in the earlier Constitutional Order of 1950 and 54, the view of the Constituent Assembly or Government is considered as the final authority for legislation. On the contrary, this accord increase and empower the President of India to have a final say in the legislation and execution and thereby, it makes the state Government merely as a consulting body especially in the applied adaptations and modifications. This agreement does not undo the post 1953 legislation rather it provide a justification for the existence of such laws. The irony is that though the accord is indeed for the provision of Autonomy and the contestation is for the quantum of autonomy yet it is also equally designed for the process of integration and limitation of the power of the state of Jammu and Kashmir. While the Indian state considered this as a genuine process of procedural integration within the Constitution of India, on the other hand, many Kashmiris construed this as a sell out and erosion of Autonomy.⁴⁷ Besides, until and unless certain bills are exclusively reserve for the consideration of the President and receive his assent, it will have no effect. On the whole, though Sheikh would like the agreement to revert back to the pre 1953 status yet it failed to do so. However, it reminds and provides the basis that Article 370 is fundamental in the constitutional relation between the State of J&K and the Union of India.

It is also interesting to note that some leader like Makhan Lal Fotedar is of the view that, “the Indira- Abdullah Accord of 1975 as an attestation of Jammu and

⁴⁷A. G. Noorani, *Art. 370 A constitutional history of Jammu and Kashmir*, Oxford University Press, New Delhi, 2014.

Kashmir ultimate Accession within the Union of India”⁴⁸ and at the same time accuse the agreement of double standard over the issue of autonomy and Independence. Hence, he alleged that the National Conference has no justification for the claim of autonomy after 1975.⁴⁹ On the other hand, the National Conference blames the Indian Government of insincerity for non implementation of the accord in full.⁵⁰ Some argued that Abdullah “never dispute the contents of the accord during his lifetime.”⁵¹ In recent times, some member of the National Conference even went to the extent that there was no accord, pleading on the ground that Sheikh never signed.⁵²

Taking all these into consideration the controversies and the complexities around the very Accord of 1975 has contested and persisted. It even pertains and extent to the very question of abolition of Article 370 by some political parties and groups.

However, despite all the limitation and challenges, it is noteworthy to analyse the relevance and the context of the concretization of the Accord. As a result one need not necessarily discount the effort that was made for the realization of the Agreement. Following which, the role of the political statesman and the role of leadership ought to be recognized despite the perpetuation of the conflict. As for Instance, Sheikh’s contribution to the realization of the accord needs critical reflection rather than making a blanket statement about it. He might have entered the agreement based on the available alternative and political realities of those times. One of the most important implications of this agreement lay more in terms of reviving the consciousness of the relevance of the special provision of Art.370 that has undergone a process of de-legitimization post 1953 rather than merely stressing on the quantum of autonomy. Thus, this equally points the necessity of cordial relationship between the state and the centre. It also signifies the tension between the question of integration and autonomy. The difficult task lies on how to complement integration or national interest with autonomy. At the same time it helps us to interrogate how the non adherence to the sanctity of the contract not only amounts to breach of trust but

⁴⁸ This is based on the statement of senior Congress Leader, Makhan Lal Fotedar, extracted from the article written by Mudassir Yaqoob in the Newspaper *Greater Kashmir* published on June 19, 2013.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Abdul Majid Zargar, “Indira Sheikh 1975 Accord”, in the *Kashmir Watch*, March 1, 2012.

⁵² It is based on the article from the *Deccan Herald* entitled “what’s the mystery of the Indira-Abdullah Accord?”, on Dec. 13, 2012

also contributes to the continued violent conflict. Or in other word, this accord was signed as a process of integration that not only guarantees the condition for the autonomy but also justifies the preceding acts and order for the abrogation and the erosion of autonomy. This ambiguity, complexities and the contestation indicates the subjective differences, interest and position that different groups hold.

Following which, the blunt indifference, disregard and the insensitivity to the demands and the interest of the other has compounded the issues of referendum, plebiscite and self determination. At the same time, the non recognition and the non adherence to the very provision of autonomy expressed in the article 370 has made the aggrieved community resist the coercive methods of integration process and also made the demand of referendum and Plebiscite more political and relevant. Taking this into consideration, the question often arose as to “why does India not keep her promise to hold a plebiscite?”⁵³ Even progressive writer like Barbara Ward pointed out that “one of the weakness in India’s posture over Kashmir is it’s unwillingness to keep its promise of supervised consultation.”⁵⁴ However, this claim can be nullified in the sense that since the signing of the Shimla Agreement in 1972, the conflict ought to be dealt with bilateral dialogue and at the same time it could also be construed as an internal domestic concern. But the larger complication arose when the accession to the Indian state took place on the basis of shared sovereignty in the form of special autonomy.

Further the normative and subjective understanding of the kashmiris accession seems to be vital in the sense that they conceded on the condition and the faith in the Constitution of India especially the secular credential of the Indian Constitution. Therefore when the secular principle, right and practice is violated through the abrogation of article 370 and other forms, the very assertion, resistance and demand for self determination, secession, plebiscite and referendum become the core political conflict. Thus the very principle of secularism is fundamental as a link to the very examination of the process of integration as well as the demand for Autonomy. It becomes a yardstick for the peace and conflict determination and at the same time a

⁵³ D.R P.B Gajendragadkar, “Kashmir-Retrospect and Prospect Patel Memorial lecture”, Bombay, 1967,p.111.

⁵⁴ This statement is quoted from Barbara Ward work on “Space Ship Earth”, Hamish Hamilton Ltd. London, 1966.p.44., which is reproduced in the work of D.R P.B Gajendragadkar, “Kashmir-Retrospect and Prospect Patel Memorial lecture”, Bombay, 1967,p.111.

bridge for the nation building process. This is largely due to the bitter experience recounted through communal history of partition, riots, exodus and displacement and as a result secular ethos remain central to the coexistence and harmony of the nation.

Keeping in mind that India will be a secular state, Sheikh's and the people of the Kashmir's preferences for Indian Democracy was to a large extent based on this ground. Thereby "when India claims that Kashmir is a symbol of Indian Secularism, it is not an idle boast; it is not merely a debating point; It speaks for the profound faith and belief of Indian nationalism. India is determined to build up a secular society under its Constitution, and Kashmir which has acceded to India, is inevitably and irresistibly treated as a symbol of Indian secularism."⁵⁵ Based on this understanding when the state forfeits this democratic principle and practice, it paved the way for the intensification of conflict.

Lahore Declaration of 1999

The later agreements are mainly based on the bilateral relation and political climate. It is also important to note that since the Shimla Agreement of 1972 and the following Indira-Sheikh Accord of 1975, there is no direct reference and agreement to the issue of Jammu and Kashmir. On the contrary it is essentially looked within the prism of bilateral relation. The national security and other economic interest of the two countries occupy the primary concern with some indirect reference to the issues of Jammu and Kashmir. Further, the nuclear race between India and Pakistan heightened and intensified the tension and conflict in the region along with Jammu and Kashmir. Fearing the outbreak of Nuclear War, a peace process was initiated and as a result "on 23 September 1998 both governments signed an agreement recognising the principle of building an environment of peace and security and resolving all bilateral conflicts which became the basis of the Lahore Declaration."¹¹¹

Following which, Lahore Declaration was signed on 21th Feb. 1999 to establish a peaceful relation, normalize the relation and ease the military tension especially between India and Pakistan and in South Asia. One of the important provision made a reference to the question of Jammu and Kashmir where it stated that

⁵⁵D.R P.B Gajendragadkar, "Kashmir-Retrospect and Prospect Patel Memorial lecture", Bombay, 1967,p.122.

“recalling their agreement of 23rd September, 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose; have agreed that their respective Governments; shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir.”⁵⁶ From the above observation it is interesting to note that various preceding agreements often make a reference to the resolution of the Conflict of Jammu and Kashmir, at the same time it hardly entail any concrete framework on how to materialize a peaceful and durable solution. Though the Lahore declaration was welcome by both the countries and international community, yet, it was not durable as evidence from the soon outbreak of the Kargil War on May 1999.

Later, the Agra Summit was also initiated between India and Pakistan in July 2001 to resolve the persistent and longstanding issues between India and Pakistan. The focus of the meeting was aimed to reduce nuclear arsenals, mitigate Kashmir conflict and end “cross- border terrorism. Yet the negotiations broke down and the process collapsed and so the Agra treaty was never signed.”³¹

Taking all these into consideration, the process of the negotiation, the challenges mostly arose as to how to address the very question of the Kashmir issue. The contention in turn lies as to what should be the basis and the reference point for the resolution of the conflict. While in case of India, the Shimla Agreement of 1972 constitutes a strong, relevant basis and document to introspect for the resolution of the conflict. As a result, it ought to be resolve political conflict through bilateral negotiation. Moreover, since the Line of Control is also taken as the new ceasefire area, the assumption of non interference implies the mutual respect for the negotiated and agreed demarcated boundaries. Accordingly, this is also in a way implies that the divided region of Jammu and Kashmir along the line of LoC within the Union of India as an integral part of India and as a result in the event of any conflict, dispute and future eventualities, it is assumed and supposed to be construed as an internal matter of the country that has to be solved within the country without the interference from the outside.

⁵⁶This is extracted from the record of the Ministry of the External Affairs of India access on April 2, 2018.

However, the Indian State is also bonded and obliged by the Lahore declaration in the sense that it endeavors and seek to resolve all disputes that even include the dispute of Jammu and Kashmir to restore peace and security in the region. Thereby, the paradox between the former accord and the latter declaration lies in the very fact that it not only open the space for ambiguity but also provide a basis for justification of either viewing the politics of Kashmir as an internal matter to be resolved or to deal and approach the same within the prism and the politics of negotiation through bilateral engagement as per the political situation and convenience between India and Pakistan.

While on the other hand, The Pakistan seems to construe the Shimla Agreement as an imposed dictum that redraw the new ceasefire and Line of Control in India's favour and interest. On the other hand, Lahore Declaration is viewed as the new basis and foundation to address all disputes between the two entities and at the same time through this agreement it also attempt to revive and posed Kashmir issue as the core issue of conflict that demand reexamination and negotiation for a definite outcome.

Following which, on account of this contestation, Pakistan through the Kargil war and cross-border terrorism in a way seems to devise a strategy to transform the Kashmir issue as the core bone of contention. At the same time, Agra summit also intent to reinforce the Kashmir conflict as the main bone of contention and thereby attempt to pave the way for negotiation and the resolution of the Kashmir issue. However, neither of the effort has truly contributed to ease the tension and peaceful resolution of the conflict in the region. On the contrary, the prolong tension; militarization and violent conflict in the process have rather victimised the people of Jammu and Kashmir.

Thereby, this strategy and the mechanism to address the conflict through Accords and Agreements have rather failed to substantively work out a meaningful peace. At the same time despite the limitation of the democratic process of negotiation and the consequent accords, the pertinent conflict and violent in a way reiterate the significance of meaningful engagement between and amongst the party to the conflict. As a result, besides the bilateral concerns, the examination of the political issue of federal challenge, autonomy and demand for self determination especially with

reference to the state of Jammu and Kashmir in the context of integration within the Indian union would be important to unravel the nature of conflict as well as help in the overall search for peaceful solution.

CHAPTER 4

Institutional Dynamics of Federalism and the Question of Integration in the State of Nagaland and J&K

The Nature of Indian Federalism

The idea and the concept of Federalism or Federal government is a modern concept that first gave shaped in 1787 with the formation of the Federal Government in the United States of America. Etymologically the term 'Federal' is coined by D.C Miller, derived from the Latin word 'Feodus' which originally means a treaty or a covenant between God and man¹ that in modern political term defines and demarcates the division of function between the constituent unit and the Union.² This very notion has a variant form of government based on the degree of federal relationship and division of power and sovereign rights between the Federal government and the constituent units.

Accordingly one of the different forms of Federal nature are characterized in the form of Confederation that bestowed absolute sovereign right to the units to secede from the contract that form the Union as best exemplified in the former state of Soviet Union. Other categories are roughly classified as either pure federalism or Quasi federal³ as represented by United States and Indian states respectively. Still many contest on the very definition and nature of Federalism. Granville Austin argued that the nature of Indian democracy with federal feature as "cooperative Federalism."⁴ He also opines that the core emphasis of political consideration of the framers of the Constitution "rapidly shifted from a confederal to a federal to a unitary conception of the Indian Union during the brief lifetime of the Constituent Assembly."⁵ Further with the transition into the era of liberalization, privatization and globalization, some pointed out that the economic paradigm and relation has prior concern over other issue and as a result this dynamism and the change in the fiscal relation as "Fiscal

¹ Dr. Sarita, *Federalism in India A Quest for New Identity*, New Delhi, 2009, p.5..

² U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988) .p.80

³ K.C. Wheare defined the nature of the Indian Federalism as "Quasi Federalism" wherein it entails both the unitary and the federal features.

⁴ Granville Austin, *The Indian Constitution: The Cornerstone of a Nation*, (New Delhi: Oxford University Press, 1974).

⁵ Granville Austin, *The Indian Constitution: The Cornerstone of a Nation*, (New Delhi: Oxford University Press, 1974). It is further incorporated in the work of Dr. Sarita's book entitled, *Federalism in India A Quest for New Identity*.p.125.

Federalism.”⁶ Moreover, some other argued that the flow of capital and Foreign Direct Investment with the process of globalization has generated a competition between and among states and thereby reduced tension and conflict with the centre. This form or pattern of change in the relation between the centre and the state and within the states is termed as “Federalism without a centre.”⁷

It is important to take into account that the making of the constitution are largely determined by the bitter experience of partition of India. At the same time the national movement and the struggle against the Colonial form of domination and exploitation also compel the architect of the Indian constitution to opt for a democracy with a Parliamentary form of Government. Keeping the unity, security and national interest as the primary condition for the existence of a stable government, it rightly emphasis to create a strong centre with federal features in the framing of the Indian Constitution. Further, it is also noteworthy to mention that the Government of India Act 1919 and especially 1935 has a great bearing in the Constitution of India. It is also interesting to note that Art. 1 of the Indian Constitution states that India “is a union of States.”⁸ Yet, the word Federal or Federalism is not mentioned in the Constitution of India. However, the federal features are implicitly expressed within the Indian Democracy. Some of the common characteristics of federal government are the written constitution, distribution of powers, supremacy of the constitution, independence of Judiciary and rigidity of the constitution.

The nature of Indian constitution is marked by the presence of both the unitary as well as the federal characteristics. It entails some of the characteristic of both the forms of features with strong central polity with federal features in terms of sovereign authority over the allocated field. However, despite the dual polity, there is a provision for single citizenship in the Indian constitution.⁹ Further, since it has federal elements, it demands a written constitution and independent judiciary.¹⁰ The unique features of the Indian Federalism lies in the fact that “the Draft Constitution intends to

⁶This line of argument is based on the national seminar on the challenges and issues in the Fiscal Federalism in India held on 30th and 31st March 2016, by School of Economics, University of Hyderabad, in Association with the Indian Econometric society.

⁷Lawrence Saez, *Federalism Without a Centre. The Impact of Political and Economic Reform on India's Federal System*, (New Delhi: Sage, 20002), p.252, ISBN 81-7829-073-1 (India, hb.) / 0-7619-9593-5 (US, hb.)

⁸D.D. Basu, *Introduction to the Constitution of India*, (Calcutta: Lexis Nexis, 2011).

⁹Dr Ahir D.C, *Dr Ambedkar and the Indian Constitution*, (Lucknow: Modern Press, 1973), p.42.

¹⁰Ibid.p.46.

forge means and method whereby India will have a federation and at the same time will have a uniformity in all basic matters which are essential to maintain the unity of the country.”¹¹ To fulfill this objective, it established “a single Judiciary, uniformity in the fundamental laws, civil and criminal and a common All India Service to man important post.”¹² Another interesting point is in the choice of the word ‘Union of States’ rather than the term Federation of States in the Article 1 of the Indian Constitution.¹³ Further, the residuary power also lies with the Centre.¹⁴ The Drafting Committee is of the opinion that “though India was to be a federation, it was not the result of an agreement by the states” and hence no state has the right to secede due to the union making it indestructible.¹⁵ Dr. Ambedkar emphasised to create a “strong centre to ensure that India’s freedom was not jeopardized as has happened in the past on account of a weak central Administration.”¹⁶ The strong centre is manifest in the Emergency Provision of the Indian Constitution.

Accordingly, the dual presence of unitary and federal features can be illustrated from the very fact that “once a proclamation of Emergency is issued, the whole system of administration, which is basically federal in character, is transformed into a unitary system for all practical purposes.”¹⁷ He also stated that the basic principle of federalism lies in the division of power by the constitution and not by the law to be made by the centre. However, he is of the opinion that the Constitution might have assign “to the centre too large a field for the operation of its executive and legislative authority than to be found in any other Federal Constitution.”¹⁸

Taking the above complexity into consideration, it helps us to re inquire as to what is the true ‘nature of the Indian Federalism? It also demands to reason out as to whether the Indian Constitution admits flexibility and openness to discuss on the unique identities of the state and the Union. Or still, “is the Indian Federal Polity under the Constitution an apology or ruse for a Unitary Constitutional system? Hence,

¹¹ Dr Ahir D.C, *Dr Ambedkar and the Indian Constitution*, (Lucknow: Modern Press, 1973), p.50

¹² Ibid.

¹³ Ibid, p.65.

¹⁴ D.D Basu, *Introduction to the Constitution of India*, (Calcutta: Lexis Nexis, 2011).

¹⁵ Dr Ahir D.C, *Dr Ambedkar and the Indian Constitution*, (Lucknow: Modern Press, 1973), p.65.

¹⁶ Ibid. 135.

¹⁷ Ibid. 136.

¹⁸ Ibid. p.143.

do the states deserve greater autonomy?”¹⁹ It is also argued that under our present Constitution, “It is the Spirit of liberty and justice which unites the people rather than the Federal structure.”²⁰

However, it is also imperative to interrogate as to whether the ideals alone could fulfill the spirit of the Constitution and substantive social Justice in a majoritarian type of democracy with diversity without the Federal provisions in the form of a structure guaranteed by the Constitution. This spirit of justice and liberty also hints that the very concept of Federalism is dynamic and not a stagnant one.²¹ Some are of the view that in India the Federal tendency in actuality is movement “toward development of Organic Federalism so as to fulfill a common governmental harmony envisaged by the Constitution.”²² Thus, it is viewed that “there is no absolute federal principle in any of the worlds Federal Constitution”²³ and as a result, the framer of the Indian constitution intend to shape according to the suitability of one’s own culture and relevance.²⁴ To a large extent Indian Federalism is driven by the “desire to reconcile the twin forces of unity and diversity” and at the same time a search for a “compromise between the sentiments of localism and national” interest.²⁵

Therefore, the challenge is on how to reconcile and balance the two conflicting and divergent interest in the making of a nation and the process of national integration. It is also noteworthy to review the resolution of the Constituent Assembly which states that “the Constitution should be federal with the strong centre.”²⁶ Next, it also argued that strong federal units would rather pose as a threat to the unity of the nation when “parochialism, regionalism or religious fanaticism obtain upper hand over the nationalistic feelings.”²⁷ Thus, the partition of India led to the framing of the Indian constitution with a strong centre keeping in mind the national unity above all

¹⁹U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988). The following point is extracted from the Introduction of this book.

²⁰ Ibid.

²¹ Ibid.p. xvi

²² Ibid.p.xvii. This is based on the writing of .V.D Sebastian.p.29 that is incorporated in the writing of U.N Gupta’s work, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988).

²³This is extracted from the writing of Alice Jacob which is further quoted in U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988).

²⁴ Ibid.

²⁵ The statement is based on G.P Verma’s articulation as incorporated in the U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), .p. xvii.

²⁶U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press,1988), p. 2.

²⁷ Ibid.p.xvii

consideration.²⁸ Nevertheless it is also extremely important to note that the demand for India's Independence, right, democratization and the eventual sovereignty was based on the resistance and struggle against the undemocratic over-centralization of Colonial Regime and the gradual realization of self government in the form of autonomy and decentralization.

Keeping this in mind, the political history and the process of nation building of the Indian State also experience a parallel contestation for self determination, autonomy and federal demands. Therefore the question arose as to whether the process of centralization and at the same time the demand for more autonomy and federal power are antithetical to each other. The exceptional provision and the impending conflict in the state of Jammu and Kashmir and Nagaland in the North East depict the unfinished project of the process of Federal nation Building in India. The special provision of the state of J&K is truly an outcome of the political conflict and international considerations and not based on "religious, minority or majority right considerations."²⁹ However, the component of the religious, minority and majority consideration cannot be undervalued as secular credential and preservation of especially religious minority rights were guaranteed in the form of secularism which to a large extent paved the way for the accession of J&K into the Indian state. On account of the wide debate over the very question of preference for centralization over federal principles or federal features over unitary, the question and debate arose as to whether federalism is still relevant in the Indian political system and context. But the very existence of various regional demands for autonomy, conflict, violence and grievances from the states illustrate the very relevance and the dynamics of the Indian Federalism. Accordingly, H.N Seth, who was the Chief Justice of Allahabad High Court, reiterated that since "India was a big Country and a federal form for the Constitution was natural and indispensable for making regional adjustment."³⁰ Hence demand for state autonomy is desirable subject to the interest of the nation.³¹ Which

²⁸The point is extracted from the argument of V.P. Bhartiya and was borrowed in the writing of U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), p.xvii.

²⁹This argument is based on the reference with the work of K.L.Bhatia that is further referred in the work of U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), p.xix.

³⁰This argument is based on the reference with the work of K.L.Bhatia that is further referred in the work of U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), p.xxvi.

³¹Ibid.

also means the fundamental working of the constitution require a balance between federal principle, unity of the nation and democratic principle.³²

The nature of the Indian polity and Constitution has been designed within the framework of a strong centre and a weak unit. The discontentment and the attempt to review the centre state relation is reflected in the setting up of the various committee like the Rajamannar Committee of 1971, memorandum of the state of West Bengal of 1977, Sarkaria Commission of 1983 and Administrative Reform Commission etc. As for instance, as per the division of power under article 246 of the Constitution, more than 75% of the legislative power in practice is within the domain of the centre.³³ This has become one of the fundamental areas of tension in the centre state relation rightly term as 'begging bowl syndrome' that is increasingly argued that 'the present economic and financial malpractices, strains, deprivation and backwardness of many states are consequences of the over- centralization of economic powers and resources.'³⁴

The relevance and the complex nature of theory and practice of Indian federalism compel us to interrogate as to whether there is a "theory of Indian Federalism."³⁵ As such, to analyze let us examine some of the forms of federalism. To begin with, when the centre and the units divide the power and where they are assigned equal status and ordinate role, then they are termed as either double federalism or coordinate federalism. The next stage is described as cooperative federalism expressed in the form of cooperation between the centre and the units for common purpose. Third stage is categorized as organic federalism in the sense that both the units function as one organism to achieve common ends of the government.³⁶ However, Prof, Wheare argued that due to the strong presence of the unitary feature in the Indian Constitution, he considered it as a Quasi federal or Devolutionary form³⁷ while U.N. Gupta is of the view that Indian federalism in practice has "moved away from the theoretical framework of Cooperative Federalism towards an organic one to

³²U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988),

³³ Ibid.p.15

³⁴Ibid.p. 84.

³⁵Ibid.p.28.

³⁶ U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad, Sagar Press, 1988).p.29

³⁷This is based on the argument of Prof. K.C.W heare from his book, *Federal Government*, 1968, p.27 which is further incorporated in the work of U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988) .p.29

be placed towards unitary end of the federal spectrum.”³⁸ The unique feature and practice made room for the emergence of different viewpoint on the nature and theory of Indian federalism. This contestation and challenges illustrate the relevance of the federal dynamics in the constitution set up and processes keeping in mind the democratic equity and the spirit of the constitution. Its importance is reified by declaring the federal features as one of the basic structure of the Indian Constitution.³⁹

It is also interesting to note that originally the Constituent Assembly introduced and prefer the concept of ‘procedure established by law’ over the concept of the American notion of Due Process so as to maintain the rigidity of the sanctity of the constitutional provision especially within the context of check and balances.⁴⁰ It is mentioned that in the Constituent Assembly debate, Dr. Ambedkar strongly rejected the notion of due process in preference for the procedure established by law. However, with the introduction of the doctrine of the due process in the case of *Maneka Gandhi*,⁴¹ it has rather implicitly testifies of the dynamic and the relevance of rethinking the constitutional impending challenges.

Certain political dynamics like the establishment of the minority commission in 1978 and the Administrative Reform Commission suggestion for federal balance reaffirm the relevance of federal issue in the Indian polity. Another strong refutation against over-centralization is countered in the sense that though the “Indian Constitution provides for a Cooperative federation of states, with the strong biased in the favour of a centre” yet our Constitution certainly talks about “Union of States and not of Centre.”⁴² Taking this into consideration the federal arrangement need not necessarily confined to the function of federal balance between national unity and the right of the states. Instead it strongly demands the realization of the objectives of nation building to create “a just social and economic order and breaking the metropolis satellite structure of economic development, the replacement of communal

³⁸U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), p.29

³⁹Sikri. C. J. declared in the famous *Keshavanand Bharati v. state of Kerala*, AIR 1973 SC 1461. That federalism is one of the basic structures of the Indian constitution. This is further quoted in U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad : Sagar Press,1988) .p.86-87.

⁴⁰Dr, S.N Basi, *Dr B.R Ambedkar, Framing of Indian Constitution, contains The Constitution of India*, (Hyderabad: Ava Publications as on December 31, 2015).p.xxvii.

⁴¹D.D Basu, *Introduction to the Constitution of India*,.(Calcutta: Lexis Nexis, 2011)

⁴²This argument is extracted from the writing of R. Khanna entitled, “Impact of Article 356’ upon the existing centre-state relation under Indian Constitution”, that is contributed in the work of U.N Gupta, *Indian Federalism and Unity of Nation*, (Allahabad: Sagar Press, 1988), p. 208.

and parochial orientation by a scientific and secular one; and breaking of an inherent authoritarianism by strengthening the democratic process.”⁴³ Thereby, the Institutional approach of the study of Federalism ought to be supplemented by sociological approach that in turn examine the both the structure and the process of the federal concerns.⁴⁴ Moreover, the process of federal nation building in a multicultural society demands a “simultaneous operation of two mutually correlated principles of self-Rule and shared –rule”⁴⁵ in a country and at the same time there is a need to construct a “new federal balance in India through cooperative and constructive federal nation building.”⁴⁶

Following which, in the modern context federalism should be guided by the “principle of reconciliation between two divergent tendencies.”⁴⁷ Henceforth, on account of the erosion of autonomy and weakening of the democratic ethos, there is a need for federal balance though there is a strong rationale for political and economic centralization as the thrust for cooperative federalism and self government will in turn act as a “necessary prelude for a better Union”⁴⁸ which also meant to ensure that Cooperative Federalism as an alternative “to authoritarian strong centre which is the negation of democracy and particularly of participatory.”⁴⁹ The dynamics and the politics of federalism in terms of its relevance is define as “Cooperative federalism”⁵⁰ by Granville Austin where as Morris Jones coined as “bargaining Federalism.”⁵¹ Certain personalities like C. Rajagopalachari and Menon vouched for progressive decentralization as the imbalance is deemed as a threat to democracy and alienation respectively⁵² while genuine self government is deemed as the realization of the democratic aspiration of the people.⁵³ Sensing the importance of autonomy, on the

⁴³DR. J,N,.Sharma, foreword in the work of Dr. Sarita, *Federalism in India, A Quest for New Identity*, (New Delhi, 2009)

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶This statement is based on the argument of Dr. Sarita from her work, *Federalism in India, A Quest for New Identity*, (New Delhi, 2009).

⁴⁷ Ibid. xiii

⁴⁸Ibid.p.xiv.

⁴⁹Ibid.p.xvi.

⁵⁰Granville Austin, *The Indian Constitution: Cornerstone of a Nation*, (New Delhi: Oxford University Press, 1974) p. 186-187. This point is further elaborated and incorporated in the work of Dr. Sarita, *Federalism in India, A Quest for New Identity*, (New Delhi, 2009) p.21.

⁵¹Morris Jones, *W.H Government and Politics of India*, London, 1971, p. 150. This phrase is further referred by Dr Sarita in her work, *Federalism in India, A Quest for New Identity*, Chandigarh, p.21.

⁵² Dr. Sarita, *Federalism in India, A Quest for New Identity*, Chandigarh, p.121

⁵³Ibid.p.121.

contrary the negligence and the unwillingness of the centre and the state to address and engage the genuine grievance over the issue and the question of widening the participation in the process of governance through expansion of grassroots democracy have in the long run aggravated the conflict and situations.⁵⁴ It is also interesting to note that Harish K Puri rightly stated that “Federalism with a strong centre is not built on weak units or suppression of regional urges.”⁵⁵

Further, it is fundamental to interrogate as to whether centralization and the claim for autonomy are complementary to each other in the process of nation building and integration. On delving on these issues, it is essential to note that different state exhibit different complexities and challenges in the union of States of India. Taking this into consideration, special provisions and exceptionality were incorporated in the Indian constitution for certain states like J&K and Nagaland through Art.370 and 371A respectively. Further, it is interesting to note that the demand for autonomy and the politics and the process for integration have persisted since independence. This in a way seems to pose that the two themes of integration and autonomy are relevant and as a result require further examination. In addition the dual challenge of integration and federal rights demands understanding and negotiation so that the mutual interest of national security and federal concern can coexist, strengthen democracy and in turn will paved the way for integration.

However, the differences and misunderstanding between the centre and the states on the question of territoriality, sovereignty, culture and history has further intensified the conflict in the form of demand for secession, self determination, Independence and more autonomy. This is manifested in the form of demand for Greater Nagaland and Azadi in Jammu and Kashmir. Further, the political differences escalated into a violent conflict which has persisted for many decades. Moreover, the electoral politics has rather not only superseded the pertinent conflict but also overshadowed the constitutional safeguards. This also reveal how the process, politics and the condition of geo political mapping especially in the form of creation and reorganization of new states is crucial for a viable federal balance as well as national integration. The negation and the misrecognition of certain culture and history and the pursuance of integration through coercion rather produced an adverse

⁵⁴Dr. Sarita, *Federalism in India, A Quest for New Identity*, Chandigarh,p.122.

⁵⁵ Ibid.

implication especially in the state of Jammu and Kashmir and Nagaland. Hence, the Colonial policy of divide and rule and geo-political mapping was also largely responsible for the conflict in the post independence period.

Considering the comparative study of Nagaland and Jammu and Kashmir within the context of integration, autonomy and the state, it is imperative to understand the background and the federal challenges and concerns within the Indian Democracy. Following which, While the political conflict between the Nagas and the Indian state centre around the question of sovereignty wherein the Nagas claimed they were independent and sovereign entity and hence desire to remain independence, while the Indian state claim that since it was under the paramount of the British India Dominion, with the transfer of power it should automatically revert back to the Indian state within the constitution of India. Then, the conflict intensified when it resorted to military approach to solve the political conflict. Taking this background into consideration, the question of autonomy, federal challenges and the integration remains a fundamental question for examination.

A Brief Historical Account of Autonomy in the North East

The historical and political dynamics and the politics of autonomy and state building in the North East Region begins before the Indian Independence with the formation of the Bordoloi Committee that eventually led to the creation of 6th scheduled in the constitutional provision of the Indian Constitution. Accordingly, all the North Eastern states were covered within this provision with the exception of the state of Manipur after the incorporation of most of the tribal areas of Tripura under the same Provision in 1985.⁵⁶ At the same time unlike the territorial demarcation and reorganization of most of the Indian states which are made on the basis of language, the North eastern states are mostly carved out within the security framework without understanding the complex historical, political, cultural and ethnic diversities.

Consequently, the very question of autonomy, federal equity and the process of nation building became a bone of contention and contestation even at the very present time. A major reorganization of state or the process of geo-political mapping

⁵⁶ This is based on the article “Revisiting the problem on tribal self rule: A special reference to the case of Autonomous District Councils (ADCs) of Manipur” contributed in the book, ‘*Autonomy Movements and the Sixth Schedule in North East India*. Delhi, 2016, p.391

takes place with the passing of reorganization of the North East Act of 1971. As for instances, the failure to provide an inclusive federal arrangement for the Nagas in a way intensified the conflict in the region. This can be observed from the very fact that when the state of Manipur was created in the year 1971, the tribal areas were merely placed under the statutory act of the state as a mere 'governing mechanism' without any constitutional protection, safeguard and provision unlike other states which were protected under the 6th Schedule of the Indian Constitution.⁵⁷ The formation of Bodoland Territorial Council (BTC) Act of 2003 is one of the latest accounts of the successful outcome that is arrived out of negotiation from the conflict over the issue of autonomy. Moreover, the need for decentralization and autonomy ought to be informed within the multicultural context and concern as it also constitutes a process of conflict resolution.⁵⁸

Taking the pertinent political conflict over the question of sovereignty, autonomy and integration in mind, the political realities demand a critical re-examination over the question of Federalism and nation-building process. Perhaps the complexity and the interface of all these concerns demand some compelling reasons to study the dynamics and the processes of Federal challenges. Firstly, the political conflict over the region demands a serious evaluation of the process of state formation in the interest of conflict resolution. Secondly, the reorganization and mapping of the Northeastern states emerged out of the geo-political exigencies without due consideration over the socio-political and historical understanding of the space and society which in turn has led to the multiplication of the conflict in the region. Thirdly, the process of division and the reorganization has also resulted to further injustice and exclusion with the formation of new ethnic minorities in different states without any constitutional safeguard like the Nagas community who are divided over different states of Manipur, Assam, Arunachal and Myanmar despite the contiguous territorial existence. Further, the active reengagement within the federal framework toward self government and decentralization would lead to substantive democratization for meaningful integration.

⁵⁷This is based on the article contributed by Roluapua in the book entitled *Autonomy Movements and the Sixth Schedule in North East India*, Delhi, 2016, edited by Dr. Jangkhongam Doungel .P.xvii.

⁵⁸Jhumpa Mukherjee, *Conflict Resolution in Multicultural Societies, The Indian Experience*, (New Delhi: Sage Publication, 2014) p.xiv.

Consequently, the over centralization ignore the Federal specificity and in the process create multiple minorities by segregating and incorporating the territories of the Nagas into a newly created states of Manipur, Arunachal and Assam. The reorganization of the North Eastern state on the basis of divide and rule and security approach has not only divided the interest and aspiration of certain groups but also in a substantial way paved the way for the process of minoritisation, exclusion and discrimination. This Federal imbalance and non critical approach to the creation and reorganisation of states is further accentuated by the electoral politics through the politics of communalization on various grounds like ethnicity and religion. Therefore, the conflict also very much pertains to the claim, demand and issue of minority right for the politics of recognition, representation and redistribution.⁵⁹ The injustice is experienced in the gross structural discrimination and inequality as seen in the form of Hill and valley divide in all spheres of developmental and distributional aspects. This brings in the very question of autonomy and self government for the realization of the fullest personality of an individual and group in a democracy.

As a result, it even necessitates critical evaluation of the very special provisions in the constitution as well as the important privileged and protection in the form of V and VI scheduled and in turn examine whether it is inclusive, discriminatory and entail democratic justice. This relates to the very question of integration, autonomy and the relevance of the federal recognition and balance. It is also important to note the core contention of conflict over the question of sovereignty and territorial integrity from both the contesting groups. As for instances, the use of certain terms as irreconcilable, non- negotiable and permanent seems to violate the very process of negotiation and as a result it becomes all the more important to critically evaluate and explore the very alternatives through federal arrangement, consideration and adjustment for mutual coexistence and benefit

Thus, the Federal questions demand a fair interrogation as it constitutes one of the bedrock of the Indian constitution and unit of the nation building process. As a result it needs to rise above the electoral politics of power formation and ponder more on the national interest as a whole. Further the question arose as to whether exclusion should happen in the name of Federalism through the creation of new state? This

⁵⁹Nancy Fraser, "Social Justice in the age of Identity Politics." Lecture, The Tanner Lecture on Human Values, (New York: Stanford University Press, 1996).

becomes a very pertinent question at the present political situation. Since the process and the structure of exclusion negates the very spirit of federalism which envisage for more participation, self government and further democratization.

Federal Concerns and Challenges between Nagaland and the Indian State

Following the political history of conflict, it is important to trace the dynamics and the process of Federal arrangement between the Indian state and the Nagas. The fundamental point of conflict and contestation on the theme of sovereignty, autonomy, and federal issues were unfolded in the form of the politics of legitimization through different resolution and agreements. Following which the Nagas nationalist through the national movement justify and substantiate their right to self determination and independence by declaring their independence on 14th of August 1947 one day ahead of India's independence. Another point and strong argument that the Nagas assert for the right to self determination is the reliance on the very fact that a national plebiscite was conducted in 1951 for Independence and sovereignty of the Nagas.⁶⁰

On the other hand, the attempt for union and integration within the Indian state failed despite the visit of Nehru to Kohima in March 30, 1953 with U Nu, the then Prime Minister of Burma due to misunderstanding and lack of proper negotiation between the leader of both the groups. Thereby with the unfruitful visit of the Prime Minister of India, the Government of Assam issued an order of arrest to the 8 Naga leaders suspected to have orchestrated the disturbance during the visit of Nehru. This episode is important in the sense that this process of raid, arrest, torture and violence by the police and the Indian Army compel the Naga leaders opt for violent resistance and formation of an underground Naga Movement.⁶¹ Hence, "it is ironic but true that the very same Army which was in the Naga Hills to prevent Insurgency drove so many Nagas to Insurgency and rebellion."⁶² Consequently, the Naga National Council which was constituted as a political party and a national movement of the Nagas later due to the armed hostilities, violence and militarization branched out as a Federal Government of Nagaland and Federal Army in 1956 and framed its own Constitution

⁶⁰M. Horam, *Naga Insurgency, The last Thirty Years*, (New Delhi: Cosmo Publication, 1989), P.52.

⁶¹Ibid.. P.52

⁶²Ibid.p.52

and hoisted its own flag.⁶³ Accordingly, the Preamble of the Constitution of the Federal Government of Nagaland called 'Yehzaboo' read

“ We the people of Nagaland, solemnly acknowledging that the sovereignty over this earth and the entire Universe belongs to the Almighty God alone, and the authority of the people to be exercised in the territory is a sacred trust from God, who sustained our forefathers, the national workers and our people through the years of trial, and having our attachment, to the truth of popular sovereignty as declared on March 22, 1956, and the articles contained in the provisional Yehzabo of 1962 to established National Institution based on the common ideals of Democracy, Equality, Justice, Liberty and Fraternity among the people composing it, do hereby adopt in our National Assembly the amended Yehzabo of Nagaland this twenty fifth of July, in the year of the Lord Nineteen Hundred and Sixty Eight.”⁶⁴

This strongly contested the very existence of Self Government apart from the Constitution of India.

Similarly the parallel contestation for Hegemony, legitimacy and the process of Integration within the Indian nationhood is pursued with the formation of the Nagaland State on 1st Dec. 1963 as the 16th state of the Union of India soon after the Chinese aggression on India in 1962. Accordingly, the provision of Art.371A in the form of special autonomy was granted to the state of Nagaland. Some of the special provision with respect to the state of Nagaland stated that (1)

“Notwithstanding anything in this Constitution,—

(a) no Act of Parliament in respect of—

(i) religious or social practices of the Nagas,

(ii) Naga customary law and procedure,

(iii) administration of civil and criminal justice involving decisions according to Naga customary law,

(iv) ownership and transfer of land and its resources, shall apply to the State of Nagaland unless the Legislative Assembly of Nagaland by a resolution so decides;

(b) the Governor of Nagaland shall have special responsibility with respect to law and order in the State of Nagaland for so long as in his opinion internal disturbances occurring in

⁶³M. Horam, *Naga Insurgency, The last Thirty Years*, (New Delhi: Cosmo Publication, 1989), p.60.

⁶⁴ *Ibid.* p.60

the Naga Hills-Tuensang Area immediately before the formation of that State continue therein or in any part thereof and in the discharge of his functions in relation thereto the Governor shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken.

Provided that if any question arises whether any matter is or is not a matter as respects which the Governor is under this sub-clause required to act in the exercise of his individual judgment, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in the exercise of his individual judgment:

Provided further that if the President on receipt of a report from the Governor or otherwise is satisfied that it is no longer necessary for the Governor to have special responsibility with respect to law and order in the State of Nagaland, he may by order direct that the Governor shall cease to have such responsibility with effect from such date as may be specified in the order.”⁶⁵

This provision indeed provides a special safeguard and protection within the constitution of India to the state of Nagaland. However this sort of accommodation and Federal arrangement failed to satisfy the nationalist underground Nagas in particular and at the same time excluded the interest of a large section of the Naga society as a whole. The intensification of the conflict in the form of militarization, rampant violation of human rights through Draconian Act like Armed Forces Special Powers Act, and at the same time the search and nexus of the Nagas for an military alliance and assistance from the state like Pakistan and China necessitate for the formation of Peace Mission.⁶⁶ Finally the first ceasefire took place in 1964. The period also witness the division within the Naga Nationalist and a new group called The Revolutionary Government of Nagaland was formed in 1968. One of the most important political transformations in the Indian Sub-continent is the liberation of Bangladesh with the assistance of India in 1971. The division within the revolutionaries and the Naga Society in general along with the pressure from the Indian state paved the way for the signing of the Shillong Accord in 1975. The signing of the Shillong Accord implies the acceptance of the Indian Constitution. But the agreement with the small faction of them fails to resolve the persisting political

⁶⁵ Art.371A of the Indian Constitution extracted from D.D Basu's work, *Introduction to the Constitution of India*, (Calcutta: Lexis Nexis, 2011).

⁶⁶M. Horam, *Naga Insurgency The Last Thirty Years*, (New Delhi: Cosmo Publication, 1989), p.96.

conflict. At the same time this new arrangement neither contains any new provisions nor autonomous aspiration of the large section of the Naga society. On the contrary, the reorganization of the North Eastern states took place in early 70's and consequently the once contiguous Naga territories were further divided and incorporated in the newly created states. With the signing of the various agreements, many of the leaders of the government often declare with confidence that the Naga problem is finished, solved and at the same time it also assume that the Nagas have soften their stance due to the appeasement policy through the pumping of financial aid from the Indian Government. Ironically there is also a call, appeal and demand from both the Nagas and the non-Nagas for the soon resolution of the issues. It is interesting to note that "the much discussed Shillong Accord too, supposed to be the 'final' word on this question, ends on a similar inconclusive note."⁶⁷

This approach of federal state building and conflict resolution rather perpetuates the conflict rather than the resolution of the conflict. Despite the partial fulfillment of the process of integration through the Shillong Accord of 1975, yet the rejection by the dominant section of the nationalist movement of the Nagas led to the formation of a new organization called National Socialist Council of Nagaland (NSCN) in 1980 that vehemently stood for sovereignty and independence. Later on tribalism, leadership crisis and ideological differences led to the breakup of the organization in 1988. Nonetheless, with the increase of influence and support of the NSCN (IM) within the Nagas and in some international countries, it once again became an important political and security concern of the Indian state. Soon the India state entered into a dialogue and a ceasefire was once again declared in 1997 that eventually led to the "recognition of the unique history of the Nagas" by the Indian State in 2003.⁶⁸ The ongoing process of dialogue has also paved the way for the signing of the 'Framework Agreement' in August 2015 as the basis for durable conflict Resolution.

One of the fundamental areas of contention which are political in nature pertains to the very question of sovereignty. Despite the construction and deconstruction of different terms and concepts to delegitimize one over the other and

⁶⁷M. Horam, *Naga Insurgency The Last Thirty Years*, (New Delhi: Cosmo Publication, New Delhi, 1989), p.14

⁶⁸Based on the article "Atal Bihari Vajpayee, an understanding friend of the Nagas," by Rahul Karmakar, *The Hindu*, August 18, 2018.

at the same time to legitimized the different claims, the persisting unsettling concern prove the very fact that the very core conflict around the question of sovereignty and self determination. This competing concepts is represented in the various political language like the terms of self determination, sovereignty, within the Indian Constitution, art 370, integration, autonomy, Nagaland, Greater Nagaland, Nagalim, the Naga inhabited areas, etc. However, the process of justification of each party lies in their own articulation and explanation. One of the most important areas of tension within the domain of sovereignty pertains to the very question of land. The question that revolves around the issue of land further pertains to the question of ownership and taxation. It is pointed out that Phizo often used the “local axiom Ura Uvie! Which means our land is our” that implies the idea of sovereignty of Nagas “unconditional ownership over their land and its resources and communitarian ethics.”⁶⁹

Further, the centrality of land and the associated issue of taxation at the early stage of Naga struggle for self determination as presented by Charles Chasie, one of the writers on Nagas shows that “Taxes has always been an abhorrent issues where Nagas are concerned. It led to the killing of the first British Political Officer in the Naga Hills in 1879 and it was against the British that followed.....Taxation was again a large part of the reason for the rise, and sustenance of, Naga nationalism although other reasons were there.”⁷⁰ J P Wouters also argued that even today, “taxes, once more are at the forefront of social unrest. While most people hate taxes, Nagas seem to hate these more than most. They hate taxes in the fear that the imposition of taxes on land signals the beginning of the end of Nagas absolute control over their land and its resources.”⁷¹ Thereby, the sensitivity over the question of 33% reservation for women in the Municipal election and contestation over the issue of taxation emerge from the interface and the controversy over the traditional rights of land and the Municipal Act that empower the right for taxation and at the same time the fear of misunderstanding in the form of conflict in authority and right paved the way for violence and resistance against the abuse of art 370 in the state politics of

⁶⁹ Jelle J P Wouters, “Land Tax, Reservation for Women and Customary Law in Nagaland”, *Economic & Political Weekly*, March 4, 2017, vol. LII no. 9.

⁷⁰This is based on the Cited article from 5th Feb, 2017, Morung Express that was referred in the article “Land Tax, Reservation for Women and Customary Law in Nagaland”, by Jelle J P Wouters,*Economic & Political Weekly*,March 4, 2017 volLII no 9

⁷¹Jelle J P Wouters, “Land Tax, Reservation for Women and Customary Law in Nagaland”, *Economic & Political Weekly*,March 4, 2017 volLII no 9

Nagaland.⁷² Further, the very politics for the process of legitimization, contestation and justification of sovereignty led to the formation of a parallel government with different department by the Naga revolutionaries. The organization mainly functions with the collection of money from the public at large. While the government of India accuse of extortion, on the other hand, the Naga revolutionaries justify and legitimized it as a taxation as symbol of recognition of ownership of the land and sovereignty.

However, the complexity arose from the very fact that taxation becomes a burden and also deemed as a form of extortion not only by the non Nagas but also among the Nagas public at large when different organization overlap without proper accountability, transparency and legitimacy. Consequently, the public grievances and strong resistance emerge in the form of an organized people's movement "Against Corruption and Unabated Taxation"⁷³ (ACAUT). This organization is born as an opposition against the multiple taxes by the different Naga Factional Groups (NFGs) and on the contrary appeal to all the Naga Factional Groups to work towards "One government, one Tax."⁷⁴ Taking all these into consideration, the very idea and the notion of taxation remains a very sensitive issue in the discourse of the conflict.

Another important area of conflict which is also manifested as ironical, controversial and contested pertains to the very term "Nagaland to both Non Nagas and Nagas."⁷⁵ This arose from the very fact that while "the rest of the Indian think it does not sound Indian, on the other hand, to the Nagas living outside the state of Nagaland, the name is a "misnomer because there is a sizable Naga population living outside this present Nagaland proper."⁷⁶ Besides, the 32 tribes living in the state of Arunachal, Manipur, Assam and Arunachal Pradesh, there are also Nagas that lives in Burma post the demarcation of the boundaries. As a result, "the underground Nagas argued that the word Nagaland denoting all Naga inhabiting territory, is coined by them and they protest that the overground Nagas, therefore have no right to come to term with the Indian Government without the approval of the Undergrounds."⁷⁷ Hence,

⁷²Moa Jamir, "Women reservation in Nagaland", *The Morung Express*, August 14, 2016.

⁷³*The Morung Express*, May 17, 2017

⁷⁴Ibid.

⁷⁵M. Horam, *Naga Insurgency The Last Thirty years*, (New Delhi: Cosmo Publication, 1989).p.10.

⁷⁶ Ibid.

⁷⁷Ibid.

the idea of Greater Nagalim envisages a homeland through the integration of all the contiguous inhabited areas of the Nagas.⁷⁸ At the same time while the creation of the state of Nagaland is deemed as an end of conflict resolution by the Indian state on the contrary it also resulted to more intensification of the conflict for self determination.

Following which, the complex nature and the continuance of the conflict for more than six decades indicate the non resolution of the conflict. Consequently, the process of dialogue and negotiation to arrive and find a common ground lays the foundational basis through certain agreement like the “recognition of the unique history of the Nagas” and the “signing of the ‘Framework Agreement’ in August 2015”⁷⁹ for durable solution. Besides, the desire for peace and durable solution by the militant organizations, the public organization of the Naga society and the civil society is manifested in the massive support for the Framework agreement and at the same time there is also a common yearning for integration of the Naga inhabited areas. There is also a notional understanding that the term ‘Naganess’ or ‘Nagahood’ as one common bond and feeling both in action and in spirit is a contestation against the larger Indian nationhood and arrogance.⁸⁰ This is also based on the understanding that integration of Naga inhabited areas is also conditional for the durable resolution of the conflict which will also substantially responsible for the meaningful integration of the Indian state.

Noting this, the dynamic of the politics of federalism and the issues of contestation around the question of autonomy, sovereignty and development can be studied better by examining the nature of the party politics at the national and the regional level. It is essential to note that since Independence the National Government through the Congress maintains its dominant position and hegemony by securing a convenient majority in most of the states of the North East. However, the emergence of the BJP as a strong contender in the region paved the way for the stiff competition between the two most dominant national political parties along with the regional party of the locality. Following which, different scholars and analyst have thrown different views about the rise of BJP in the politics of the North East. Some argued that

⁷⁸M. Horam, *Naga Insurgency The Last Thirty years*, (New Delhi: Cosmo Publication, 1989).p.11.

⁷⁹ Vijaita Singh, “Detail of 2015 Naga Agreement”, *The Hindu*, July 19, 2018.

⁸⁰ M. Horam, *Naga Insurgency The Last Thirty years*, (New Delhi: Cosmo Publication, 1989), .p.10.p.14. The point and the view is based on the author’s engagement with a Colleague, while on a Visiting Fellowship at the Indian Institute of Advanced Study at Shimla.

Hindutva as an ideology and cultural nationalism has been accepted and hence the region has assimilated and integrated within the rubric of Hinduism. Thereby, the North Eastern states including the Christian dominated states have accepted for Hindu nationalism.⁸¹

While others are of the view that the massive surge of the BJP in the North Eastern States is due to “patient and smart strategy to play on the optimal mix of the promise of development, localization of the identity and ideology and prudent coalition Building.”⁸² Still other opines that the rise of BJP as the phase of “India’s Second Dominant Party system.”⁸³ Further, another stress from the perspective of economic federalism within the context of the “Look East and the Act East Policy” to foster better trade relation with the South East Asian Countries thereby necessitating the North east to facilitate as a gateway for trade and development for which the infrastructure bottleneck and other constrain needs concretization for the overall national growth and development. However, it is important to examine critically the role of the present government within the context of the rise and formation of a government in the region.

Apart from the given arguments of the surge of the party, it is also important to note that the presence of BJP in the politics of the region indicate the transition from the one national party dominance to the arrival of two national parties for power in the North East. Next, the shift in the power structure can be partly explained beyond the doctrine of incumbency in the sense that the one party dominance of the previous regime was largely based on the electoral politics that solely concentrated on majority formation of Government through the process of construction of the other in the form of polarization and communalization of ethnicity, religion and region with little regard for democratic credentials like secularism, minority rights and developmental equity. Then, the stiff competition between the strong national parties in conjunction with the regional parties along with the grievances from the excluded minorities paved the way for the search for an alternative through the process and

⁸¹This is based on the article written on the *Economic Print Edition*, Asia, Shillong, 22nd, Feb, 2018.

⁸² The argument and the point is extracted from the article contributed by Mohit Kumar Daga in *The Economic Times*, March 3, 2018.

⁸³Suhas Palshikar’s article in the *Economic and Political Weekly*, Vol. No.52. Issue No. 11, 18 March 2017. Here, he mentioned the dominance and inroad of the BJP in the North East and other state as a phase of India’s Second Dominant Party System.

politics of Coalition government. This is also complemented by the new economic approach through the electoral agenda of development and the strategy of coalition politics.

Finally the argument that cultural nationalism has successfully been transplanted in the region cannot be stressed beyond a certain level on the ground that certain states like Meghalaya, Nagaland, Mizoram and even a large section of the people of Manipur practice Christianity. The limitation of the cultural nationalism of the Hindutva lies in the fact that certain injection of cultural and religious politics like vegetarianism, cow vigilantism and attempt to declared 25th December as a 'good governance day' face stiff resistance and opposition from the society at large at the same time the cultural space of the region are largely insulated by terming the cultural practice of the North East as more democratic, inclusive and egalitarian than the imported culture. This in turn has confined the BJP in particular to the political language of development and peace. Another important development is the politics of engagement for conflict resolution which is conditioned on the rational that peace and security is conditional for development and growth.

Taking the above into consideration, the very notion of whether more integration, development, peace and conflict resolution has ushered in or was it a merely electoral politics of polarization would be unfolded in the near future.

This paradigm shift in approach from military perspective of coercive integration to economic paradigm with the onset of liberalization, globalization and privatization has also necessitated the shift in the approach of conflict resolution and at the same time it helps to rethink about the viability of direct confrontation and expansion of political differences. This prolong deferment and the need for resolution make the contesting groups to redefine the core area and issues of tension for mutual benefits as well as in the interest of a just and viable democratic society. Thereby on closer examination, it is also seen that some of the core concern also revolve around the very domain of Federal rights, Autonomy, territorial protection and reconfiguration in the form of integration as an adjustment and concession to renounce the idea and claim of absolute sovereignty for mutual coexistence.

However, the seemingly possibility of the opportunity of conflict resolution might persist despite the agreement until and unless the grievances and the aspiration of the people are weight within the democratic framework of adjustment to cater to the need of democratic injustice and exclusion that perpetuate in the name of conflict. The call for federal balance based on the unique history demand a fair amount of autonomy that will truly provide, guarantee and ensure recognition and better representation not only for the sake of conflict resolution but also for larger interest of a meaningful integration of the India state. Or else, the non redressal of the core political concern just merely on the excuse of resistance from the other neighbouring state would not merely perpetuate conflict but also weaken the democratic credential by allowing the space for exclusion, oppression and discrimination. As for instance, in many district of the Naga inhabited areas outside the state of Nagaland, there is no provision of political rights apart from the mere Universal Adult Franchise, unlike the other minorities who are safeguarded under Fifth and the Sixth Scheduled of the Indian Constitution. The absence of the constitutional protection for the rights of the minorities especially the tribal's in some states of the North East needs to be urgently addressed for larger democratization, security, peace and social justice. The structural discrimination and underdevelopment necessitate the granting of special autonomy as a realization of federal equity.

The current political language and the discourse revolve around the question of resolving the Indo- Naga conflict in an immediate future. However, it is uncertain of the very intention and the manner of how it wishes the conflict to be resolved. There are arguments that the core issues have subsided and as a result would soon normalize the pertinent conflict. However, the reality and the challenges is that whether it would resolve the main concerns and satisfy the aspiration of the people as the public look forward for a reasonable, democratic and peaceful agreement. As for instances, the celebration of Naga Day on 10th of January 2018 and at the same time the demand of the various Organizations and civil societies of the Nagas with mass support “for solution before election”⁸⁴ before the 2018 Assembly election illustrate the seriousness of the public for solution. It also illustrate the test of patience on the side of the Nagas at large and at the same time it equally test the genuineness of the

⁸⁴This line of argument and points are based on the extract of the article “Naga Day; Nagas without Border” published by the *Forum for Naga Reconciliation*, Dimapur, 2017.

Indian state for conflict resolution which is also truly a resolution of the federal challenges for larger national integration and nation building process. The irony and the politics of indifference could either result to the mere polarization of the conflict as an electoral politics and agenda or the distortion of the trust deficit and the sanctity of the public on the process of negotiation could amount to larger intensification, determination and violent resistance for sovereignty and self determination.

Thus, the dynamics of the federal challenges demands a further examination and critical comprehension on the question of autonomy, territoriality and sovereignty. The call of the Nagas for integration of the Naga inhabited areas as a bargain for the relegation of the sovereignty seems to be a fundamental federal question and challenges. This in a way implies for the very fact the current provision of Art. 371A only provide constitutional safeguard and protection only to the state of the present Nagaland State. Therefore the call and the persistent demand for integration of Naga inhabited areas to a large extent imply a more comprehensive examination, recognition and safeguard of the federal challenges. Further, beyond the pertinent political conflict and unique histories of the Nagas, the question of federal polity and equity entails the question of autonomy, decentralization, democratization and self government. This is also largely relevant in the context of the politics of exclusion, structural discrimination and ethnic communalization of the minorities which often intersect with the assertion of sub nationalisms and conflicts in the region. Besides, this search for federal solution in the form of dialogue and negotiation in a way implies a search from both the parties a space for “self rule and shared rule”⁸⁵ based on the contract that is to be arrived through constitutional arrangement. As experiences have shown that, the strategy of coercive suppression and integration rather resulted to the genesis of violent resistance and more resolute demand for self determination. At the same time, this method of coercive integration dismissed, negates, ignore and undermine the political reality of Federal polity and rights. On the contrary, the non recognition promotes national disintegration, separation, self determination in the form of sovereignty, secession and independence.

⁸⁵DR. J. N, Sharma, “foreword” , in the work of Dr. Sarita, *Federalism in India, A Quest for New Identity*, Chandigarh.

Following which, it is also important to note that with the creation of the state of Nagaland in 1963, a new constitutional provision was inserted in the form of Art. 371A that provide a special safeguard for the right of the Nagas as a partial fulfillment and resolution of the conflict within the framework of federal set up. However, despite the successful incorporation of a major section of the interest of the Nagas, yet it failed to take into account the interest of many section of the Nagas in the formation of the state and instead through subsequent reorganization were incorporated in different part of state. This approach of federal state building rather perpetuates the conflict rather than the resolution of the conflict.

Similarly, one of the important themes on the discourse of autonomy and federal issues in the state of Jammu and Kashmir is on the very question of the relevance of article 370 is Whether it needs to be abrogated, encroached and breached for the sake of national integration. While, on the other hand whether it needs to be protected, retained and safeguarded for the sake of its distinctive character and circumstances? However, on deeper reflection, it also pertains to the very question of Indian Democracy. This also means whether Federalism and the federal question remain viable and relevant in the era of globalization? Further, whether centralization alone or the top down approach has serve the society at large as it is intended. Or if not with its limitation, can we explore any alternatives and as such the need for rethinking, re introspection and the critical reevaluation of the federal set up of the Indian Constitution and Democracy. This has a special bearing in the sense of the growing disparities in terms of development, distribution of resources and even in the question of representation. The peripheral states and the Federal question demand viewing those political, social, economic and cultural spaces beyond the dimension of security framework to the important questions of Human security, development and above all to the contribution to the very idea, practice and realization of substantive democracy.

Jammu and Kashmir Federal Concerns

In the attempt to study the nature of the working of Federalism especially with reference to the state of J&K within the institutional dynamics and the processes, it become all the more difficult and complex to examine the democratic practices along with the guaranteed provision of the constitution, when the nature of the politics is

largely driven by different conflicting forces of demand for self-determination, autonomy, violence, militarization and the electoral politics. At the same time, the sanctity of the contract in the form of agreement or procedural fixity of the constitution cannot be easily realized on account of the various forces that compete against the other.

Taking this into consideration it becomes pertinent to ask how successful has been the working of the federal arrangement in the form of Art.370 within the context of integrating within the Indian State? Even still, what do the existing cycle of violence and the non resolution of the conflict explain about the democratization process? At the same time what are the attempt that have been made to resolve the federal concerns, conflict and challenges of the state? Or are we increasingly witnessing the failure of the democratic values and norms due to the chronic violence. Moreover, have we fallen into the trap and phase of violent confrontation that eventually leave very little space for peaceful negotiation, functioning and consolidation of democracy? Or in other words, hasn't there any consensus and acceptance over the democratic political system due to the constant process of conception, construction and deconstruction from different entities that include Pakistan, Indian state and the Kashmiris? These complex political phenomena help us to reevaluate the goals and the dynamics of federalism in theory and praxis. The politics of the conflict and the demand for sovereignty is further complicated by the parallel regional demands for more autonomy from the region of Ladakh and Jammu on the ground of discrimination, development, and electoral politics on religious and communal lines.

Keeping these challenges in mind, the study on the nature and the working of the special provision of the Art.370 of the Indian Constitution become very important. To begin with, one of the contentious political questions that still persist pertains to the very issue on the locus of sovereignty. The core dispute of the Kashmir issue over sovereignty is “defined by the mutually reinforcing intersection of domestic and “international.”⁸⁶ Or in other words, the contention revolve around the competing claims on sovereignty wherein the Indian state legitimately claim that “Kashmir is an

⁸⁶ S. Bose, *Kashmir*, New Delhi, 2003.

integral part of India,”⁸⁷ while Pakistan consider it as a Jugular vein and on the contrary the other still claim of being an independent unit separate from both the countries.⁸⁸ However, as the theme is confined mainly within the dynamics and processes over the question of federalism, it is necessary to study the interface of the Federal provision, processes and its challenges that is manifested in the form of demand for more autonomy, the demand for Azadi, and the intensification of violence and militarization over the region. At the same time, as the focus of the study is confined to the institutional dynamics of Federalism within the context of Art 370 in conjunction with the question of integration, it demands critical examination over the process and the politics of the working of these provisions, processes and institutions.

Following which, certain historical events like the Instrument of Accession of 1948, The Constitution (Application to Jammu and Kashmir) Order, 1950, Delhi Agreement of 1952, Constitution (Application to J&K) Order 1954 and the Indira-Sheikh Accord of 1975 were some of the notable federal provisions that determine the centre state relation. However, despite the special provisions that are accorded in the provisions of the Constitution, certain political processes and politics have also drastically changed and shaped the political phenomena and the conflict in the region. The important processes like the dismissal of Sheikh Abdullah Government in 1953, the political alignment of the Indian National Congress with the National Conference in 1967, the rigged state Assembly election of 1987 that resulted to increase militancy and distortion of the faith in the institution of the Indian Democracy.⁸⁹ Further, the exodus of the Pandits, Imposition of president Rule and imposition of extra Judicial measures like the AFSPA, POTA, PSA, violation of human rights and the consequent resistance and militarization by the militant and the increasing polarization of the society with the demand for Azadi also constitute an important political processes that are largely responsible for the contemporary political situation and the Institutions. In addition, the Indo- Pakistan conflict, war, cross border terrorism, tension and relation has also played a crucial role in the politics of the state of Jammu and Kashmir. The failure of the government in the form of systemic corruption and repression has distorted the confidence of the people in the special status that is accorded to the state of J&K and above all in the sanctity and the working of the Indian Democracy. This

⁸⁷ S. Bose, *Kashmir*, New Delhi, 2003, p.165

⁸⁸ Ibid.

⁸⁹ Aman. M. Hingorani, *Unravelling the Kashmir Knot*, (New Delhi: Sage Publication, 2016), p.343.

nature and the dynamics of the Indian political system from the phase of integration in the earlier decades later shift towards a phase of “reluctant secessionist.”⁹⁰

Moreover, the politics of corruption, rigged election and the consequent repression was somehow explained away and justified on the ground that legitimate electoral victory of the revolutionaries would signify people’s mandate and endorsement for the aspiration of the people. The very apprehension and the dilemma not only obstruct the people from participation in the democratic process but also the very act of repression and coercion placed the conflict in a political and legal condition of “double jeopardy”⁹¹ that eventually triggered for the militant resistance for self determination. Some others mentioned that the discontent and the grievances led to the shift in the politics and the language of resistance as exemplified in the slogan which was once a “Pro Indian” was replaced by the slogan of “Pro Pakistan.”⁹²

Accordingly, based on the changing nature of the state centre relation with respect to the state of J&K and the centre, Jay Prakash in a seminar held in Delhi on 4th of October, 1966 emphasized and acknowledged that “there was a dispute between the Government of India and the people of the state.”⁹³ He remarked that there is more discontentment and anti Indian feeling from the people of the state than before.⁹⁴ He therefore cautioned the Indian state to avoid repression and force as it is not only suicidal to the integration of the Indian state but also detrimental to the very spirit of democracy. Instead he suggests the Indian state to provide the “fullest autonomy Possible.”⁹⁵

Therefore, it is quite important to note that despite the Special Constitutional safeguard that is bestowed upon the state of Jammu and Kashmir through the Art. 370 of the Indian Constitution, the nature of the Indian politics in the form of electoral competition have in the process negated and overlooked the sanctity of the federal contract and the very basis of integration to a large extent. The centralizing tendency

⁹⁰This is a term borrowed from the Political Scientist Donald Harowitz’s and is incorporated in the work of S.Bose entitled ‘*Kashmir*’, New Delhi, 2003, p.84.

⁹¹D.D Basu, *Introduction to the Constitution of India.*, (Calcutta: Lexis Nexis, 2011).

⁹²The argument and the statement is extracted from the writing of RamachandraGuha, a historian in *The Hindustan Times* Entitled ‘Kashmir, Past and Present’, 2017.

⁹³Based on the writing of the article, “why we must listen to Jaya Prakash Narayan”, by Ramachandra Guha at *The Hindustan Times*, on 26th Sept, 2016.

⁹⁴ Ibid.

⁹⁵Based on the writing of the article, “why we must listen to Jaya Prakash Narayan”, by Ramachandra Guha at *The Hindustan Times*, on 26th Sept, 2016.

and the absence of democratic space that is deemed as a strategy for coercive integration, has generated wider repercussion for more resilient demand for self determination. Thereby, the question arose as to whether the federal arrangement has failed or has it succeeded merely as a procedural necessity rather than a substantive realization for meaningful integration. As for instance, it is pointed out that “before 1989, India and Pakistan fought over Kashmir. Since the late 1989, it is Kashmiris who have done much of the fighting.”⁹⁶

Further, it is also argued that the reasons for the crisis of 1989-1990 lies in the denial of democratic rights, Institution and federal provisions to the people of Jammu and Kashmir after the Indian Independence.⁹⁷ At the same time the adequate understanding of the conflict also demands a study “beyond the inter- state territorial dispute to take account of the great diversity and complexity of the society and politics within Jammu and Kashmir.”⁹⁸ The federal vision of integration through the process of institutionalization has over the years not only created a democratic deficit “but also fail to translate the people of Jammu and Kashmir from being subjects to being citizen.”⁹⁹ This is reflected from the very fact that Indian “policy reduced the state of J&K to an anomalous enclave of authoritarian politics and repressive central control within an institutional framework based on the robust multi-party politics and federalism.”¹⁰⁰ Even though the Hindus, Sikhs and the Buddhists of the state of J&K are also discontent with the state of the affair yet unlike most of the Muslim community, they have their allegiance and identity rooted in the Indian State.¹⁰¹

The irony of the nature of Federal set up and the attempt to integrate and resolve the conflict within this framework on the contrary has very little contentment over the process of the functioning of the same. On the contrary, the non allegiance of the federal arrangement along with the political conflict has rather transformed and push towards the extremes of coercive integration on one hand and assertion for Independence and Azadi on the other. The non commitment to this contract has to a large extent made the very theme of federalism and autonomy less attractive and less

⁹⁶This is based on the publication of the Carnegie endowment for International peace in 1995 that is incorporated in the book, *Kashmir* written by S. Bose, New Delhi, 2003.

⁹⁷S. Bose, *Kashmir*, New Delhi, 2003, p.7.

⁹⁸Ibid.p.7.

⁹⁹ Ibid.b.8

¹⁰⁰ Ibid,p.101.

¹⁰¹S. Bose, *Kashmir*, New Delhi, 2003, p.101.

relevant the discourse on the very idea of the demand for more autonomy. The political reality and the implication of this negation of federal sanctity has rather intensified the conflict in a more violent and militarized path which in turn has rather made the political concerns, debate and dialogue for conflict resolution relegated to a back seat and secondary position. The process of polarization of the Kashmiris increases as expressed even in the form of stone pelting as a mode of protest and at the same time the assertion for self determination heightened due to the process of oppression and suppression for national integration.

Debate over the Question of Art.35A and Art.370

Another crucial development on the question of special autonomy through Art.370 is the shift in the nature of the discourse towards abrogation and amendment of the same rather than reexamining the functionality and success of the provision that was envisaged. The very irony of the shift lies in the fact that it begin to interrogate the very basis of its existence that reflects in the very debate between the abrogation of the Art 370 on one side and demand for self determination on the other. Some groups like the RSS and political parties like the BJP argued that the special provision are transient and temporary in nature and at the same time they claim that it also counter to the very notion and the process of national integration. Besides, the Kashmiri Pandits are of the view that Article 370 and 35A is an “unnecessary baggage of the past.”¹⁰² Further the very argument is substantiated on the ground that the demand for homeland necessitates the very revocation and the amendment of article 370.¹⁰³ Still, there are some who pushed the argument that the special provision of article 370 should be repealed since it not only act contrary to the sovereignty of the Indian state but also argued that the majority of the people in the Indian democracy want to annul the same.¹⁰⁴

However, we also see that there are also instances of strong demand for the restoration of the erosion of autonomy of Article 370. Noting that, certain

¹⁰²This is based on the article written in *The Indian Express*, May 2, 2018.

¹⁰³The point of the statement is extracted from the article written in *The Economic Times* entitled, “Kashmiri Pandits demand homeland, revocation of article 370”, August 27, 2017.

¹⁰⁴ The article is based on the editorial article “Abrogation of Old Testament Art 370”, by Anuradha Basu in the *Nickled and Dimed* which is a Jindal School of International Affairs blog, posted in March 4 2018.

¹⁰⁴*Report of the State Autonomy Committee*, Srinagar July, 2000.

constitutional expert like A.G Noorani defended that the special Provision of Article 370 need to be protected and safeguarded for the very fact that the political context necessitated a careful reading of the given provision following which it needs to be read and understood “constitutionally and politically.”¹⁰⁵ Further, he extended his argument by reaffirming that the said article can only be abrogated with the initiation of the President Order along with the concurrence from the state Assembly of Jammu and Kashmir.¹⁰⁶ Others like Gopaldaswamy Ayyangar, “who was a member of the drafting committee” is of the view that unlike the other Princely state, the state of J&K was still unripe for integration and at the same time cautioned that the condition was still “unusual and abnormal.”¹⁰⁷ The other point in favour of the special provision is based on the rationale that it is “still operative” and at the same time the abrogation would rather weaken the legal basis of the Indian state for Integration and accession.¹⁰⁸ Mehbooba Mufti, the current Chief Minister of Jammu and Kashmir argued that the amendment and the abrogation of the special status would equivalent to the very action of “anti national work.”¹⁰⁹ Thus, the controversy and the complexity over the nature of the subject demand a critical examination.

Following which, the legal expert cautioned that it require a careful reading and interpretation. Many of the experts are of the view that the nullification and the abrogation of the special status will put the basis for the accession into the Indian Union into Jeopardy.¹¹⁰ In the same line of thought, Rajiv Dhavan, a constitutional expert also reiterated that “the Article 370 can’t be abrogated because the government does away with it, the very basis of accession will be in jeopardy.”¹¹¹ Similarly, the former Chief Justice of Jammu and Kashmir, BA Khan agrees that “if article 370 was abrogated, then technically and legally the foundation of Jammu and Kashmir’s accession to India would cease to exist.”¹¹² Shanti Bhushan, the former law Minister, interestingly throws a new perspective by stating that the opinion of the Supreme

¹⁰⁵The article is based on the article that is written in the *Frontline Magazine* that is related with the Kashmir section entitled, “Art.370: Law and Politics”, by A.G Noorani, a constitutional Expert.

¹⁰⁶Ibid.

¹⁰⁷ The article is based on the editorial article ‘Abrogation of Old Testament Art 370 by Anuradha Basu in the *Nickled and Dimed* which is a Jindal School of International Affairs blog, posted in March 4 2018.

¹⁰⁸“The importance of Article 370,” *The Hindu Editorial*, 15th October, 2015.

¹⁰⁹ This point is extracted from the article written by Sameer Yasir in *First Post*, on jan 10, 2017.

¹¹⁰ With reference to the article written in the New18 by D.P Satish on May 28, 2014 entitled ‘Abrogation of article 370 a very complex affairs say legal expert’.

¹¹¹ Ibid.

¹¹² Ibid.

Court ought to be mandatory before the abrogation of Article 370.”¹¹³ Another dimension is that Scrapping of the Art 35A would not only spark ‘unprecedented uprising’ but also the fear of the drastic demographic change apart from the grievances and the discontentment of the people is deemed as a serious concern for the Indian state and the people of the Jammu and Kashmir in particular.¹¹⁴

Following which, it is noteworthy to examine the recent controversies, debate, complexities and dispute over the question of Art.370 and Art.35A. The tension arose from the very fact that it entails a multifaceted processes and interface of political rights, autonomy, economy, culture and identity. According to the special provision of Art 35A under Art 370 of the President Order of 1954, it accords the Assembly of J&K to define the special privileges, protection and rights to the people of J&K with regards to permanent residential right, possession and acquisition of immovable property right, employment, scholarship and other facilities that it provides. However, Delhi based NGO, We the Citizens, challenged the political legitimacy of this special provision on the ground that it is not within the ambit of Art 368 that pertains to the procedure of the Constitutional Amendment of India. Hence, they argued that it is not only unconstitutional but also argued that it was a temporary provision. Further, they alleged that it violates the basic structure of the Indian Constitution as it denies some of the Fundamental Rights to the Indian citizens as a whole and not to the people of J&K.¹¹⁵ It is also argued that it goes against the process of integration of the Indian state.

While on the other hand, the defender of Art 370 and Art. 35A strongly argued that this special provision is the basis, link and the reason for the integration within the Indian Union and as a result, it has to be read along with the constitutional history, context and Instrument of Accession. Shah Faesal is of the view that “repealing Art.35A will be like ending the relationship.”¹¹⁶ One of the important development and fallout of the controversies is the strong opposition, protest, resistance and shutdown from different section of society across the state of J&K like the Kashmir

¹¹³ Ibid.

¹¹⁴Yashwant Sinha led “Concerned Citizens Group Report of the Third Visit”, August 17-19, 2017.

¹¹⁵This is based on the article from *The Hindustan Times*, August 5, 2018.

¹¹⁶ Shah Faesal, the 2010 batch topper of the Indian Civil Service exam from Jammu and Kashmir stated that the abrogation of the special provision of Art 35A would end the link and relation between India and the state of J&K. This is extracted from the article written by Bashaarat Masood in *The Indian Express* on 6th of August 2018.

Economic Affairs, different Traders Associations, All Parties Sikhs Coordination Committees and Joint Resistance leadership from different separatist groups against the nullification of Art. 35A.

However, Pratap Bhanu Mehta argued that the following contentious article of 35A needs to be examined beyond the debate and binaries of abrogation and protection. Moreover, the issue involves the fundamental question of political legitimacy and hence requires political settlement and at the same time, certain critical and sensitive political issue ought not to be politicized. Further he posed a question that if there is an urgency of examining the demographic challenges in Assam why would it not matter in the state of Jammu and Kashmir?¹¹⁷

The conflict and the debate have in turn demand multiple layers of perspective, analysis and understanding to deal with it. First, as the relation between the Indian state and the state of J&K is based upon this special provisions, it is imperative to note that this are special arrangement and thereby, demands special sanctity, adherence and obligation from both the party to the contract.

Nonetheless, apart from the responsibility of the Indian state, the question also arose whether the state of Jammu and Kashmir has the willingness and the capacity to reform within itself so as to safeguard their rights, failing which the internal conflict and polarization within at multiple levels would paved the way for the demand for the politics of assimilation, integration and abrogation of these provision without special privilege and rights. The other alternative is seen in the role of the Supreme Court towards adjudication and conflict resolution of this very pertinent issue. This in a way implies the failure of the state of Jammu and Kashmir to reform, resolve and negotiate within itself. However, this need not necessarily be interpreted as abrogation and interference in the autonomy of the state per se. As a result, it place enormous responsibility on the Supreme Court in the deliverance of Justice and conflict resolution. The current political situation accord and occupy a unique and special status to the Supreme Court in the history of Indian Democracy especially within the context of the political conflict between the state of J&K and the Indian state. But the larger complexities arose on the question of procedure at the first place as to who should have the right to file the petition and why, especially with reference as to

¹¹⁷Pratap Bhanu Mehta, “The nuances of Art 35A,” in *The Indian Express*, on 8th of August, 2018.

whether the people of the state of J&K or any citizen of the Indian State. Further, beyond the procedural judgment, it is rather the substantive political conflict that is to be resolved. This in turn demands political processes of negotiation, dialogue, understanding and political statesmanship.

Taking the above challenges into consideration and owing to the complex and contentious political nature of the conflict, the SC has taken cautious steps and as a result deferred the hearing of the contentious Article for Jan 2019.¹¹⁸ Apart from the federal challenges, there are also demands for regional autonomy within the state of Jammu and Kashmir.¹¹⁹

Further, the nature of the existing political situation and the continued violence depicts the political tension in the state of Jammu and Kashmir which is manifested in the recent Pulwama suicide attack on the convoy of CRPF, Balakot air strike, militant attacks and the counter army operation.¹²⁰ The political culture of violence is reflected in the sentiment of the public especially the youth who strongly asserted for Azaadi and self determination.¹²¹ And at the same time there is a demand for the restoration of pre 1953 status.

Further, the erosion of Autonomy and the fear of the abrogation of this special provision are deemed as the main cause of discontentment for the people of Kashmir.¹²² Sensing the discontentment, various Prime Ministers of India, like Shri P.V Narasimha Rao and Deve Gowda expressed the desire of the Indian state to grant more autonomy. It is also important to note that Sheikh Abdullah demand for the restoration of the pre 1953 status. Besides the formation of the Sarkaria Commission,

¹¹⁸ With reference to the article from *The Greater Kashmir*, “Supreme Court defers hearing on Art 35A till Jan next year” published on 31st August, 2018.

¹¹⁹ This claims and demands are expressed in the form of demand for division of Jammu and Kashmir along regional line like separate Union Territories for Ladakh and separation of Jammu as a separate region. Further, there is also a call for separate homeland within the Kashmir valley from the Kashmiri Hindus through the organization of Panun Kashmir in recent times since the aftermath of their exodus from the valley. Presently under the Governor Rule of Satya Pal Malik, it has approved separate administrative and revenue division for Ladakh. Based on the article on the *Rising Kashmir* entitled “Guv administration create separate division for Ladakh”, Feb. 9, 2019.

¹²⁰ Abhinav Kumar, “Soldiering on, after Pulwama”, *The Indian Express*, Feb 20, 2019.

¹²¹ Based on the field work that is conducted in the state of Jammu and Kashmir especially the youth of the Kashmir in the rural and the rural as well, there is a strong sense of alienation and anger from the experience of the violent conflict. At the same time there is also a discontentment on the ground of unemployment and developmental concerns. These challenges in conjunction with the violent conflict has further not only alienated the youth but also intensified their assertion for self determination and secession from the Indian state.

¹²² *Report of the State Autonomy Committee*, Srinagar July, 2000.

State Autonomy Committee was also formed so as to critically reexamine and study the conflict and suggest viable solution. Thus it need to critically examine beyond the electoral politics of constructing majority and rather seek to safeguard national interest, security and well being of the people of Jammu and Kashmir in particular and the Indian state in general.

Taking the above the federal challenges of the state of Nagaland and Jammu and Kashmir into consideration, on the whole it is important to note that the core political contention revolve around the question of federal equity. The tension over this sphere includes the question of autonomy, integration and self determination and the consequent violence. These are some of the persisting challenges of the nation building processes in the search for the resolution of protracted political conflict. However, on a comparative note, despite the persisting political tension in both the state of Nagaland and Jammu and Kashmir, the political climate seems to hint that in state of Nagaland especially the Naga revolutionaries and the civil society at large, attempts to resolve the dispute through democratic and peaceful process as manifested in the ongoing dialogue, negotiation and peace process for a just and durable solution. While the political situation in the state of Jammu and Kashmir is still characterized by violent conflict in conjunction with the political debates over federal concerns and autonomy. This in a way points to the centrality of the political concern, democratic process and reexamination of federal concerns that is fundamental and crucial for integration, peace and development. Hence, the political conflict and the manner in which it is addressed will be crucial in the overall resolution of conflict as well as the question and the degree of integration in both the states.

Finally since the study demand a holistic understanding of the very theme of the “Integration, Autonomy and the state; A comparative study of Nagaland and Jammu and Kashmir,” it require to delve beyond the political conflict and analyse the interface of political economy, development and democracy with the political process so as to better capture, compare and understand the nature of the whole investigation in a comprehensive manner.

CHAPTER 5

Political Economy of Conflict: Development and Policy Implications in Nagaland and J&K

The political economy as a concept is generally understood as a study of interface and interaction between the economics and the political system. In other words, it refers to how the political behavior, processes and institutions engaged with the economic behavior, systems and policies in the determination of the nature of the production, policies, pricing and distribution for the competing interest of the groups, individual and society as a whole. However, the political and the economic relationship in the form of political economy have differing conceptions, methodologies, understanding, framework and approach on the very nature of the study of political economy.¹ Accordingly, the competing concepts and paradigms can be seen in the emphasis that one framework laid in the analysis of the political economy. As for instances, while the classical Marxist view the economic structure as the base for the determination of other superstructure, other theories focus on the role of political power in shaping the economic policies and outcome.²

Taking the above into consideration, the central theme of this study is on the nature of the political economy of the Nagas. However, in order to understand this particularity, it is pertinent to understand the nature of the Indian economy. The interface and the relationship between the political economy of the Nagas and the Indian state lie from the very fact that at the foremost, it is foreground on the political conflict. This also implies the presence of the political economy of conflict in the study of the political economy.

The Political Economy of India

With this understanding at the background, the political economy of India can be broadly understood through the examination and analysis of the relationship of the political processes, economy and social interaction post independence. The political aspect can be roughly understood from its journey of “One Party Dominance or the

¹John Toye, “Political Economy and the Analysis of Indian Development”, in a Journal, *Modern Asian Studies*. Vol 22. No. 1, (1988), pp. 97-122, published by Cambridge University Press, accessed on 18 – 09-2018.

²Ibid.p.98.

Congress System”³ to the emergence of regional party which later graduated to a multiparty system that shaped the politics in the form of coalition government. While in the economic and developmental sphere, it undergoes a process and a phase for modernization through planning, socialistic pattern of important means of production, license Raj, green revolution , nationalization, denationalization and finally towards liberalization, privatization and globalization. Accordingly, the political economy of India is analyzed by different experts with varied explanations and perspectives yet in general it project and portray the varied nature, complexity, shift and underlying current of the Indian political economy

Following which, according to Francine Frankel, the nature of the Indian political economy follow a path of “Gradual Revolution”⁴ wherein it takes into account a balance and holistic development of political, social and economic emancipation rather than a disproportionate sphere of growth and development. While Rudolph and Rudolph explain the emergence of “the Bullock Capitalist”⁵ with the impact of green revolution that eventually gave rise to the demand and concretization to the politics of reservation in the form of Other Backward Class (OBC) reservation. Other like AtulKohli argued that the political economy is determined by the form and nature of government expressed as “Regime Type Matters”⁶ and liken the post reform regime as a “Pro Business”⁷ regime. Still other scholars emphasized that political economy of post reform and liberalization is characterized in different aspects and terms like “Development by Dispossession, predatory capitalism or crony capitalism.”⁸ Then, there are others who perceived that owing to the increase in the complexity of the Indian political economy, it ought to examine beyond the aggregate economic terms and instead also take into consideration the “disaggregated regional explanation.”⁹ On the whole, it not only illustrates the nature of the Indian political

³Rajni Kothari, *Politics in India*, (New Delhi: Orient Blackswan Private Limited, 2010).

⁴Francine Frankel, *India's Political Economy: The Gradual Revolution (1947-2004)*, (London: Oxford University Press, India, 2006).

⁵Rudolph and Rudolph, *In pursuit of Lakshmi: The Political Economy of the Indian State* (Chicago: University of Chicago Press, 1987).

⁶Atul Kohli, *State Directed Development: Political Power and Industrialization in the Global Periphery*, Cambridge University Press, 2004.

⁷Ibid.

⁸These are the terms used by Amit Bhaduri in his works which is further incorporated in introductory section of the book *Political Economy of Contemporary India* edited by R. Nagaraj and S. Motiram, published by the Cambridge University Press, 2017, p.6.

⁹This point of argument is based on the book *Political Economy of Contemporary India* edited by R. Nagaraj and S. Motiram, published by the Cambridge University Press, 2017, p.5.

economy but it also unfolds the complex and different framework of analysis of the interface of political and economic system.

The Nature of the Political Economy of the Nagas

Keeping the above concepts and challenges into consideration, therefore it is imperative to note the peculiarity, specificity and context of the region in order to better understand and analyse the very nature of the political economy of the Nagas in particular and the others in general. This in a ways informs that the political , social and the economic system of the Nagas unlike the general discourse is not shaped by the variables of caste, landlordism and capitalist class of the Indian political economy but rather characterized by the unique features of regional variation and wider egalitarian principles.

The philosophical foundation of the political economy of the Nagas and way of life emanates from the very fact that it is based on both the communitarian and liberal conception of good life and Justice wherein the common good and interest of the community as a whole is pursued in conjunction with the rights of the individual well being. It can be exemplified in the existence of both the community and private ownership of land and property. The rationale and the uniqueness of the nature of the political economy of the Nagas is unfolded from the fact that the communitarian principle, ethos and values of common good check the individuated interest or excesses that could paved the way for exploitation, domination, slavery and corruption for larger collective interest and at the same time the liberal values and space also provide the individual finds a fuller meaning of oneself for fullest development. Moreover, the social institutions and the community simultaneously provide a space for individual freedom, creativity and excellence for the development of the self and the common good. Thus, the two principles complement each other in the very process of interaction with political, social and economic system. The complementary role of communitarian and liberal values could be further extended, situated and contextualized within the Naga society through their lived experienced. This non binary is also seen in the way how the individual right, freedom and liberty flourish in harmony with the social well being. Further, the sense of community feeling, space and social sphere for common good is further reinforced through community social responsibility or common social responsibility and duty.

However, this need not mean the very simplification of the very notion of what constitute a common good. Noting that, one of the interesting feature of the political economy of the Nagas would be to examine whether there is an economic system of production in the form of community ownership in production or is it only limited to the commonness to the means of production through cooperation or division of workforce along age group, skill etc. thereby, common property only in the form of social institution, social capital, community land and properties. It is also note worthy to take into account that the political economy of the Nagas is based on principle and ethics of cooperation, hard work, honesty, justice, equality and collective social responsibility in the form of communitarian conception and practice of social safety net for the least advantaged.

Nevertheless, as the primary focus of the political economy of the Nagas in this study is mostly confine to the post independence period, it is pertinent to understand the background, the contestation and the corresponding shift in the course of time. At the foremost, the political conflict between the Indian state and the Nagas has led to the prioritization of the political concern that in turn has overshadowed the discourse on development where the conflict and politics for conflict resolution and non resolution occupy a central theme which in the end has dominated the discourse on development. This in turn generates a conflict induced political economy from a once self sufficient economy as it view the region and developmental question from the prism of security. Moreover, the generalized framework of understanding in consonant with the securitization and militarization in the region eventually brought underdevelopment, backwardness, dependency, patronage, co option and corruption. Again the complexity is also compounded with the contestation and encounter with modernity, tradition and education. In addition, the irony of the political economy of the Nagas in the current discourse on development is that the idea of growth is measured more in terms of GDP. On the Contrary, the nature of the political economy of the Naga is more oriented towards a methodological approach of measuring growth through the index of Gross National Happiness¹⁰ which seems more inclusive, fair, transparent and holistic approach in nature.

¹⁰ Based upon the Bhuthanese concept of Gross Happiness Index upon which the very scale of growth, development and wellbeing of the society is measured and evaluated.

In addition, another very important question of political economy of development of the Nagas relates to the very politics of geo-political mapping of state reorganization or the politics of minoritisation¹¹ and division along the prism of security. This has led to the very process and politics of the political economy of exclusion or the “politics of exclusionary growth”¹² and over concentration of institutions and infrastructure for development through ethnic determination of economy, structural discrimination, non recognition and non redistribution especially for the Nagas that are outside the state of Nagaland as exemplified in the hill valley divide and exclusion in the present state of Manipur.

These multiple processes and outcome especially in the form of the breakdown, dysfunctional, delegitimation and deinstitutionalization of the social, political and economic systems have resulted the Naga community at large to interrogate and rethink what is the nature of the political economy of the Nagas and what are its challenges and prospects in the development and well being of the society as a whole. On in other word, what constitute a public oriented or community centric narrative of the political economy of the Nagas especially within the context of the political economy of conflict and at the same time without conflict induced systems? Finally it is noteworthy to reiterate and emphasized that the nature of political economy of the Nagas in a substantive and meaningful sense signifies growth and development beyond Gross Domestic Output but rather aimed at a realization of an aggregate or Gross National Happiness¹³ that not only takes into account the interest of the individual but also the overall collective development of the community as a whole.

¹¹The very politics or the process of creating minority so as to divide and rule can be term as the politics of minoritisation. Here in the case of the Nagas, it is undertaken through the politics of geo-political mapping in the name of the reorganization of states. The drawback of this approach of viewing only along the line of security has failed to understand the larger implication that not only entails security concerns but also political, economic, social and other larger concern beyond border.

¹² It is extracted from the Stuart Corbridge work “The Political Economy of Development in India Since Independence” published by *Development Studies Institute*, London School of Economics.

¹³The very term Gross National Happiness is derived from the Bhutanese method of measuring growth and development. This method is different and important in the sense that it does not necessarily focus on the quantitative evaluation of growth through Gross Domestic Products but instead it rely and focus on the substantive realization of social, cultural and political equity in conjunction with other related aspects like health, environment and ecological sustainability and quality of life and time.

Nature of the Naga Economy

The political economy of the Nagas are interwoven and based upon the socio-political, cultural and economic structure of the egalitarian society. The Naga society is essentially an agrarian economy. Some even categorized the nature of the economy by alternative term as “forest economy.”¹⁴ The philosophical underpinning of the economic lives and activities is rooted in the principles of equality, community life, justice and liberty. Further it aims for the good and well being of the community as a whole. The theoretical framework and embedded culture has an embodiment and a combination of communitarian as well as liberal democratic principle. It has a socialistic pattern of society yet it provides an ample provision and space for individual rights and liberty. As for instances, though it considers sharedness as a way of life, yet it also firmly believed in the right to private property. The nature of the economy and activities of the Nagas revolve around on the community ethos and spirit of cooperation. However, the competitive spirit is mainly confined to the domain of competition for social recognition in conjunction with the notion of excellence as virtue where the merits is only recognized in the dedication and sacrifice for social service as exemplified “in the feast of merit” where in a person gain social status, respect and recognition for hard work and generosity through public service.

It is also significant to note that the economic activities are organized around certain virtues and spirit of cooperation, honesty, sacrifice, discipline, straightforwardness and sense of sharing with others.¹⁵ The Nagas as a social, political and cultural entity lived in the villages. Every village is an independent and sovereign entity¹⁶ and at the same time they have a strong attachment and affection for their village.¹⁷ Further, it is also important to note that land embodies freedom for the Nagas and as a result they glued to the village and lived as a settled community. The society was not only a self governing people but also had a self sufficient economy.¹⁸ It was a self reliant economy wherein they produce all by themselves from food,

¹⁴ This is term used by Rev. A. Shishak in his article, “Nagas and Education”, written in the book ‘*Nagas at Work*’.

¹⁵ R.R. Shimray, *Origin and Culture of the Nagas*, (New Delhi: Somsok Publications, 1986).

¹⁶ Ibid.p.43.

¹⁷ This is also mentioned by J.P Mills and further elaborated by .R.R Shimray in his work, *Origin and Culture of the Nagas*, (New Delhi, Somsok Publications, 1986).

¹⁸ Verrier Elwin, *A Philosophy for NEFA*, (Shillong,1964), P. 27. He mentioned that the Nagas had a self reliant economy

clothing, cooking vessels, bridges and even medicine. They governed and administered through their own laws.¹⁹ One example could be seen in the realm of decision making where in the Chief administrator and the Councilors allocates the site for Jhum cultivation based on the sustainability of the ecology. The self reliance and the sustainability is reinforced by the centrality of administration through justice and egalitarian understanding and practices. This in turn infused less differentiation, disparities and in the end reinforces economic equity and justice.

Another important aspect of economic principle and practice is the stress on the egalitarian and community way of life. This is based on the notion of liberal democratic principle in consonant with the communitarian approach to ensure that both the social and community responsibility are taken together for the realization of individual freedom and collective good. Following which, it denounces caste and class and instead advocate for individual respect, dignity and social harmony. This love for freedom, justice and equality make the society strongly defensive against all form of external interference and policy for subordination and domination. This egalitarian form of economic, social and political setup in turn opposed all form of subjecthood and exploitation like slavery, forced labour and unfreedom. However, one of the drawbacks of this protective strategy is the tendency of narrow and inward looking policy of exclusiveness, isolation and backwardness. This resulted to tribalism and closed system that in the long run fails to appropriate and incorporate the larger national, global and other world views. In addition, post independence exhibit a different pattern and orientation with the change in structure of the society.

The de institutionalization of the traditional political, social, cultural and economic system and adoption of representative democracy have rather brought an adverse impact in the form of erosion of authority and thereby facing the economic crisis in the local economy through deforestation, pollution and non sustainability of ecology. Further, the spirit of cooperation and social responsibility is replaced by excessive possessiveness, individualism and disparities in the society. The once Republic and a form of Direct democracy is rather replaced by an unaccountable and non transparent system. The most important aspect of this outcome is the decline of embedded community way of life and on the contrary it merely exists as a form of

¹⁹R.R Shimray, *Origin and Culture of the Nagas*, (New Delhi: Somsok Publications,1986).

socialization process without any meaningful engagement. The very culture of individual and social responsibility through social Institution even to the least advantage²⁰ is increasingly kept at the whims and mercy of an individual Samaritan act and goodwill.

Taking this into consideration, the political economy of the Nagas and the critical question of economic integration within the national and global economic system could be better understood through the understanding of the traditional Naga social, political and economic system and its encounter with the modern democratic set up and at the same time by delving into the political economy and history of conflict in the region. Further, the tension and the conflict within the traditional system and modernity in conjunction with the contestation between individual freedom and the good of the community and society as a whole with the absence of just principle and structure has altogether brought about a different outcome. Certain challenges of un-development, poverty, displacement, unemployment and corruption have gradually changed the nature of the society. Following which, the people of the region are now skeptical and critical on the discourse and the politic of development and economic integration due to the bitter experience from succeeding government both at the state and central government.

Noting the political, social, cultural and the ongoing economic difference and conflict, it is essential to examine that the uniqueness of the Naga history in a way entails the different pattern of economic system and distribution where in the well being of the whole community is a primary concern of every individual and society. However, this philosophy of good life and the conception of inclusive growth has become a difficult task to be achieved owing to the competitive nature of contemporary politics where private interest alone seems to precede and determines various outcomes. Once the so called classless and casteless society with rights, liberty, equality, opportunity and justice which are enshrined in philosophy and embedded in the social, political and economic system, has now fallen to the trap of lust for power, wealth and corruption without responsibility. As a result, the economy of the Nagas in particular and the political conflict that persist largely pertains to the

²⁰ This term of least advantage is extracted from John Rawl's, *Theory of Justice*, (London: Oxford University Press, 1971).

very philosophy and the culture of community virtue in action that guarantees the right of every individual without discrimination, exploitation and domination.

This understanding of the unique history and culture of the Nagas in a way provide a caution over the policy maker and especially the decision makers of conflict resolution to employ an approach of satisfying the collective aspiration of the society as a whole rather than relying on the policy of divide and rule for the nation building process. This also demands a holistic approach to deal with the very question and challenges of development and economic integration. Or in other word the multiplication of institutions and factions or even the models of development without understanding the historical, socio- economic and cultural context would rather lead to alienation and intensification of conflict for separation from the Indian state. Further, the challenges for economic development, growth and integration would be to critically interrogate whether certain policies entails and ensure substantive democracy rather than merely satisfying the installation of procedural democracy. This seems to be relevant and rational in the sense that the Nagas has an embedded culture of direct democracy and at the same time had an experience of substantive democracy. As a result, the aspiration and anxiety at the present times has cast a shadow of doubt on the very substantive question of the present political system.

Keeping the above into consideration, the economic systems and activities of the Nagas are deeply embedded within their socio- cultural practices and rituality. They mainly practice subsistence cultivation for household consumptions and followed mainly shifting cultivation and sedentary terraced cultivation. According to U. A. Shimray, the ecological settings, in the context of the Nagas are the village territory, land and forests where in the interface or inter-relationship between human and ecological components revolve around “territorial localised system.” Since the fundamental characteristic of tribal economy is essentially household contentment, there is a tacit and deliberate absence of profit motive in any kind of economic exchange. Schlolars like Majumdar and Madan summed up that the tribal economic system falls in the broad category of “production-consumption-distribution”²¹ type. However, the Nagas economic system is also categorized as “household production-

²¹D. N. Majumdar and T. N. Madan, *An Introduction to Social Anthropology*, (Bombay: Asian Publication House, 1956) as referred by U. A. Shimray, *Ecology and Economic System: A Case of the Naga Community*, (New Delhi: Regency Publications, 2007), 3.

household consumption”.²² The village truly acts as the heart of a Naga society and as a result it traditionally managed and operated through collective mandate and decision in the function and administration of its system. Another important social phenomenon in the Naga economy and workforce is the practice of cooperation and labour exchange among relatives, clan and neighbours which in fact give more space for cultural interaction and inculcate the value of social responsibility and thereby, sustain the spirit of community life. According to R Vashum, Nagas in general “was said to be self- sufficient and by and large maintained its sovereignty on the principles of socialism and democracy. Thereby, any interference, trespassing or encroachment by members of other village(s) in its territorial jurisdiction usually provoked inter village war”²³ and often resulted to head hunting which is justified for the non-adherence to the said jurisdiction. Henceforth, on account of the sanctity and importance of the observance of inter village geo-political relation in conjunction with the “long tradition of the Nagas with relative self sufficiency, freedom, isolation, passion for independence and their sovereignty over their respective homeland could have made them psychologically conscious”, attached and deeply rooted to their identity that they are “averse to any outside interference or encroachment in their territories.”²⁴ A reflection of this can be clearly seen in the ways the Nagas engage with its neighbouring communities and outsiders which interestingly reflect a diversified pattern of changes in response to the changes in the scenario of social, political and economy, especially, seen and understood in the context of its interaction with the British Empire.

Economic Conditions, Prospects and Challenges of Nagaland and the Nagas

The nature of the economy of the state of Nagaland largely depends on the state support, incentives and subsidies from the centre under various schemes. Further, the economic practices and the pattern of institutional governance especially the lack of accountability and non transparency in turn has led to the culture of corrupt practices at different levels. At the same time this eventually led to the external economic

²²U. A. Shimray, *Ecology and Economic System: A Case of the Naga Community*, (New Delhi: Regency Publications, 2007), 7.

²³R. Vashum, *Nagas' Right to Self-Determination: An Anthropological-Historical Perspective*, (New Delhi: Mittal Publications, 2000).

²⁴R. Vashum, *Nagas' Right to Self-Determination: An Anthropological-Historical Perspective*, (New Delhi: Mittal Publications, 2000), 111-112

dependency and more corruption that thwart innovation, creative enterprise, entrepreneurship and self sufficiency.²⁵ This in the process paved the way for the decadence of the spirit of resistance against corruption and injustice.²⁶ Following which, the resistance against the state for separation, autonomy was to a large extent based on the very fear of the idea of domination, exploitation and subject hood. Further, this pattern of development in turn led to the devaluation of work culture and ethics manifested in the gradual erosion and decadence of moral values and moral code which eventually bent toward materialism, westernization and consumerism.²⁷

The GDP of the State of Nagaland

The demographic composition and distribution of the population of the society in the state of Nagaland shows 81 percent and 19 percent resides in rural and urban respectively. The predominance of the agrarian pattern of economy in Nagaland lies in the fact that 88.5 percent of the population is engaged as agrarian workers.²⁸ However, agriculture contributes only 19.29% to Gross State Domestic Product (GSDP) as per the report of the Nagaland State Economic Survey 2014-2015.²⁹

According to the sector wise division of the contribution in the percentage of the economy of Nagaland State, it is found that in the year 2005-2006, the Tertiary sector contributes about 51.20% while the primary and the secondary sector contributed 34.60% and 13.94% respectively.³⁰ Owing to the subsistence method of agricultural practice, there is urgency for good governance, commercialization of agrarian products, infrastructural development for growth and development. The current state of economy can be termed as a trapped or dependent economy as it mostly relies on the central funding and schemes. However, it is noteworthy to remember that the political climate of conflict has thwarted the peaceful transition towards growth and development.

²⁵ This is extracted from the article contributed by Shri Khekiho Zhimomi in the Book entitled, *Economic Development in Nagaland prospects and constraint*, (Kohima: NUTA Nagaland University, 2006).

²⁶ Ibid.

²⁷ Ibid. p. 52

²⁸ Ibid.p.30

²⁹ *Morung Express*, July 24, 2015.

³⁰ Source: Directorate of Economics and Statistics, Nagaland, 2005-2006.

Tourism

Tourism is another sector that play essential role in the political economy of the state of Nagaland. It encompass both cultural and eco tourism due to the rich cultural heritage and scenic beauty of the regional landscape. Accordingly, Nagaland is deemed as the land of the festivals. It is not only a policy for economic growth but also act as a process of psychological and cultural integration so as to better understand the rich cultural heritages and noble values that entail diversity rather than merely stereotyping and misrepresenting the people from the anthropological lens alone. As for instance, the Hornbill Festival as a cultural tourism aims to promote, preserve and revive the rich cultural heritages and identity. At the same time it is a great opportunity to earn revenue and income for the service and the exchange of values, goods through people to people contact, entrepreneurship and better economic integration.

Furthermore, as per the 2017 Register Record, the total turn out of the visitors for the Hornbill Festival was 2,43,214 out of which 2401 were foreign tourist, 38, 700 were domestic visitors and the remaining 2,02,113 constituted the local visitors.³¹The importance of the festival as a cultural tourism also lies in the fact that it inject a minimal return of 51 Crores into the local economy of the state of Nagaland. This festival has not only provide employment but also has open up different avenues for income generation and exchange of values, goods and services through hospitality services, home stay and entrepreneurship. Moreover, it helps to a great deal in the process of integration by better understanding through this engagement.³²

However, there is also a tendency of leading the path towards commercialization and privatisation of the festival and economy at the cost of the community for availing funds and sponsorship without truly reflecting and understanding the context and the meaning of the festival. Some are of the opinion that it is a mere space for socialization. On the other hand, the festival represents the relationship and the meaning of the people with land, ecology, economic practice and culture. The centrality lies in the appeal to the Supreme Spirit for abundant blessing,

³¹*Morung Express*, Dec.11, 2017. It is also interesting to note that from my visit to the occasion and study finds that a lot of younger generation of the Naga society as exemplified through this festival are quite enterprising and at the same time professionally engage in the economic activity.

³²*Morung Express*, April 1, 2018.

protection and prosperity³³ and at the same time it is also a moment of celebration and gratitude for the prosperity. The blessing in turn is exhibited through generosity, hospitality and concerns for the least advantage as well. The abundance and sharing also implies the culture, embedded value and the work ethics of hard work, honesty, skills and cooperation for overall social wellbeing. In a nutshell the political economy was based on the philosophical conception, understanding and centrality of the concepts of justice, truthfulness, equality along with the embedded Nagas characteristics like honesty, straightforwardness, fearlessness, respect for others and adventurism.³⁴ Despite the positive role that tourism play and contributes in the economy, many are also critically enquiring what truly merits the celebration. Whether is it merely symbolic in nature or it is genuine, meaningful and authentic celebration based on the core value of hard work, excellence, sense of sharedness, community, social justice and inclusivity.³⁵ Moreover, the assessment of the scope of this model of development through cultural tourism also exposed the challenges of corruption seen in the negligence and underdevelopment especially of road and other basic infrastructure.

Thereby, some scholars argued that the non-performance by the concern authority and elites on the question of development and democratic governance in the North East had been justified and perpetuated in the name of insurgency, ethnic conflict and political economy of conflict. This in a way also seems to provide a way out and legitimacy for the corruption and underdevelopment in the region.³⁶

The Politics of the Political Economy of Integration

When the question arose as to whether the region of the North East in general and Nagaland in particular is experiencing economic integration, it demands a critical examination on the nature of political development and history of the political economy of the region. The geo- political situation of pre independence till the creation of Bangladesh in the post independence was more conducive for trade and

³³ R.R Shimray ‘*Origin and Culture of the Nagas*, (New Delhi: Somsok Publications, 1986), p.133

³⁴ Ibid. p,255.

³⁵ Milewe Elah, ‘Strive for Excellence’ in the *Morung Express*, Jan 2, 2018.

³⁶ Zhoto Tunyi, “The interface of Democracy and development : The question of Democratic Governance, Development Identity and Insurgency In the North East”, in the eds., *Democracy and Development in India’s North East Challenges and Opportunities*, by L.S Gassah and C.J Thomas, (Shillong, 2015).P.92.

development of the North eastern states. Following which, since 1971, the region is strategically contained as a landlocked space with little space for trade and development with the exception of a regulated narrow strip of corridor of the so-called 'Chicken neck' with the rest of India and that in turn connect North Eastern Region through Moreh with Myanmar for trade and development.³⁷ However, in the millennium past, the North East region was a central nodes and trade gateways both land and waterways in the global network of economic interaction and exchange.³⁸ Since independence the Indian state devised different strategies and policies to integrate the region in the nation building project. At the foremost, the political history of conflict and security took the centre stage in framing the policies of development. Thereby, it primarily looked the region from the security perspective. It also viewed the region within the prism of cultural paradigm and later on toward the method of political representation. This strategy of viewing through the lens of security in the process led to intense militarization as a way of life in the region and at the same time this pattern of understanding the space paved the way for the Cosmetic Federalism³⁹ Finally, the discourse and the shift towards developmental aspect in the North East have emerge mainly due to the change in the global politics especially the processes and policies of liberalization, privatization and globalization. Moreover, the national economic interest and the success of the South East Asian countries necessitated expansion of trade relation with these countries. As a result, The Government of India framed Look East Policy and subsequently Act East Policy for economic integration.

However, the question arose as to whether this sectorial approach or unilateral approach of dealing the region was apt to capture the comprehensive outlook and complexities and at the same time necessitates interrogating whether it really brought meaningful integration? On the contrary this sectarian approach of delving the issues of conflict in the region has not only led to failure of understanding the region in a holistic manner but also fail to address the important question of "inclusive growth

³⁷Hans-Peter Brunner, *North East India Local Economic Development and Global Markets*, (New Delhi: Sage Publication, 2010), P. 2.

³⁸Ibid. p. 1.

³⁹This is the term used by Sanjib Baruah which is referred by Sasanka Ghosh in her article 'The North East Policy of the Government of India and the Socio political Binaries', in the eds., *Democracy and Development in India's North East Challenges and Opportunities*, by L.S Gassah and C.J Thomas. Shillong, 2015.

and development and extension of real democratic virtues.”⁴⁰ It is also noteworthy to examine that the political economy of the region and conflict in particular is a complex phenomena. The demographic composition and land ownership along the ethnic lines and at the same time the politic of geo-political mapping of states for political representation in the post independence within the framework of security concern alone, has further communalize the politics radically along ethnic lines that consequently translate into the political economy of ethnicity. Thereby, there is an inherent structural discrimination and exclusion in developmental aspect through the very process and the politics of representation, recognition and especially redistribution. This political economy of conflict further led to political violent, ethnic violence, and intensification of the conflict. This politics and the model of development generate both democratic and developmental crisis and in the process acts as a mechanism to gain legitimacy at the cost of democratic equity and just distribution.⁴¹ The development pattern also help us to also examine as to whether these policies intends to bring economic equity in the North East or merely as a gateway and a transit point for trade and development with the exclusion of the region.

Human Rights Violation and the Question of Development

However, the study on political economy will be incomplete without the study and understanding of the very act of militarization and securitization of the region through the infamous Armed Force Special power Act of 1958 and other draconian laws. Considering the very fact that, the respect for the human rights and congenial space for human dignity and freedom constitutes not only an important aspect of development but also for the eventual realization of justice.⁴² This very act empowers the army with extra judicial power and impunity with no regard for the breach of human rights and life. The application of this law led to numerous violation of human right in the form of torture, kidnapped, rape, murder, disappearance, burning of

⁴⁰It is based on the argument of Sasanka Ghosh in her article, “The North East Policy of the Government of India and the Socio political Binaries”, in the eds., *Democracy and Development in India’s North East Challenges and Opportunities*, by L.S Gassah and C.J. Thomas.Shillong, 2015

⁴¹Ibid.p. 223.

⁴²This is based on Amartya Sen’s conceptualization of the development as freedom in substantive sense which is written in his book, *Development as Freedom*”, (London: Oxford University Press, 1999).

granaries and other atrocities without any accountability.⁴³ Taking these grave atrocities, suffering, and humiliation into consideration, the politics of development and economic integration cannot be studied in isolation. The scar, anger and the question of justice remains central to the very idea of freedom, dignity and collective healing. The collective memory and social resistance for self determination in a way implies the restoration and the respect of human right and community rights. The respect for human rights is deemed by the Nagas as a qualitative aspect of human development. Therefore the respect for human right, dignity, and confidence building measures along with bridging the trust deficit will also be fundamental in the promotion of peace, development and integration. The comprehensive approach and analysis will cater to the very question as to whether it is genuinely moving toward a substantial integration or a nominal and exploitative hegemony. Hence, it demands a critical inquiry and the study of the Indian state policies in relation to human rights, security paradigms and its policies like the AFSPA for a holistic understanding of the region within the context of development and integration. Hence, the presence of endemic violence and a generalization of the regional issue as merely law and order concern has failed to capture the nexus and the complexity between development, security and state strategy of nation building and integration.

The contention lies in the fact that the political economy of violence has rather created an obstacle for the transition towards a just and peaceful environment for development. Certain example of resistance against repression, impunity and sexual violence is also seen in the iconic Irom Sharmila indefinite hunger strike following the massacre of 10 civilian at the Malom bus stop near Imphal in 2000. Again in July 2004, the Meira Paibis women in Imphal resorted to a naked protest against the 17th Assam Rifle⁴⁴ following the rape and murder of Thangjam Manorama. Considering the frequent occurrence of violation of human rights which has fuel more conflict in the region, the primary attention of the citizen of the place has been a resentment and fight against such injustice. (Hoenig and Singh 2014).

The economic implication of violation of human rights lies in the absence of discourse, transparency, accountability and responsibility for development and justice

⁴³Nandita Haksar and Sebastian Hongray, *The Judgement That Never Came: Army rule in the North East India*, 2011.

⁴⁴This is based on the Third Jayashree Roy Memorial Lecture delivered on 14th November, 2014 by Felix Padel titled, "Identity and ecosystem in North East India: challenges from Rapid Changes".

by various responsible authority and stakeholders by diverting the attention of the people against violence and human security. Concern with the political realities and other implication the question arose whether the primary duty of the security forces is to ensure security of the citizen as a whole?⁴⁵ The continued construction of violence of different kinds whether be it ethnic, communal, AFSPA and at the same time from the militant has in turn excluded and deprived the majority of the people. This new systemic struggle at multiple centre of power provides an easy escape route or an excuse for the politics and process of exploitation, non development and exclusion. Further, the blanketisation of underdevelopment and corruption merely in the name of security fail to provide the democratic right, security and opportunity for growth and development of the region. Multiple centers of power or parallel institutions like the government authority, militant and the army led to the conflict of power and interest. In some instances, security personnel were charged of their involvement in illegal trade business. Taking all these into consideration, it is essential to locate, link and delved into the relation between security, development and the social political unrest in the region. Following which, Rakhee Bhattacharya, suggest “forging economic initiatives and collaboration as a sustainable solution to the threat plaguing the region including security issues, illegal migration, illicit trade, militancy, drug trafficking and ethnic conflict.”⁴⁶

The Political Economy of Education in the Naga Society

Education is one of the most important primary indicators of assessing development and the well being of the society and the nation at large. Sensing the contribution, it is important to trace back the role and impact of the Missionaries and Christianity in the introduction of western education in the North East in general and the Nagas in particular. The Colonial power use the Christian Missionaries as an instrument of the state and at the same time education was used as an “integral part of the policy of civilizing” mission to the hill tribes. Further, whatever, the Colonial power fail to control, regulate through coercive and administrative mechanism, they will entrust the Missionaries to deal the matter in their own whims and manner. Or in other words the flag and the Bible represent the Colonial and the Christian mission respectively. It is imperative to take into account that “the Charter Act of 1813” permitted the

⁴⁵“Identity and ecosystem in North East India: challenges from Rapid Changes”.p.7.

⁴⁶Rakhee Bhattacharya, *North Eastern India and its Neighbours, negotiating security and development.*

Missionaries to spread “their faith in British India.”⁴⁷ The Colonial power and the Christian Mission almost went in unison in the North East region.⁴⁸ However, despite the benefit derived from the education of the missionaries, some writer like John Hutton and others were critical of the “spread of the quasi- European culture brought about by the Christian Missions.”⁴⁹ Even after the introduction of education in the hills for more than fifty year, it was reported that the education in the hills lack not only aim but also essentially divorced literary from the lived experienced of the people and thereby suggest industrial instruction which the hill people seems to possess the skill and art for carpentry and practical work.⁵⁰Essentially, it focus on the dissemination of the three R’S namely reading, writing and arithmetic with the intention to decipher, read and sing Bible and religious hymns.⁵¹ Similarly, the present churches are also confines within the domain of evangelism “neglecting other social responsibilities in the process”⁵² which in turn failed to contextualize the social, economic and political realities.

Despite the positive role played by the missionaries, it in a way failed to cater to the needs of the society at large. The curricular ought to be holistic and comprehensive. Accordingly, A. Shishak pointed ought that the traditional Nagas schools and ways of learning were informal, vocational, skill based and practical in nature while the formal educational schools of the missionaries and theologies were confined to pure literary and theoretical. Instead the curricular could have been more holistic and comprehensive. It is important to take into consideration that in the Naga society the village represent a political and social unit. As a result traditional school mainly Morung represent a Dormitory for the training and discipline of bachelor and girls separately. The method and the mode of instruction, teaching and practices is transmitted through the oral tradition of inter generational transmission of ideas and

⁴⁷This is extracted from the First Jayashree Roy Memorial Lecture entitled “Colonialism and Christian Missions in North East India”, presented by David.R. Sylemlieh, P.11.

⁴⁸Ibid.

⁴⁹ Ibid.

⁵⁰Ibid., It is based on the report on the progress of education in East Bengal and Assam 1901-1907, pp.108-109

⁵¹This point of argument is based on the article, “Nagas and Education” by Rev. Dr. Tuisem A. Shishak in the edited book “*Nagas at Work*” New Delhi, 1996.

⁵²This is with reference to the article of Revd. Dr. Wati Aier, in the book, *Nagas at Work*, New Delhi, 1996.

knowledge in the form of oral history, folklores, folk songs, dance , crafts work, sculpture, pottery making, woodwork, weaving and other material culture. ⁵³

The important characteristic of this pattern of education and engagement with the social, political and economic concerns and challenges in the village state shaped the member of the community to imbibed and sustain basic virtue in the Naga society. Owing to which the society was characterized by the community sense of belonging and collective responsibility with commitment to justice, liberty, equality and welfare of the society. Further, the social relation is shaped and control by certain norms, values and custom for better social cohesion and harmony which in turn gets reflected in the form of mutuality, reciprocity, sharing, respect for elders, parents, care for the weak, orphan, widow and the least advantages. The implication is that the economic pattern, development and well being of the society is fundamentally based on the moral philosophy and ethics of the society.

Nevertheless, the contact with the outside world has brought many disruptions and breaks in the indigenous Naga ways of life.⁵⁴ Some changes like the contact with the outsider, emergence of trade and commerce with the introduction of money, the emergence of money lenders within the Naga society and arrival of manufactured goods by replacing the traditional methods of production eventually alter the work culture, ethos and political economy of the people. It led to the aping of the dominant culture without reflection and abruptly dismissed the traditional way of life and community virtue in entirety. Thereby, this materialization of culture and negation of community morals led to the rise in rampant corruption even among the educated Nagas who profess to be a Christian believer.⁵⁵ The citizens and the Naga community at large are now apprehensive and cautious of the role of the church organization and the politics. The irony lies in the fact that all the members constitute the Christian community. The indifference in the outcome despite their continued engagement and active awareness campaign, made the public skeptical of their involvement. This public apprehension also made them to rethink as to how far there were genuinely impartial, neutral and apolitical. Or in the other world, it make the society to re-

⁵³This is with reference to the article of Revd. Dr. Wati Aier, in the book, *Nagas at Work*, New Delhi, 1996,p.28.

⁵⁴ Ibid.p.26

⁵⁵This is with reference to the article of Revd. Dr. Wati Aier, in the book, *Nagas at Work*, New Delhi, 1996,p.27.

interrogate whether they consistently advocate and stand for justice whether it be social, political and economic justice or is it a merely contextual and situational in nature without imbibing and living out the virtue of Christianity and the communitarian values and ethics of Naga society. Thus, despite the positive role played by the missionaries, it in a way failed to provide to the requirements of the society at large.

However, it is important to take into consideration the implication and especially the positive contribution of the role of Christianity and missionaries. As a result, the Nagas have undergone a remarkable transformation in the last century and a half especially as a consequence of conversion to Christianity.⁵⁶ Contact with the outside world provides a space to re- interrogate their old religious beliefs and world views. The consciousness of one's culture, history, identity and at the same time the awareness of the emerging political realities in the world and India necessitated the redefinition⁵⁷, reorientation and consolidation of political, social cultural and geopolitical identity.

The Political Economy of Election

The political economy of election in a conflict region is largely confined to the very question as to how to establish legitimacy and manufacture consent through electoral politics and thereby less concerned with the very issue of welfare, development and public good. At the same time, the contestation to the very electoral politics for political space by the resistance groups for self determination takes place in the form of parallel government. As for instance, The Government of People Republic of Nagalim (GPRN) exists as a parallel de facto government and run through taxation and other forms of extortion. Further, while the politician used the political conflict and the tension as an electoral agenda to capture power, on the other hand the militant organizations interfere to pursue their nationalist agenda and sectarian interest. This is also clearly manifested even in the other states of Naga inhabited areas. As for instance, the question of territorial integration of Naga inhabited areas is often invoked in the electoral politics of Manipur as a threat to the territorial integrity of Manipur. The communalization and the polarization of the political conflict generate

⁵⁶J.S Bhandari, "foreword", in *Nagas at Work*, (New Delhi: 1996).

⁵⁷ Ibid.

violence through this electoral politics rather than addressing the very core concern of the conflict. The implication of the political economy of violence through electoral politics often crowd out the public interest.

The alarming concern is the very failure of the government to provide basic public infrastructure, necessity and rights of the society. To a large extent the question of economic integration pertain to the area of economic justice and equity which also means inclusivity in relation to the state and at the same time within the community and society. Hence, the very idea and the notion of anti Naga used by the Naga society at large against both the government and the militant groups implies the decline in the ethics of transparency, accountability and shared commonality for public concern and the rise of non egalitarian principle and ethos of excessive individualism where private interest alone matters and precedes public interest. It also refers to the erosion and decline of or even absence of substantive democracy.

Furthermore, this interface of the political economy of election and political conflict has in turn blurred the distinction between what is deem as public and the private. The larger impact and the implication lies in the fact that it has the capacity to destabilized the whole aspect or the other domain of social, political, cultural, religion and spirituality. Noting the current culture and ethos of corruption, the interrogation to the electoral practices or the use of the term anti-Naga is inquiring on how to restore the substantive democracy or in other words how to live the authentic self and community. The important question is on how the different stakeholders represent and act in the electoral economy. How do the middle class, elite, civil society and commoners behave or want the outcome to be. In this so called political economy of electoral conflict and competition, how the public consciousness is raised and who should be responsible became an important concern.

In examining of the role of the political economy of election, in the recent Assembly election of 2018 in the state of Nagaland, it is interesting to note that there were 114 Crorepati candidates.⁵⁸The corrupt electoral practices in turn destroy the institution and the society through backdoor processes that eventually in the end “everyone is wrongly placed in every sector in Nagaland.”⁵⁹ Certain

⁵⁸*Nagaland Post*, 22nd Feb. 2018.

⁵⁹*Morung express*, July 2, 2017.

organizations like the NBCC, Naga Hoho, ACUALT and others over the years have claimed to be the conscience keeper of election. But how far have they been credible to represent economic justice is a matter of debate. Further how religion, political issues of the Nagas have been an important electoral agenda would also be an interesting theme to examine.

The rationale behind this analysis lies in the fact that the prevailing political situation and economic backwardness is partly due to the erosion of the moral backbone of the Naga society paving toward a dependent society. This points to the very fact the important of social value, structure, and institution in the economic growth, development and prosperity of the society and nation. Further, it truly reveals the processes and the impact on how politics, education, culture and economy shape a desired outcome.

Conflict, Underdevelopment and Migration from the North East

The discourse on the issue of development has a Colonial legacy in the form of shaping the geo-politic of the region mainly based upon their economic interest. The rich natural resources of the land with the discovery of oil, timber and especially tea led to the politics of demographic transformation when the British tea planter brought in the central Indian tribes for plantation. This transition also opens the space for identity conflict. Post Colonial era witness the dramatic change in the North East in the form of large in migration of security forces, traders and settlers.⁶⁰ The irony of the polity economy with reference to migration is the vast influx from different part of India to the region especially for economic opportunity and business while on the other hand the people of the region especially student community and many job seekers out migrated due to conflict, political instability and economic underdevelopment from their states. The conflict induced migration of the student community in particular to the metropolitan cities unfolds many challenges in the cultural, social and economic areas. Besides the economic challenges, the push factor of migration also brought about cultural shock, conflict, differences, and discrimination. Racial and cultural differences led to misunderstanding, stereotyping, typecasting, generalization and discrimination. It is also compounded by being a small minority in cities and in turn become an easy target for physical assault and especially

⁶⁰Felix Padel Third Jayashree Roy Memorial lecture.

frequent violence against the women of the region. One of the main problems in terms of cultural misunderstanding is the constraint in the language of communication and at the same time due to caste basis of the Indian society unlike the migrants of the north east especially the Naga Society who has casteless background with more or less egalitarian conception of society and lived experience. Some of the cases of racial and other form of discrimination are seen in the murder case of Nido Tania, a student and a son of an MLA from Arunachal Pradesh, Reingamphy rape incident⁶¹ and the mass exodus of the North Easterner both students and professional especially residing in the metro cities of Pune, Bangalore, Chennai and Hyderabad on August 2012 from South India.⁶² The racial and socio-cultural difference often constitutes the basis for the polarization, hatred and communalization between and among different culture. At the same time, the question of competition for economic opportunities also cannot be condoned.

However, due to immediate and mature political intervention, the situation was brought under control and was normalized or else the backlash would have intensified the political conflict and that in turn justified the very demand and the process for separation and disintegration of India. The social and cultural aspect of migration will help us to better understand whether it helps in the process of integration or on the contrary will it further widen the conflict due to exclusion and discrimination. The relation of migration, conflict and development lies in the fact that, political conflict, violent, underdevelopment, exclusion, negligence from the central government, lack of opportunities, absence of basic infrastructure of development and basic amenities compel the migration process. This is also partly related with the structural discrimination, exclusion within the particular state based on the ethnic politics as for instance, the hill valley divide in the state of Manipur in terms of distribution of benefits, infrastructure and developmental concerns.

The Question of Immigration and the Fear of Demographic Change

Apart from the security dimension, another area of concern in the political economy of the North East is the process of transforming the demography of the region through

⁶¹Nandita Haksar, *The Exodus Is Not Over Migration from the Raptured Homelands of North East India*, (New Delhi: Speaking Tiger Publishing Pvt. Limited. 2016).

⁶²Ibid. P.7.

the promotion of immigration in the sense of filling land with population representing the “nation bearing population.”⁶³ This very act of nation building through demographic transplantation brought about marginalization, displacement and conflict despite the autonomous provision that is guaranteed within the constitution of India for the region.⁶⁴ The apprehension of the demographic transformation arose from the very fact that unregulated admission and legitimization from the state would lead to the change in the very identity and rights of the indigenous people in particular like the case of the Tripura state.⁶⁵ Moreover, there is also a widespread indignation and resistance across the North Eastern state by the civil society, student organization and even political parties against the very bill of Citizenship Amendment Bill (2016) mainly for fear of transforming the majority of the local population of the state into a minority.⁶⁶ Further, there is a wide debate over the relevance and policies like the National Citizen Register in the neighbouring state of Assam. In the same manner various Naga civil societies and frontal organisations have demanded a more stringent measure of the Inner Line Permit (ILP) to check the influx of migrants from the fear of demographic change.⁶⁷

⁶³This term is extracted from Fearon and Laitins which is incorporated in the work of Sanjib Baruah in *Durable Disorder: Understanding the Politics of North East India*, (New Delhi, London: Oxford University Press, 2005), p.45.

⁶⁴*Ibid.* p.47.

⁶⁵The demographic composition of the Indigenous to that of the other ethnic and religious groups in the state of Tripura was more or less in the ratio of 70 is to 30 where as in the current scenario the demography is the reverse of the earlier position.

⁶⁶The proposed Citizen Amendment Bill 2016 intends to provide Citizenship by relaxation of the conditions of the migrants through naturalization process by amending the Citizen Act of 1955 where in the religious minorities from the state of Afghanistan, Pakistan and Bangladesh would be granted Citizenship by easing the condition of aggregate residence to a period of not less than six year instead of not less than eleven years. This is with reference to the bill introduced in the Lok Sabha, Bill No.172 of 2016.

⁶⁷The Inner Line Permit (ILP) is term derived from the so called Eastern Bengal Frontal Regulation Act of 1873. This Act was primarily intended to safeguard the economic interest of the Colonial state. At the same time it is also to a large extent related with the question of territorial dispute and ownership especially between the valley dweller in Assam and the Hill dweller of the Naga society. The commercialization of the adjoining areas especially with the introduction of tea plantation often lead to violent conflict due to the dispute and misunderstanding of the property and territorial ownership of the two adjoining areas. This conflict necessitates the enactment of the Act so as to regulate the movement of the people. This Act comes to the public attention at the current political discourse in the North East region especially with the introduction of the Citizen Amendment Bill, 2016. Accordingly there was a wide protest especially in the state of Assam in particular and the most of the states in the region of the North East on the ground that this very Act would paved the way for the influx of migrants that would in turn overhaul the demography of the region. However, there are also counter argument that this bill is not specifically meant to be applied to the states of the North East in particular. Sensing the controversies and the challenges the bill fails to pass through the Rajya Sabha.

Further, this necessitates questioning and interrogating the complex relation between land and the models of development. As a result, the relation and the interface among the various question of economy, ecology and sustainability with the liberalization, privatization and globalization has ushered in a new kind of development perspective and at the same time a new challenges in the lives of the people. Desiring a suitable change demands a critical inquiry and at the same time, a vibrant democratic civil society against the various forms of exploitation, displacement and onslaught of the Multinational Corporation and finance capital in the name of development. This neoliberal approach to development without considering the specificity and context often promotes the culture of excessive individualism, consumerism and greed. At the same time destabilize the social harmony and disturb the balance of ecology. Taking this into consideration, it needs to reexamine the neo-liberal strategy of development by understanding the context, culture, history, land and ecology of the place and region. As for instance, often the state and the international agency dismiss and discount the very idea of common property own by the community in the region apart from the private property of the individual. This believe emerge out of the assumption that 'it is a no man's land or property' and hence a right to encroach and exploit.

However, on the contrary, the very concept and the notion of common property and communal ownership in conjunction with the private property, especially in the case of the Naga society arise from the very fact that it was a deliberate act of owning, using and sustaining as common, as a very policy of social security and community safety net especially for the vulnerable section of society who in the process are fallen into a landless situation out of poverty and other tragedies. This implies the very idea that land and common property embodies not only material needs but also provide a space for freedom in the traditional understanding of the region. Above all, it needs to critically inquire as to whether social justice and economic equity is accomplished in the very quest for development.

State Approaches and Economic Policies

The developmental policy that was formulated under the post independence period in Nagaland in particular and the North East in general was to a large extent characterized within the nationalist discourse that mainly focus on the security and

national integration of the nation. Thereby in pursuance with viewing the region within the prism of security on account of the political conflict and dispute with China over boundaries, the administrative policy was placed under the Ministry of external affairs which later gets transferred under the department of Home Ministry.⁶⁸ In the later period, certain institutions like the North Eastern Council(NEC) and Ministry of Development of North East Region(DONER) were institutionalized to cater to the development challenges and social well being of the people of the region. Then, since the early 90's the Indian state seems to approach the north eastern state with economic framework apart from the security dimension for better economic integration with the North East and the South East Asian countries through certain policy like the Look east and Act East Policy.

In the initial phase of post Independence, considering the socio-cultural context of the time in the Indian society, the political design was augmented to centralize power including financial power though it was understood and assumed as a federal set up and component. Keeping this mind, the Gandhian notion of decentralization was given little consideration by constitutional architecture like Ambedkar and others on the ground that the village and rural space represent, superstition, ignorance and caste and backwardness.⁶⁹ Following which, Nehruvian framework of top down approach in the form of mixed economy and socialistic pattern of development was followed. This was designed to suit the nationalist conception of national integration. At the same time, the Philosophy of North East Frontier Area was also devised so as to meet the requirement of the people of the region. The philosophy envisaged to develop the region within their own genius, pace, culture, social and political system instead of being swept away by the process of rapid development and modernization.⁷⁰ On the contrary, the process of national integration through centralization goes hand in hand with the process of deinstitutionalization of the traditional institutions on the assumption of equating the caste structure with the traditional social and political system in the region.

The other implication of this top down approach of economic management especially in the form of centrally sponsored schemes in a way implies “government

⁶⁸B. Datta Ray, “Introduction,” in *Reorganisation of North -East India since 1947*, ed., B Datta Ray and S. P Aggarwal (New Delhi: Concept Publishing Company, 1996),6.

⁷⁰Verrier Elwin, *A Philosophy for NEFA*, (Shillong, 1964).

controls, regulations, protections, subsidization of productive activities.”⁷¹ Under such condition, the bureaucrats and the politician wield enormous power and in turn often led to serve the interests of the individuals for acquiring wealth, power and influence through corrupt Practices.⁷² Further, it not only suppress individual rights, initiatives and role of the community for social and economic change but also give rise to social, political and economic injustice and inequality.⁷³ This in turn amounts to spoon feeding and dependency of the people and in the long run kill the very “spirit of self dependence” which was once a characteristic of the economic practices of the society.⁷⁴ Another major drawback of the state in the framing of developmental policies is the misconception on the notion of land rights of the people and community of the Nagas in particular and the people of the region in general.

Following which, due to the political conflict and socio-cultural differences in the North East, Nehru was of the view that the people of the region should develop along the lines of their own genius.⁷⁵ However, the paradox lies in the very fact that the North east political mapping and institution was framed along the line of centralization instead of further democratizing and deepening the existing institutions and democratic practices. The further distancing of the people from the democratic space through the representative form of government rather brought more disenchantment from the democratic realities and lived experiences of the past and instead it transform into a mere existence of procedural democracy. The importance and the irony is that the relation between democracy, institution and development are crucial to the overall development of the society. On account of the misrecognition and the politics of domination of the once egalitarian form of society and democratic institution that existed in the form of village Republic and democratic space, it rather destabilised, deinstitutionalised and detribalised. The misreading of the polity of the region and the generalization with the traditional caste structure of the Indian society in turn has failed to capture the challenges of the region. Further, the centralization in turn led to non accountability, non transparency and corruption which at the end failed the people especially in terms of development. Noting these differences, Nehru

⁷¹The points are based on the article of J.B. Ganguly, “Globalisation and North East India”, in the eds. book *Development Priorities in North East India*, by Bimal .J. Deb.

⁷²Ibid.p.57.

⁷³ Ibid.p.57

⁷⁴Ibid.p.58.

⁷⁵Verrier Elwin, *A Philosophy For NEFA*, (Shillong, 1964).

cautioned that the development work should be carried out within their own social and cultural institution.⁷⁶

Moreover, the history, process and the politics of development of Nagaland cannot be analyzed in isolation without the reference of the other states. The Indian state at the initial stage looks at the region through a lens of a security framework. Further post independence, it continues to approach more or less within the paradigm of security in conjunction with some other aspects of culture, political and development. However, it is interesting to note that some renown scholar like Sanjib Baruah is of the view that the Indian state at the core design the policies of the north East region for a political and sociological demography into a situation of permanent conflict and violence which he termed as “durable disorder.”⁷⁷ This process of militarization and at the same time the political strategy to integrate within the nation building in the form of a nationalizing space as akin to ‘Cosmetic Federalism,’ without the actual division and actualization of power. Taking this into consideration, the politics of development takes a different form as the region experienced a parallel form of power where military and the state government colludes, divide and serve their own interest at the cost of the people and in the name of development.⁷⁸ Baruah also cite an important example of the complex nature of development practices wherein unlike the other states of India where distinguished personalities and experienced persons are appointed as the head or Governor of respective state government, whereas in the North East region it is often a Generals or a person with military background is appointed as the head of States. Similarly, The North East Council (NEC) which was formed as a body to promote development and security at the initial phase excludes Chief Ministers and instead the Governors represented the Council. In addition, a security person acts as an advisor to the Council.⁷⁹ This in a way provides a structure that paved the way for corruption, conflict, unaccountability and underdevelopment.⁸⁰ It also brings forth the very question as to why and whose

⁷⁶The idea is based on the article of J.B. Ganguly, entitled “Globalisation and North East india: Opportunities and Challenges in the Twenty first Century”, in the eds. Book, *Development Priorities in North East India*, by Bimal J. Deb.

⁷⁷Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi, London: Oxford University Press, 2005), p.3

⁷⁸Ibid.

⁷⁹Sanjib Baruah, *Durable Disorder: Understanding the Politics of North East India*, (New Delhi, London: Oxford University Press, 2005), p.43.

⁸⁰Ibid.

interest does it serve especially when it comes to the question of development on account of the increasing regional disparities in the form and patterns of development.

This is particularly based on the fact that the Indian state approaches the region as one category in the formulation of certain developmental and economic policies. Following which, it has framed various plan and policies for development, economic growth and political integration. As a result certain policies and institutions the North East Council (NEC), Ministry of Development of North East Region (DONER), New Industrial Policy for the North East 2007, Vision 2020, Look East Policy and Act East Policy were formulated to promote growth and development in the region. Despite the existence of these institutions and policies, yet it failed to execute and implement the developmental works due to non transparency, redtapism, corruption and lack of accountability that eventually led to the non completion of most of the projects. As a result, the region still remain economically backward due to several reasons such as absence of infrastructure, logistics, human resources, skills set, absence of requisite industries, market , raw material, finance capital and private investment.⁸¹This is further compounded by rampant corruption and over dependence on the state funding.

Following which, various suggestions are made on the line of a “trade driven development strategy”⁸² for the region by installing the necessary policies and condition and remove the bottleneck for economic integration of the local economy with the national and global economies. The current economic situation indicates the absence of competitive advantage in export and import. It in a way points to the potential and prospect for the economic integration and trade induced form of development within the Indian state as well as across the border with the South East Asian countries through the crystallization of the Act East Policy. However, in the current state of the political economy, the informal sector plays a crucial role in the economy of the state. The nature of economy is still supply driven mostly due to strong dependence on the developmental funding of the government wherein, Public service and investment drive the economies of the North Eastern States.⁸³

⁸¹Hans-Peter Brunner, *North East India Local Economic Development and Global Markets*, (New Delhi: Sage Publication, 2010),

⁸²Ibid.p.6.

⁸³ Ibid.p.9. The article in this book is based on the contribution of the editor along with Amitabh Kundu.

The discourse on the political economy of development and conflict in the region as a process is also an ongoing search for an ideal form and paradigm of development in the region. These complex interfaces of security, development, conflict, historical and political differences and multicultural aspect along with diverse worldview of good life has also brought some confusion in the very process of planning for development. The generalized or the homogenous approach of one policy fit all in a way have failed to produced the desire result despite the preferential treatment of the centre in term of distribution of assistance even to the extent of 90 percent grants and 10 percent of loan. Since Independence, the discourse harps on the very question on tackling “backlogs in basic minimum services and infrastructural needs.”⁸⁴

Though the state at times employs divergent approaches, it often lack clarity of purpose and at the same time fail to implement many of the decisions made. As for instance, NEC remains a halfway house and became a mere funding agency “an unwitting platform of acrimony, bickering and mutual suspicion” instead of playing the advisory role in the development of the region.⁸⁵ J.B. Ganguly is of the view that to counter the adverse impact of globalization, a new development model of the region must first take into account the liberty of the people in deciding the “appropriate technology for their productive enterprises and at what pace they would take advantage of the technological changes for improvement of their social, cultural and economic conditions.”⁸⁶ He also pointed out the necessity of the active participation of the civil society in the planning as well as developmental supervision at the grassroots level for growth and development.⁸⁷ There is also an underlying irony and paradox of poverty amidst abundance of resource in the North East in the context of degradation of environment and natural resources and worsening poverty. Following which, a comprehensive review and an integrated approach would best suit the challenges in terms of resource management, protection of environment and

⁸⁴Bimal. Deb. ‘ *Development Priorities in North East India* ’ p.1

⁸⁵Ibid.p.1.

⁸⁶J.B Ganguly, “Globalisation and North East India: Opportunities and Challenges for the Twenty First Century”, in the edited book *Development Priorities in North East India*, by Bimal. Deb.

⁸⁷J.B Ganguly, “Globalisation and North East India: Opportunities and Challenges for the Twenty First Century”, in the edited book *Development Priorities in North East India*, by Bimal. Deb.p.13.

overall development of the region.⁸⁸ The approach emphasized the participation of the people in the management, protection and conservation of the resource for sustainable development taking into account the deep degradation, exploitation and environmental crisis.⁸⁹ This boils down to the very question of control mechanism for sustainable development. The problem largely arose due to the deinstitutionalization of the traditional authority and enforcing mechanism especially in the Naga society that in turn led to reckless destruction of environment and resources by private individual, Multinational Corporation and other institutions. Therefore, demands a proper understanding of the context and society in the very search in the region for an ideal type of development in the region for peace, conflict resolution and integration. The NGO's as a strategy of bottom up approach has also been incorporated as one of the alternative tools of development. Yet it is also far from satisfactory in the overall evaluation of meeting the needs of sustainable development.⁹⁰

Look East and Act East Policy

The nature and interest of the Indian state shifted with the corresponding change in the international and national politics. Certain important events like the end of the Cold War, growth in the economy of the ASEAN Tigers, process of globalization and formation of the regional economic blocs, the failure of SAARC to meet expectation and the growing assertiveness of China both in terms of economy and security in the Asia-Pacific Region paved the way for the shift in the national interest and policies of the Indian state.⁹¹ Accordingly, one of the important policies that came up is the "India's Look East Policy" for closer economic relation with the South East Asian Countries. Next, this policy was not merely envisaged for closer economic integration but it was also indicative of the "strategic shift in the India's vision of the world and India's place in the evolving global economy."⁹² As a result, the then Prime Minister

⁸⁸ A.K Mishra, "Integrated Management of Natural Resources of North East India for sustainable development in 21st Century", in the edited book, *Development Priorities in North East India* by Bimal. Deb.

⁸⁹ Ibid.p.13.

⁹⁰ B.J.Deb, "Non Governmental organizations and Social Development: A critique", in his edited book *Development Priorities in North East India*.

⁹¹ Thongkholal Haokip, "India's Look East Policy", *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

⁹² This points are extracted from the Prime Minister Manmohan Singh's keynote address at the ASEAN Business Advisory Council, Dec. 12, 2015, Kaula Lumpur which was incorporated in the writing of Thongkholal Haokip entitled, "India's Look East Policy", *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

of India, NarasimhaRao, launched India's look East Policy in 1991. Then successive government has pursued and gave more impetus for wider and comprehensive cooperation especially in economic and security concerns. The success and the implication of this policy is manifested not only in terms of the rise in GDP of Foreign Trade from 12% in the early 90's to 23% by the year 2003 but also there was a great surge in the value of quantum of trade from US \$ 40 billion in 1990's to US \$ 140 billion by 2003 along with the increase in the interaction among the people.⁹³

The Place of North East in the Look East Policy

However, despite the expansion, growth and success of the relation and economic integration with the South East Asian countries, it failed to integrate the North East of India. Thereby the question also arose as to whether the North East figure in the Look East Policy and at the same time it necessitate to inquire as to what is the role and place of the region in the success of this Policy. Following which, Rajiv Kumar is of the view that India first need "a genuine North East Policy" and also ought to sign a "Free Trade Agreement with itself" before it engage with the Myanmar and the subsequent South East Asian Countries.⁹⁴ Further, he stressed that the rise of China and the increase in inequality within the Indian state especially between the other states and the North Eastern states should be the impetus for change and context of the Look East Policy at the foremost.⁹⁵ Interestingly, he also emphasis that the "conversation must shift physically to the region."⁹⁶ Others like Pezbarauh opines that instead of merely viewing the region as a gateway of the policy of Look East, rather it should translate border as an opportunity for prosperity. Besides, he suggest the need for the institutionalization of North East Economic Zone, value addition of goods,

⁹³Thongkholal Haokip, "India's Look East Policy", *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

⁹⁴It is based on the statement of Dr. Rajiv Kumar, Senior Fellow, Centre for Policy Research, New Delhi. He spoke on the "Role of the North East in India's Look East Policy", in the conference on the 'Delhi Dialogue VI: Releasing the ASEAN-Indian Vision for Partnership and Prosperity' held on March 6-7, 2014. It was published on March 20, 2014 by the *Indian Defense Studies and Analyses* on YouTube.

⁹⁵It is based on the statement of Dr. Rajiv Kumar, Senior Fellow, Centre for Policy Research, New Delhi. He spoke on the "Role of the North East in India's Look East Policy", in the conference on the 'Delhi Dialogue VI: Releasing the ASEAN-Indian Vision for Partnership and Prosperity' held on March 6-7, 2014. It was published on March 20, 2014 by the *Indian Defense Studies and Analyses* on YouTube.

⁹⁶Ibid.

promote tourism in conjunction with examining the comparative advantage of items of trade.⁹⁷

Furthermore, for the policy to thrive there is a need to deconstruct not only the colonial framework of geo-political mapping which restrict and control freedom of trade but also to reexamine the construction of the region as landlocked since post independence and partition of India by opening up border and trade routes. In pursuance of the Look East Policy, the vision of the Indian foreign policy described “North East as the gateway to South East Asia.”⁹⁸ It also “envisaged the Northeast region not as the periphery of India, but as the centre of a thriving and integrated economic space linking two dynamic regions with a network of highways, railways, pipelines, transmission lines crisscrossing the region.”⁹⁹

As a result, various Free Trade Agreements with the ASEAN countries specified further development of certain designated post such as Moreh and Champai in India and Tamu and Rih in Myanmar. Besides, India has entered many ‘bilateral and multilateral projects’ to enhance better connectivity with the North East and South East Asia. Thereby, India built 165 Kilometer of road that link Tamu and Kalaymyo-Kalewa and also flagged off the ASEAN- Indian Car Rally in November, 2004.¹⁰⁰ Other important ongoing projects include the Trans Asian Highway, India-Myanmar-Thailand Trilateral Highway, Kaladan Multimodal Transit project, India Myanmar rail linkages, The Stilwell Road, Tamanthi Hydroelectric project, Myanmar-India-Bangladesh gas pipeline, connecting with the Sittwe port, riverine transport, ‘rail link from Jiribam to Hanoi through Myanmar’, to upgrade trade points at Rih-Zowkhatar in Mizoram and ‘Rih-Tidim and Rih-Falam road in Myanmar’ etc.

101

⁹⁷ M.P Pezbaruah presented on the “Role of the North East in India’s Look East Policy’ in the conference on the ‘Delhi Dialogue VI: Releasing the ASEAN-Indian Vision for Partnership and Prosperity’ held on March 6-7, 2014. It was published on March 20, 2014 by the *Indian Defense Studies and Analyses* on YouTube.

⁹⁸ Ibid.

⁹⁹ Based on the Rajiv Sikri’s lecture, “North East India and India’s Look East Policy”, that was further quoted by Thongkholal Haokip entitled “India’s Look East Policy”, *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

¹⁰⁰ Thongkholal Haokip, “India’s Look East Policy”, *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

¹⁰¹ Ibid.

However, despite the operation of Look East policy for more than two decades, the challenges and the constraint lies from the very fact that the infrastructural bottleneck and connectivity is still underdeveloped. This is also partly due to the geographical terrain, technical challenges and security concerns.¹⁰²

Act East Policy

Since the inception of the Look East Policy in 1991, India's relation with the South East Asian countries has substantially improved in the field of trade, economy, security and culture. This is reflected in the progression of the relation wherein India successively move from 'sectoral partner of ASEAN in 1992', to a 'dialogue partner' and a 'member of the ASEAN Regional Forum in 1996'. Next, it was admitted as a "summit partner in 2002."¹⁰³ Thereafter, India vouched for Free Trade Agreement (FTA) in 2003 and subsequently for more comprehensive partnership and agreement with the region of South East Asia and beyond.

However, in-order to deepen the relationship, the Indian state has been functioning not only to look towards its eastern neighbours and beyond but also to act with them and at the same time to upgrade the engagement to a more comprehensive and closer partnership that seek to promote a closer strategic, economic, security and cultural sphere.¹⁰⁴ Following which, the National Democratic Alliance (NDA) government under the Prime Ministership of Narendra Modi launched the Act East Policy in November, 2014 "at the East Asia and India-Association of Southeast Asian Nations (ASEAN) summits at Nay Pyi Taw" in Myanmar.¹⁰⁵

However, it is also important to take into consideration that the very process and the necessity of deepening the Look East policy into Act East policy is to a large extent determine by the global interest and politics especially of the United States and China in conjunction with the national interest of the Indian state. As for instances, the then US Secretary of State, Hillary Clinton on her trip to India in 2011 stated that "India should not merely Look towards the East, but more importantly act and engage

¹⁰² Thongkholal Haokip, "India's Look East Policy", *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.

¹⁰³ Ibid.

¹⁰⁴ Ashok Sajjanhar, "Taking Stock of India's Act East Policy", in *ORF Issue Brief*, May 2016, Issue No. 142.

¹⁰⁵ Ashok Sajjanhar, "Taking Stock of India's Act East Policy", in *ORF Issue Brief*, May 2016, Issue No. 142.

with the East.”¹⁰⁶ Furthermore, the United States is also increasingly concerned of the Chinese expansion and dominance in the Indian Ocean, Asia-Pacific and South China Sea which will hamper both economic and security interests of their state in the region. It theorized the Chinese Hegemony in the region as the “Pearl of String”¹⁰⁷ where as the Chinese argued that it is a policy to safeguard their economic and security matters. The assertiveness of China in the region is also a concern for country like Japan as 90% of its imported oil passes through “the sea lanes of the South China Sea, and any undue Chinese influence in the region is seen as a potential threat to Japanese economic security” apart from the territorial disputes.¹⁰⁸ Similarly, 40% of India’s trade also takes place and passed through the South China Sea.¹⁰⁹

Taking the above into consideration, there is a urgency and a renewed interest for India and the South East Asian countries in the actualization and concretization of the Act East Policy. In addition, the impetus to speed up economic, cultural, security and strategic relation with the region also arose on account of the rapid and fundamental development that is taking place especially by China. Some of these notable ones are the construction of the China Pakistan Economic Corridor (CPEC), One Belt One Road Initiative (OBOR), Bangladesh China India Myanmar Economic Corridor (BCIM EC) and the conflict of interest over Doklam. Due to the expansion of China through these projects, it in turn necessitates all the more for the Indian state in the present and future to materialize the Act East Policy for security and economic reasons as a practical necessity and compulsion.

Act East and the North East

The Look east and the Act East policy is primarily designed to engage with the ASEAN countries in particular and other East Asian countries in general. Keeping this in mind, the North East is seen as merely the gateway to the South East Asian

¹⁰⁶ Ashok Sajjanhar, “Taking Stock of India’s Act East Policy”, in *ORF Issue Brief*, May 2016, Issue No. 142.

¹⁰⁷ The article entitled, “String of Pearls ‘Indian Ocean’”, is taken from the Wikipedia, the free encyclopedia accessed on May 23, 2018, at 6.16PM. The very geopolitical concept of String of Pearls was used in 2005 by the U.S Consulting firm Booz Allen Hamilton to denote the potential Chinese influence and threat in the Indian Ocean and its periphery.

¹⁰⁸ The source of the article entitled, “String of Pearls ‘Indian Ocean’”, is taken from the Wikipedia, the free encyclopedia accessed on May 23, 2018, at 6.16PM.

¹⁰⁹ Ashok Sajjanhar, “Taking Stock of India’s Act East Policy”, in *ORF Issue Brief*, May 2016, Issue No. 142.

countries and its neighbours. However, the rapid change in the geo politics in the region especially in the expansion of trade corridors along the border from China in particular has compel the India state to view the North Eastern beyond the lens of security prism and borderlands. Besides, the process of opening up a world class trade routes along with the process of globalization from China demands the need for the Indian state the urgency to not only integrate the North east sooner than ever economically but also necessitates to resolve the conflict politically. The need for the Indian state to critically review the way in which it view the North East and the importance of the region also arose from the fact of the increase in the vulnerability of the region from China in particular and other external intervention.

Another correlated concern is that, owing to the overemphasis on the security concern from the Indian state over a period of time, it has not only constructed a landlocked geo-political space but also brought about underdevelopment in the region especially in the form of infrastructural deficit and limited outlet and space for trade and commerce. The possible implication could emerge from the very fact that continued negligence and the non resolution of the conflict in the process could pave the way to seek for an alternative route for development and resistance. Moreover, the emergence of young entrepreneurs with success stories and their aspiration for trade, better economic opportunities, development and economic integration within the Indian state and across the border with other countries necessitates the materialization of the Look East and the Act East policy. Thereby, if the policy for economic integration and security concern is to fructify, then there is a corresponding urgency for the resolution of the persistent political conflict.

Keeping the criticality and the importance of the above considerations in mind, the Indian state also seems to make serious attempt to develop and integrate the region in the recent times. This is partly reflected in the desire to rectify and reevaluate the flaws with the government policy and institutions like the North East Council (NEC), Development of North East Region (DONER), Federation of Indian Chamber and Commerce (FICCI) along with the promotion of Start Up in the Region. AjitDoval, who is a National security Advisor also interestingly pointed out that when the question and the very problem for integration and development of the North east arose, he opines that the problem lies not much on the ignorance of the people of the

region rather “the people of the mainland are more ignorant about the people and the region.”¹¹⁰

Despite the various challenges, the relevance of the look East and the Act East policy lies in the fact that it will be crucial and fundamental in the overall development of the state of Nagaland and North East in particular and the Indian state in general. Moreover, the successful implementation of the Act East and meaningful engagement with the South East Asian countries will also to a large extent depend on the removal of infrastructural bottlenecks that connect the North East with the region. Sensing these challenges, there is a shift in the nature of the state policy towards the region for more development and economic integration.

Therefore, taking all these development into consideration, the nature of the political economy of Nagaland also seems to shift its economic outlook from the traditional approach of inward looking local economy and transaction toward outward approach for economic integration, trade, exchange and development. This change in the political climate and economic openness for development and economic integration is manifested in the form of cooperation and collaboration for better connectivity like the ongoing construction of four lane highway from Dimapur to Kohima,¹¹¹ signing of MoUs between ‘Japan International Cooperation Agency (JICA)’ and India to avail 400 Cr as loan for Nagaland Forest Management Project¹¹² and at the same time Japan also provide ‘Official Development Assistance (ODA)’ loan of 2500 Cr for the ‘North East Road Network connectivity improvement Project Phase (2),’¹¹³ increase in the entrepreneurship enterprise from the younger generation, promotion of start Up schemes from the government, signing of MoU between the state of Nagaland and Maharashtra¹¹⁴ for industrial development and organizing Nagaland International Trade Expo.¹¹⁵ Another important development and economic engagement within the state of Nagaland apart from the urge of the Nagaland

¹¹⁰Ajit Doval, National Security Advisor pointed out this in the Vivekananda Kendra’s event on North East calling part 1.

¹¹¹*The Economic Times*, May 23, 2013.

¹¹² Extract from *The Morung Express*, April 6, 2017

¹¹³The Shillong Times, April 4, 2018. Earlier Japan had also provided an ODA loan of 4000 Cr for the development and improvement of the North East Road Connectivity Project Phase 1. Even in the future the country is willing to invest in the infrastructural development of viability road connectivity as contribution for the realization of North East as the Gateway for the South East Asian and East Asian Countries as a part of the Look East and Act East Policy.

¹¹⁴This is with reference to the article published by the *Press Trust of India* updated on Dec. 4, 2014

¹¹⁵*Eastern Mirror*, 26 November, 2017

entrepreneurs to focus on marketability is the launching of Confederation of India Tribal Entrepreneurs on May 7, 2018 under Startup India for more financial accessibility by linking the entrepreneur with the various financial institutions for economic activities.¹¹⁶

Thus, there seems increasingly a call for shift in the nature of the political economy of the state of Nagaland for more economic integration, engagement and cooperation. Hence, there is a shift in the nature of the Indian state beyond security framework toward economic perspective in engagement with the people of the region. However, the challenges and the test will largely depend on whether these approaches in turn facilitate for the resolution of the core political tension between the Indian state and the Nagas in particular and the people of the region in general. As a result, a progress and real process of development might only usher in when the pertinent political conflict are resolved for a meaningful economic and political integration.

The Political Economy of Jammu and Kashmir Post Independence

The political economy of a society and a particular region cannot be understood without studying the concept and context of society, religion and the political system of the people and groups that governs them. Moreover, it becomes all the more complex to decode the nature of polity especially in a multicultural society with differing world view and competing concept on the very basis and question of good life, practices, development and social order. Further it is also complicated to unravel the pattern of political economy when there is a pertinent geo political conflict that remains central to the very discourse within the national and external politics of the region. Keeping this challenges and the context into consideration, the study of the nature of the political economy of the state of Jammu and Kashmir post Indian independence necessitates a critical understanding and examination of the politics and the interface of history of conflict, the forms of polity and governance for development along with the religious and cultural practices of a given society.

Following which, these complexity and the backgrounds demands a deeper reflection on the nature of the pattern of development and the political economy of the

¹¹⁶ Published in *The Morung Express*, May 5, 2018 with the article entitled “CITE Nagaland Chapter under Startup India to be launched”.

region. To begin with, it is noteworthy to take into account that there is a competing concepts and differing worldview across cultures on the idea of Democracy, Secularism and Development. Though it is important to keep in mind that the political conflict displaced the discourse on the issue of development in the state of J&K to a secondary position, yet there seems to be a wider debate and correlation on the issue of state, religion and development over the course of time.¹¹⁷As for instance, the Sachar Committee was set up in a special way to examine the “Development Deficit among the Indian Muslim.”¹¹⁸However, this will fail to capture the specific challenges of development in the state of J&K which has a different historical, social and political context where the demand for self determination and autonomy persist. Besides, the unique historical context and the political situation gave rise to the protection of the people of the region under Art 370 of the special provision of the Indian Constitution.

Further, on account of the persisting conflict and the interface of religion, community and development, this brings to the wider debate as to whether Democracy is compatible with the principles and practices of Islam? The contestation also deepens the conflict in the attempt for dominance between cultures and system in the claim for authenticity of truth. At the foremost, it brings to a contestation as to whether the democratic values, procedure and the processes are in tune with the belief system of the community and individual. This becomes important to the very fact that though the Indian state is democratic with a well defines Constitution, yet the politics, societal set up, context and the processes of the interface with religion, ethnic groups and language added to the complexity over the nature of the working of the Indian constitution.¹¹⁹Again, since the community and groups are central to the discourse and politics of Indian democracy apart from the individual as a unit of participation, Indian democracy is thereby also viewed as a Triad where community occupy important position along with the state and individual.¹²⁰ Further, the conflict between

¹¹⁷Gurpreet Mahajan, *India: Political Ideas and the Making of a Democratic Discourse*, (London and New York: Zed Books, 2013).

¹¹⁸Ibid.p.2

¹¹⁹Gurpreet Mahajan in her book, *India Political Ideas and the making of Democratic Discourse*, (London and New York: Zed Books, 2013). Here she mentioned that unlike the west where the individual is the basic unit of participation in their democratic institution, where as in India community along with the individual forms the units of membership in the state.

¹²⁰Gurpreet Mahajan, *India: Political Ideas and the Making of a Democratic Discourse*,(London and New York: Zed Books, 2013)

Islam and democracy is due to “its general character as a religion”¹²¹ especially that involves a conflict with the sacred text. This challenge between democracy and the Islam as some Muslim writer suggest indicates that they are irreconcilable.¹²² However, post 9/11 incident, people began to interrogate “about the compatibility of Islam with democracy and the democratic deficit in the Muslim world.”¹²³ Moreover, it raises a question as to whether democracy constitutes “the exception rather than the norm in Muslim societies.”¹²⁴ Next it also enquires if democracy is “the best political system for promoting political, civil and economic right?”¹²⁵ Finally, it also posed a critical question as to whether democracy is “appropriate or desirable as a political system for developing societies”¹²⁶ especially with the interface of development, religion and democracy in the context of multicultural society.

Following the above questions in consideration, “the Asian experience suggests that democracy can work in different settings. The success of the Indian democracy with a large Muslim population is among its most enthusiastic participant’s shows that it can work, provided there is an emphasis on pluralism and equality.”¹²⁷ At the same time, this relation and the tension between democracy and Islamic political thought is also manifested in the democratic processes of electoral competition, individual rights, duty and community ethos. While in a democratic set up individual is deemed as the basic unit of a society and State while in Islam, community as a whole is taken as a “bearer of values.”¹²⁸

Taking this into consideration, the very discourse on development, democracy and conflict would be insufficient to understand the complexity unless it takes into account the conceptual, diversity and cultural differences into account. Despite the contestation and differences over the relation between democracy and certain religious values, it is important to note that the state of Jammu and Kashmir became a

¹²¹Hamid Enayat, *Modern Islamic Political Thought*, (New York: Ashgate Publication, 2009), p. 126.

¹²²*Ibid.*, p.135.

¹²³Zoya Hasan, *Democracy in Muslim societies The Asian experience*, (New Delhi: Sage Publication, 2007), p 12.

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ Zoya Hasan, *Democracy in Muslim societies The Asian experience*, (New Delhi: Sage Publication, 2007), p 12.

¹²⁸ W. Montgomery Watt, *Islamic Political Thought, The Basic Concepts*, (Edinburg: University Press, 1968).

part of the Indian democratic system with special safeguard through Art.370 for the people of the state.

To begin with, it is important to take into consideration that one of the immediate challenge of the state of J&K post Indian independence is the transition from the rule of the princely state to the democratic polity. At the same time due to the partition and the following conflict over the issue on the position of the state of Jammu and Kashmir as to whether to opt for India or Pakistan, Sheikh Abdullah who is the architect and statesman, prefer to join the Indian Democratic system. This preference was based on the ground that though Pakistan is an Islamic state yet it is feudalistic, non democratic and non secular in nature and thereby the adverse condition of the mass of the landless peasant would still be under subjection.¹²⁹ Similarly, for the realization of the democratic principles, Abdullah desire for the abolition of autocracy, exploitation and domination of the princely rule. With this background and apprehension in mind, in order to uplift the state of Jammu and Kashmir along the modern democratic pattern of development against subjection, Abdullah undertook a radical land reform.

Land Reform

The history of unequal, hierarchical land holding and ownership during the pre colonial, Colonial and the Princely Ruler in the post Independent phase enter into a contradiction with the vision of a democratic and a more egalitarian society. For the old system of land relation and management was based on the aristocratic feudal system that often manipulate the tenants, peasants and the landless laborers. And at the same time apart from the misappropriation of revenue, there was an indifference to the land management.¹³⁰ During the British rule, as per the Treaty of Amritsar of 1846, they sold ownership of the Jammu and Kashmir for 75 lakhs to the Maharaja Hari Singh of Jammu.¹³¹ However, with the end of the British rule and the emergence of Democratic system after India 's independence, Sheikh Abdullah initiated for a

¹²⁹ *Report of the State Autonomy Committee*, Srinagar, 2000, p.195.

¹³⁰ Anirudh Kumar Prasad, "Sheikh Abdullah and Land Reforms in Jammu and Kashmir", *Economic and Political Weekly*, August 2, 2014, Vol. XLIX No.31.

¹³¹ *Ibid.*

radical land reform not only as a process of rectifying the historical injustice and wrong but also as a fulfillment of the New Kashmir Manifesto of 1944.¹³²

Accordingly, in 1948, the State Tenancy Act of 1924 was amended followed by ‘the Big Landed Estates Abolition Act of 1950’ that paved the way for the “abolition of Landlordism, land to the tiller and cooperative association.”¹³³ The immediate success of the land reform could be seen from the very fact that out of the total 9.5 lakhs acres that are distributed in the whole of the Indian state about 4.5 lakhs acres were distributed only in the state of Jammu and Kashmir and at the same time ceiling of land holding was capped at 22.75 acres.¹³⁴ Nehru, the then Prime Minister of India also considered the Land Reform of J&K under Sheikh Abdullah as a landmark and a swift agrarian reform that abolished “big Zamindari system.”¹³⁵ Besides, when the question arose on the payment of compensation for the land that was distributed, on 26th March 1952, the Constituent Assembly of Jammu and Kashmir “decided to confiscate all land estate without any compensation” on the note that the state exchequer and financial position realities constraint such grant.¹³⁶ Analysing the overall agrarian impact, George Mathew deemed the reform “as a watershed in the history of J&K and a measure, first of its kind in the subcontinent, lauded by different section of a society, and people belonging to different walks of life in the country. The land Reform greatly helped the marginalized sections, especially the Scheduled Castes to become landowners.”¹³⁷

On the other hand, it is also noteworthy to mention that different grievances and criticism emerges. Foremost among them was the allegation that the land reform favored the Muslim community more as most of the victim of the landholder and landlord were Hindus. It is also argued that the Pandits remain unopposed to the land reform as they seems to have entered into an agreement for 10 percent trade off in the government service for the land transferred.¹³⁸

¹³² Anirudh Kumar Prasad, “Sheikh Abdullah and Land Reforms in Jammu and Kashmir”, *Economic and Political Weekly*, August 2, 2014, Vol. XLIX No.31.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid. p.133.

¹³⁶ Ibid. p.134.

¹³⁷ Anirudh Kumar Prasad, “Sheikh Abdullah and Land Reforms in Jammu and Kashmir”, *Economic and Political Weekly*, August 2, 2014, Vol. XLIX No.31. p.135.

¹³⁸ This is based on the argument of Mridu Rai book entitled “*Hindu Rulers , Muslim Subjects, Islam Rights and the History of Kashmir*”, Delhi, 2004, wherein it was quoted in the *EPW* that is entitled

However, despite the radical agrarian reform, the discrepancies that developed in the pattern of land tenure over the year consequently led to the formation of Law commission of 1963, the 1972 Agrarian Reform Act of J&K and subsequently Reform Act of 1976, Debtor's Relief Act of 1976 and J&K Restitution of Mortgaged Properties Act of 1976.¹³⁹ In a nutshell, the success of the Land Reform was to a large extent attributed to the political will, charisma and statesmanship of Sheikh Abdullah. Besides, the special Constitutional provision of the state of J&K under Art. 370 in conjunction with the Indian state vision for development through agrarian reform further facilitated the change in the agrarian economy and structure of the region. This in a way can be considered as the foremost radical policy that not only changes the structure but also the nature of landholding and ownership. Though the critics of the land reform objected on the basis of the growth in GDP and the units of production, yet it led to the democratization of the very right to basic livelihood in the form of minimal land holding. However, apart from the security framework of coercive integration, the Indian state also approaches the state of Jammu and Kashmir to integrate through the abrogation of special privilege and provision and other political intervention.¹⁴⁰

The Indian State Approach to the Question of the Development of Jammu and Kashmir

The initial phase of the development policies of the Indian state was originally conceived along socialist line. Similarly, Sheikh Abdullah pursued this pattern of growth and development with aim for further deepening of democracy as exemplified in the land reform. Further, due to the unique political and historical reality that is conditioned by the Art. 370 of the Indian Constitution, the onus of economic development mostly rest on the state of Jammu and Kashmir itself. Nevertheless, on account of the perpetuating nature of the conflict and the ground realities of security concerns necessitate special responsibility from the Indian state for the well being of the people of the region and the national security as a whole. Keeping this in mind, it

“Sheikh Abdullah and Land Reforms in Jammu and Kashmir” by Anirudh Kumar Prasad, August 2, 2014, Vol. XLIX No.31 :

¹³⁹Ibid.p.135.

¹⁴⁰Anirudh Kumar Prasad, special article entitled, “Sheikh Abdullah and Land Reforms in Jammu and Kashmir”, in *Economic and Political Weekly*, August 2, 2014, Vol. XLIX No.31.

is noteworthy to take into account that in 1950, 85 percent of the population of J&K depends on agriculture for their livelihood with a minimal literacy rate at only 11 percent.¹⁴¹ Consequently, during the period of 1950-1970, the Central government funded almost 90 percent of the five year plan of the state of Jammu and Kashmir.¹⁴² This in turn not only creates a culture of dependency but also stifles creative enterprise for self government.

However, in the 70's the Indian state reverses the financial policy of aid in the form of 30 percent as grant and 70 percent as loan. This change of policy and the subsequent constrain in the fund eventually led to the diversion of the bulk of the state budget for debt financing and payment of interests.¹⁴³ This model of development later in the process developed into a "Rent Seeking society"¹⁴⁴ that set aside the welfare of the society as a whole in the interest of the vested few individual and groups. At the same time, as per the report of the Development Review Committee of 1975, the urban rural divide is manifested in the unequal allocation of funds through which the bulk of subsidies on food, power and electricity benefits the urban population who constituted a minority with the neglect of the rural areas.¹⁴⁵

In addition, when the question arose on the issue of industrial development of Jammu and Kashmir, the Development Review Committee Report of 1975 pointed out that "with a rapidly increasing population expanding and easily accessible education and the growing pressure on land, the creation of new and productive avenues of non-agricultural employment has become a pressing need. The development of modern industry would be one such avenue to provide opportunities for absorbing technically qualified people."¹⁴⁶ Despite the various measures to promote industrial development in the state, it is argued that owing to the

¹⁴¹Siddhartha Prakash, "Political economy of Kashmir since 1947", *Economic and Political Weekly*, published on June 10, 2000.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴The Rent Seeking Theory conceived the state as being constituted by the core interest of individuals and groups which interact with strategic interest with the private agents with little consideration for the well being and welfare of all. Pranab Bardhan specifically analyses the rent seeking theory within the Indian context into two categories one of which is the conflict between the rural elites while the other categories consist of the tension between industrialist and the rent seeking professional of the public. These arguments are based on the writing of Siddhartha Prakash article, "Political economy of Kashmir since 1947", in the *Economic and Political Weekly*, published on June 10, 2000.

¹⁴⁵Siddhartha Prakash, "Political economy of Kashmir since 1947" in *Economic and Political Weekly*, published on June 10, 2000.

¹⁴⁶Ibid.p. 2056.

misappropriation of the government subsidies by the some vested interest bureaucrats and individual paved the way for the poor performance in the industrial sector that subsequently led to unemployment which further triggers the path for dissent against the state.¹⁴⁷ Besides, it is also seen that in many sectors of industrial investment, state expenditure exceeded the revenue generation resulted to the severe lost and deficit in the public sector undertaking. In the end, the state is viewed as a predatory one that goes against the interest of the people as a whole due to mismanagement, inefficiency, patronage and corruption.¹⁴⁸

Furthermore, the poor industrial performance over a period of 40 years is also accounted for the lack of investment from the private capital, infrastructure deficit, shortage of raw materials and entrepreneurship. This is due to the apprehension over the security concern and geo-political realities in the region.¹⁴⁹ In addition, absence of rail link in many areas, deficient budget allocation for industrial development, administrative patronage and corruption were also responsible for the stagnant industrial condition in the state of Jammu and Kashmir.¹⁵⁰ Thus, “the growing discontentment over economic mismanagement”¹⁵¹ in 1980’s and violation of democratic rights especially manifested in the rigged election of 1987 to a large extent factored in the very demand for separation and self determination.

It is also interesting to take into consideration the very politics and the interface between the nature of political economy of development and how the conflict develops side by side in the course of time. Whereby, it stress and unfold as to how the economic dimension in the form of mismanagement, corruption and non transparency can be one of the major cause for the outbreak of revolution and resistance¹⁵² Then, it become all the more complex and complicated when the democratic process in the form of elected representative perpetuate corruption and fail to fulfill the expectations and the aspiration of the people. The expectation of the people for minimal basic rights and needs are genuine claim of every democratic

¹⁴⁷ Siddhartha Prakash, “Political economy of Kashmir since 1947” in *Economic and Political Weekly*, published on June 10, 2000.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² It is important to note that Aristotle in his book IV to VI of Politics mentioned that the abuse of political power in various forms and at the same time disproportionate inequality as one of the causes of revolution.

society and thereby it become all the more pressing for the Indian state to not only meet the basic requirement but also strictly adhere to the democratic principles as the failure to abide by these norms has especially forfeited and diminished the faith of the people of Jammu and Kashmir in the Indian Democracy and Constitution.

Some argued that self interest rent seeking “dominant proprietary classes comprising of bureaucrats, businessman and the rural elite”¹⁵³ who had benefitted from the government in the process supported the militant and blame the centre for the misrule so as to divert the issue from their corrupt practices. Or in the other words, the strategy of over centralization as a process of integration has rather paved the way for disintegration, separation and self government. This in a way explain the complex reality, politics and the process in which certain imbalance, grievances, inequality, discontent especially in terms of economic benefit in the end generate conflict of interest and resistance for alternative regime. However, this does not necessarily mean the economic framework alone predominantly determine the cause of conflict. Over and above, it also hints that violation of democratic norms apart from the economic mismanagement further intensify the core political conflict that in the process deepen fervent demand for self determination and at the same time increase resistance against integration within the Union of India.

However, the development deficit and challenges need not necessarily mean the region is unsuitable for development. During the reign of Kushanas, it was recorded that there was a commercial link between Rome, Persia, Greece and Jammu and Kashmir and several items like wool products, woods, saffron, shawls and herbs.¹⁵⁴ The historical account of the past also mentioned the existence of trade and commerce between the state of Jammu and Kashmir and the British Colonial Empire especially on the item of Kashmiri Shawl.¹⁵⁵ It is seen that economic transaction takes place between Britain and Kashmir during the Victorian period where the main item

¹⁵³Siddhartha Prakash, “Political economy of Kashmir since 1947”, *Economic and Political Weekly*, published on June 10, 2000.

¹⁵⁴SumanJamwal, “Commercial Contacts Between Kashmir and Rome”, Source: *Annals of the Bhandarkar Oriental Research Institute*, Vol. 75, No. 1/4 (1994), pp.201-208, Published by: Bhandarkar Oriental Research Institute Stable URL: <http://www.jstor.org/stable/41694416> Accessed: 28-05-2018 08:48 UTC

¹⁵⁵ChitralekhaZutshi, "Designed for Eternity": Kashmiri Shawls, Empire, and Cultures of Production and Consumption in Mid-Victorian Britain”, Source: *Journal of British Studies*, Vol. 48, No. 2, Special Issue on Material Culture (Apr. 2009), pp. 420-440, Published by: *Cambridge University Press* on behalf of The North American Conference on British Studies Stable URL: <http://www.jstor.org/stable/25483041>, Accessed: 28-05-2018 08:53 UTC

of exchange was on Kashmiri Shawl. As per the treaty of Amritsar in 1846, Maharaja Gulab Singh, the then ruler of J&K acknowledge the supremacy of the British Government and accordingly agreed to present annually “one horse, twelve shawl goats of approved breed, and three pairs of Kashmir shawls.”¹⁵⁶ These historical records in a way negate the rationalization of the obstacle and the non viability of the geo-political space of development in the contest of the post Independence India discourse on development. This in a way need not discount the security and political challenges in totality yet there seems to be a limited attention on the very issue of growth and development and this in turn demands critical examination and also explore further avenues not only to better understand the political economy of the region but also to tapped the potential to the fullest for further development, peace and stability.

The Nature of the Political Economy of J&K

The nature of the political economy of the state of Jammu and Kashmir is complex and difficult to understand unless we critically evaluate the political processes of democracy especially in the form of competition, cooperation for electoral power, political conflict and other variables like religion, ethnic and region. Some are of the view that despite the democratic structure and principle that is enshrined in the Indian Constitution, the historical and the political experience in the state of Jammu and Kashmir increasingly portrays the processes of deinstitutionalization, decline and the erosion of democratic institution that is designed for good life.¹⁵⁷ The alienation and abuse of these Constitutional provisions which was seen as a sacred contract in the end is construed as a sham and deception by the Kashmiri public at large.

This in turn provide the space for the contestation between the separatist that resist against the unjust system on one extreme and those who manipulate and control power and resource on the other in the name of democracy. The politics, conflict, contestation and the interaction of the processes eventually blurred their peculiarities and distinction which get reflected especially in the “electioning in Kashmir where

¹⁵⁶ Ibid.

¹⁵⁷ Sten Widmalm, “The Rise and Fall of Democracy in Jammu and Kashmir”, Source: Asian Survey, Vol. 37, No. 11 (Nov., 1997), pp. 1005-1030, Published by: University of California Press Stable URL: <http://www.jstor.org/stable/2645738>, Accessed: 28-05-2018 08:24 UTC

there is an overlapping between separatist and mainstream political space.”¹⁵⁸ Further, one of the grave impact of this tension and political reality is “mainstreaming the separatist agenda”¹⁵⁹ for electoral gain.

Another important development apart from the demand along religious line from certain community and group for self determination and separation from the Indian state, there is also a parallel discontentment and grievance that is alleged against the state on the ground that secularism failed to protect the interest of the Hindu minorities within the state of Jammu and Kashmir.¹⁶⁰ Hence, they demand for more integration within the Indian state so as to identify with the Hindu majority of the Indian state. The stronger indignation arose from the bitter experience of the exodus of the Pandits that keep alive the issue of demand and return to homeland for rehabilitation.¹⁶¹ This interplay of this complex entity, conflict and especially the non engagement for conflict resolution has made the political economy of violence, conflict and militarization the centre stage at the cost of development, peace and a just society.

It is also argued that apart from the “much publicized external dimension of the Kashmir problem”¹⁶² there is also an internal politics, perspective and realities between New Delhi and Jammu and Kashmir and at the same time there is a conflict and contestation within the state of J&K on the basis region, religion and ethnicity.¹⁶³ The rational and the importance of the autonomy in a way lie in the contestation for political authority and autonomy for economic transformation through land reform. This interface and the politics of autonomy and the need for reform can be seen in the manner how the National Conference through its leader Abdullah wish for Accession with the Indian State on the condition of an assurance of special constitutional safeguard and autonomy through Art 370. As for instance, the

¹⁵⁸ Rekha Choudhary, “Electioneering in Kashmir: Overlap between Separatist and Mainstream Political Space”, Source: *Economic and Political Weekly*, Vol. 43, No. 28 (Jul. 12 - 18, 2008), pp. 22-25, Published by: *Economic and Political Weekly* Stable URL: <http://www.jstor.org/stable/40277712>, Accessed: 28-05-2018 08:28 UTC

¹⁵⁹ Ibid.

¹⁶⁰ Haley Dushchenki, "Survival Is Now Our Politics: Kashmiri Hindu Community Identity and the Politics of Homeland", Source: *International Journal of Hindu Studies*, Vol. 12, No. 1 (Apr., 2008), pp. 41-64, Published by: *Springer* Stable URL: <http://www.jstor.org/stable/40343840>, Accessed: 28-05-2018 08:37 UTC

¹⁶¹ Ibid.

¹⁶² Rekha Chowdhary, *Jammu and Kashmir, Politics of identity and separatism*, (New Delhi; Routledge Publication, 2016).

¹⁶³ Ibid.

new socio-economic structure of the vision of the National Conference manifested in the Naya Kashmir Manifestoes of 1944 that eventually fructify through the land reform.

The political economy of ethnic conflict persists from the fact that through this new transition of power and democratic setup, it overhauls the overall socio, economic and political power structure, status quo and relation especially between the dominant landholding class and the landless peasant. This is further aggravated due to the overlapping of the previous landholder's identity, which at the most were affected by the land reform coincide with their different religious identity. This also bring to the very fact that though the core issue of the conflict of Jammu and Kashmir is rooted in the religious political dimensions, yet the strong economic content is unfolded through the conflict in the identity politics.¹⁶⁴

Another important characteristic of the political economy of the state of J&K is the role of the left in shaping the economic orientation at the initial state of the developmental concern. The resistance against economic injustice and exploitation under the influence of the left is seen not only through the trade union politics but also in the way it assist and paved the way for the change of Muslim Conference into a National Conference and the subsequent change in economic structure and policies.¹⁶⁵ The interfaces of the political economy of the ethnic conflict with the land reform arise due to the unique legislation that denies compensation to the dispossessed land owner. This grievances and criticism in the process led to the battle and struggle along the constitutional procedure especially within the very Art. 370. The argument was based on the ground that this special provision permits the restructuring of the economic and political system and as a result, this struggle and tension reflects in the demand for the abrogation of the same in the name of national integration vis a vis the autonomy of the state of Jammu and Kashmir.¹⁶⁶

This conflict of interest and contestation over national integration and autonomy that manifested in the dismissal of Sheikh Abdullah in the process change the substantive nature of the political economy wherein it began to priorities political

¹⁶⁴ Rekha Chowdhary, *Jammu and Kashmir, Politics of identity and separatism*, (New Delhi; Routledge Publication, 2016),

¹⁶⁵ Ibid. p.71.

¹⁶⁶ Ibid.p.77.

conflict at the cost of socio and economic development.¹⁶⁷ It is interesting to note that the attempt and policies of the Indian state towards integration is carried out through the removal of Sheikh Abdullah and the process of deconstruction of Autonomy of Article 370. The shift in the ideological orientation of the state of Jammu and Kashmir from the path of self reliant state towards a dependent society and economy is aptly described in the word of Habbibullah as “literally buying the Kashmiri back”¹⁶⁸ as seen in the form of a subsidized economy and at the same time catering to the interest of the elites. The politics in Post 1953, especially during Bakshi’s era is also deemed as a phase of “expansion of economic activities”¹⁶⁹ on infrastructure development and direct benefits to the privilege section of the society. The unequal access to the state resources and dependency in turn not only create elites with different interest but also in the process distort the overall economy of the state.¹⁷⁰

The next important shift in the nature of the political economy and the policies of the Indian state towards the state of Jammu and Kashmir is the reversal of the policy of subsidized economy and generous aid to financial obligation and responsibility in the form of loan during the early 1970 which eventually led to the “debt trap”¹⁷¹ with little scope for investment and development. As a result of the undeveloped industrial, infrastructure and agricultural backwardness, the state overdeveloped and essentially remains as the only source of employment.¹⁷² Further, the distortion in the political economy and the political processes brought inner conflict and contradiction within the Kashmiri society along with the rise of new middle class and neo rich section of society. Thus, it is increasingly seen that “a society which took pride in its value based culture, started degenerating into an acquisitive society.”¹⁷³

Taking all these into consideration, it is argued that due to political conflict and competitive politics over access to state resources resulted to the “distortion of the economic structure”¹⁷⁴ in the state of Jammu and Kashmir.

¹⁶⁷Rekha Chowdhary, *Jammu and Kashmir, Politics of identity and separatism*, (New Delhi; Routledge Publication, 2016),.p.80.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.p.81

¹⁷⁰ Ibid.p.82.

¹⁷¹Ibid.p.84.

¹⁷² Ibid.

¹⁷³Ibid, Punjabi (1992...142-3).

¹⁷⁴Ibid.p.86.

Current Nature of Political Economy of Development in J&K

The economy of the region is largely self sufficient. However, it also seems to rely a lot on import items for basic needs. One of the interesting features is the existence of a number of trade unions to propagate, protect and advance their interest which in a way reflects the presence of diverse economic interest and class interest. However, despite the presence of multiple organizations, the failure to forge a common economic interest is glaringly shown in the form of inadequate pressure group for infrastructure development. This is also indicative of the absence of overarching entity for growth, development, transparency and accountability to check the misuse of fund and non performance of the government. In spite of the conflicting economic interest and division that has in turn created a gap between the rich and the poor, there is an immense cooperation, unity both in terms of psychological unity and social action when it involve community response to state's violence and especially when it comes to the call for hartal.¹⁷⁵ As for instance, it is pointed out that since 1989 there is a decline in the tourism economy on account of the political situation with 4 to 5 months of hartal and another 6 months of winter in a year eventually crippled the economy of the state. As a result, the prior concern of a section of business community like the houseboat association is the restoration of political order; improve law and order and peace so as to revive their economy.¹⁷⁶

Similarly, the Kashmir Traders and Manufacturing Federation also argued that political conflict has hampered economic growth. They also mentioned that on account of the political conflict there was a continuous shutdown of business for 105 days in 2016. Yaseen Khan, The President of the Federation also stated that business has declined for almost 30 years and on the other hand since 1990, gun culture and militarization has overshadowed the politics and the political economy of the region. Then from 2008 onward, the nature of conflict shifted from the gun culture toward stone pelting. He further argued that since 2008 till date there is a decline of 80% in

¹⁷⁵This is based on the field work experience, interview, survey and observation that is carried out in the state of J&K especially in the district of Srinagar in particular and other districts in general from 7th to 27th of April 2017.

¹⁷⁶As per the interview that was conducted with Abdul Majeed, who is an accountant in Houseboat Association on 14th of April 2017 in Srinagar. The Association also expressed their grievance on the state government for the restriction on the movement and renovation of their boat. They also argued that restriction on their interest is gradually checked through the reduction of houseboat from 13000 to 900 from the government order on the ground of decadence.

business with total negligence on developmental work and infrastructure development. As a result, one of the implications of this policies and political economy has resulted into a situation where most of the new generation of the Kashmir society no longer wants to engage in business.¹⁷⁷ Hence on account of this defect and challenges he was of the opinion that the present economy is dependent to a large extent on employment in government service and horticulture. Further there is massive decline in handicraft and shawl business transaction in term of volume and output from 3200 crore in 1990 to 1200 crore business in the current political climate. The business community is of the apprehension that the government is unwilling to assist even the basic infrastructure on the ground of the existing political realities or deliberately sidelined on the excuse of political conflict.¹⁷⁸ The government is also accused of the discriminatory approach towards Kashmir in favor of Jammu and Ladakh region. As a result, they want the government to reduce the militarization and political conflict and instead focus on the issue of development.¹⁷⁹

Moreover, this frequent and repeated bandh has to a large extent affected not only trade, tourism and commerce but also the education sector which often comes to a halt for most of the months scheduled for learning. The prevailing situation of the educational system is illustrated from the very fact that the political economy of conflict, unrest and militarization both from the state and separatist has create a condition where a hartal for over 6 months and then followed by three months of winter and finally exam has shattered and devastated the education system of the Kashmiris. Consequently, there were instances of mass promotion up to class 8 due to the failure to complete the syllabus on the scheduled time. Similarly, even the higher educational system is also equally affected owing to the non completion of the syllabus. This eventually led to the selective selection of questionnaires for examination. The frequent bandh and hartal as a mode of protest and resistance has

¹⁷⁷This information is based upon the interview with Mohammed Yaseen Khan, President of the Kashmir Trader and Manufacturing Federation from the field work that is undertaken in the district of Srinagar on 14th of April 2017. He also mentioned that there has been no economic growth for the last 20 years. Moreover due to the adverse political situation many of the youth has resorted to migration instead of engaging in the business activities.

¹⁷⁸This information is based upon the interview with Mohammed Yaseen Khan, President of the Kashmir Trader and Manufacturing Federation from the field work that is undertaken in the district of Srinagar on 14th of April 2017. He also mentioned that there has been no economic growth for the last 20 years. Moreover due to the adverse political situation many of the youth has resorted to migration instead of engaging in the business activities

¹⁷⁹ Ibid.

not only led to academic stagnation but also in the advancement and the development of extracurricular activities despite the availability of many potential young talents.¹⁸⁰

Moreover, taking the above observation into consideration, the challenges is further compounded by the interface and the impact between violent conflict, politics, development and education especially the increasing rate of unemployment among educated youth which make them more prone to join militant groups and activities. This in a way should not be interpreted in a generalized manner that the whole community is violent or even in support of violent means for conflict resolution. One can also see the trend of educational migration mainly across the cities of India for better future prospects and opportunity due to conflict as well as shortage of qualitative educational institution. One of the important aspect and repercussion of this migration is also indicative of the Indian state subtle strategy for integration through educational scholarship. There is a transformative potential and capacity to experience, communicate, learn and at the same time unlearn across culture, religion, and region. This contact in turn can enhance better understanding and bridge the gap of misunderstanding and miscommunication. However, one has to be cautious of the very fact that the bitter experience, discrimination, and stereotyping would in turn reinforced the very demand for secession sensing the futility of harmony and peaceful coexistence. This policy and politics of recognition, respect and inclusivity will be crucial for the very process of meaningful integration.

It is interesting to note that the present young generation alleged that in the post Independence, the kashmiri society reposed not only a blind faith to the Indian secular democracy but also to their leaders especially Sheikh Abdullah. However, sensing the current political situation, they further argued that there is an increasing erosion of faith in the democratic institutions and mainstream political parties as it fail to satisfy and cater to the basic needs and aspirations of the common man and especially the youth in particular. Hence, there is a wider demand for peace, meaningful participation and political space. The young educated are of the view that development aspect and related questions ought to be seriously examined apart from the political concerns as development deficits in a way contributes to alienation,

¹⁸⁰ The following facts and argument is in accordance with the interview given by Shahid Ali Khan, a Cultural Officer in the youth wing of the Kashmir University on 17th of April 2000 from the field work that is undertaken in the Kashmir University in Srinagar.

discontentment and the intensification of the conflict. Next, they also argued that the process of alienation and underdevelopment is the outcome of the closing of the trade borders and connecting routes post partition of India. Following which, they pressed for opening alternative trade routes like the access to Karachi port and other roads apart from the present Jammu Road. At the same time, they view the Indian state as an agent of exploitation by citing certain organization like the NHPC for sharing just 12% of the electricity that is generated in the state as a loyalty benefits and at the same time other issues related with the corporate provision of the land lease and land purchasing policies. As a result, they strongly advocate for the simultaneous engagement of economic development, growth and trade along with political dialogue and negotiation.¹⁸¹

Moreover, there is a psychological fear and anger against the politics of Hindu communalism in particular though the irony is that the very state of Jammu and Kashmir is also deeply immersed in the communal politics itself. One of the fundamental questions that will be essential for peace and conflict resolution would to a large extent depend on how far the societies and the communities de-communalised politics and religion.

At the end, the question arose as to whether integration is taking place or not? If not then what are the obstacle to that very process of integration is a fundamental question that needs to be address for the interest of all. Recently the process of economic integration has broadened with the introduction of GST. But the critical issue is whether this will facilitate meaningful economic integration that caters to the need of the kashmiris. Further, there is debate, politics, anxieties and fear among the people of Jammu and Kashmir on the very question of abrogation of Art. 370 and 35A, as it is deemed as a very threat to the core political, social, economic and religious identity of the Kashmiris.

Finally, the question arose as to who is to be blamed for the economic stagnation due to strikes and bandh? Owing to the fact that both the militants and the government of the Kashmir have successfully apply this strategy to mobilized and

¹⁸¹This viewpoint and analysis are extracted from the interview and survey that is undertaken with people like Sakeena Hassan, SajadPadder and JabzeerYaseen who are teaching in the Kashmir University on 17th of April 2017.

polarized the society at different times. Moreover, the unnecessary presence of huge army on all occasion further destabilized society and creates psychological fear and anger against the state. On the contrary, the presence of Army ought to restrict on some crucial and important events that entail security threat and concern and at the same time should mostly restrict towards the border if plausible. Or else, hartal and band culture has come to stay as a mechanism and technique of resistance.¹⁸²

Latest Economic Policies and Development Work

The general observation and tangible form of measuring development is mostly through GDP. However, since the focus of the study is confined to other themes, various contestation and concepts of development is of less concern for the time being. But the matter of the fact is that there is an abject negligence and absence of adequate infrastructure especially road public transport along with the question of unemployment. Further, there is also an allegation against the government of discriminatory approach to Jammu and Ladakh on the question of development. Hence, this nature of development which fails to satisfy the basic need has also accentuated and aggravated the conflict. As a result, the implication of this approach of viewing primarily through the military prism has in turn developed suspicion and skepticism to the question of development and this in turn further translate into a feeling of alienation and resistance rather than integration.

Therefore, there is an urgency to delve and take development seriously for meaningful integration along with the resolution of political questions. One of the notable characteristic of the Kashmiri society at large is the paradox and the irony of looking at development and political issue separately and in the process vouched for development as a basic human rights entitlement distinct from political concern. The fallout of this binary and way of engaging politics and development as a separate category has in the long run done disservice to the very pertinent question of development which in turn owing to the normalization of conflict and violence has also led to the avoidance of crucial political question for dialogue, engagement and negotiation. Finally, the question of corruption also needs to be explored and

¹⁸²Based on the field work in the month of April 2017 in Kashmir.

investigated as most of project remains pending under construction for even more than a decade.¹⁸³

Since the political conflict and the partition of India and Pakistan precede and dominate the politics and the discourse of the region, it necessitates tracing the prerequisite and basic infrastructure for trade and development in conjunction with the studies of the political realities of the time. Taking this into consideration, despite the conflict, certain measures for peace and conflict mitigation also led to the opening of the Samjhauta Express, a bi-weekly train service which run through Delhi to Lahore in 1976 as per the Lahore Agreement.¹⁸⁴ Later Delhi- Lahore Bus service was also operationalised in 1999 during the Vajpayee regime not only as a part of confidence building process but also to explore other avenues for better relations.¹⁸⁵

However, it was suspended in the aftermath of the attack on the Indian Parliament in 2001 and later resumed in July 2003.¹⁸⁶ Further, other important project of developmental work in the recent past includes the four lane Jammu-Udhampur highway, the completion of the India's longest Chenani-Nashri Tunnel in 2017 that connect Jammu and Srinagar, the under construction of the 14.2 km long Zoji La Tunnel which will provide all weather road and connect Srinagar-Kargil and Leh,¹⁸⁷ the ongoing project of Chenab railway bridge, and various railway line that are functional and under construction.

It is also interesting to note that apart from the various educational institutions like IITS , IIM, NIFT, colleges and universities, there are also important industries within the state of J&K like the silk textile, carpet making and woolen textile, Jammu and Kashmir Entrepreneurship Development Institutes, Agro-based industries, Forest based Industries, Paper Mache, Cement Industry and Industrial Complexes.

Taking the above into consideration, it apparently illustrates the ample presence of institutions for growth and development. However, the question arose as to how far the output is in proportion to the actual input for economic growth, development and employment. Moreover, the increasing public uproar on the issue of

¹⁸³Based on the field work in the month of April 2017 in Kashmir.

¹⁸⁴ Wikipedia accessed on 27th August 2018.

¹⁸⁵ Wikipedia accessed on 27th August, 2018.

¹⁸⁶ Ibid.

¹⁸⁷ Wikipedia accessed on 27th August 2018.

alienation and above all the precedence of the political conflict, militarization and violence in a way have sidelined the very discourse and concern for the political economy of the state of Jammu and Kashmir.

Challenges and Controversies on Development

The current issues like the abrogation of Art. 370, Art.35A, sharing of Indus Water Treaty of 1960, the ‘China Pakistan Economic Corridor (CPEC)’, ‘One Belt One Road Initiatives (OBOR)’ are some of the challenges and controversies that has emerge as an important determinant in the discourse on development and security dimension. The pertinent question that arose on the examination over the issue of development is whether the above challenges promote growth and development in conjunction with the protection of autonomy of the region. On the other hand, these also help to introspect as to how these politics of conflict over special provision would not only shrink economic development but also infringe special autonomy that is guaranteed in the Indian Constitution.

The persisting tension and conflict over these concerns and the non resolution of the same with proper jurisdiction has in turn accentuated and intensified the very aspiration for self determination and secession. The prospect and the tension over the dilemma of security and development have failed to address both the concerns adequately. Further, the absence of peace as a precondition for development has negated the very viable space for growth and development.

Another important development in the political economy and geo political concern at the global level that will have large implication for the Indian state and Jammu and Kashmir is the development of the ‘Belt and Road Initiative (BRI)’ or ‘One Belt One Road’ with the initiative from the Chinese Government along with 100 other representatives from other countries. This new Silk Road or BRI is deemed as the “project of the century.”¹⁸⁸ However, India’s concern for the rise of China through this massive infrastructural development project as a regional power arose from the very fact that this development is deemed as not only as a threat to geo political concern but also to the political economy of India. Further, India’s rejection

¹⁸⁸ The information is based on the editorial from the *EPW* entitled “The New Silk Road” published on May 20, 2017.

of the Chinese invitation to participate and avail the huge prospect and opportunity is based on the ground that the 'China-Pakistan Economic Corridor (CPEC)', which is one of the six corridors of the BRI "passes through Pakistan Administered Kashmir to which India lays claim"¹⁸⁹ thereby violates "sovereignty and territorial integrity"¹⁹⁰ of India. At the same time, through One Belt and Road Initiative, it envisaged to link different Corridors that even includes "China-Bagladesh-India-Myanmar (CBIM) economic corridor which links yunnan with the North East of India."¹⁹¹ These expansion of the infrastructure of trade and the challenges of sovereignty and territorial integrity in turn will also ignite the need for rapid development and aspiration of Jammu and Kashmir especially infrastructure for strategic and economic concern.

Further the comparative account of the Pakistan Administered Kashmir with the state of Jammu and Kashmir on the question of development would in turn demand an answer to the question of landlocked economy, closed border, development and trade with the outside world. Following which, the question and conflict over political economy in the region will increasingly become more pertinent in the near future. In addition, with this rise in the Chinese economic and political system in the near future, the question over whether this will direct to the shift in the nature of India's Foreign policy and approach in dealing with the Kashmir issue, will be one of the important determinants of India's future policy especially in terms of geo political and economy. This challenge will largely impact the political conflict, security, development and economy of Jammu and Kashmir in the near future.

Besides, the Indus Water Treaty of 1960 is another area of contention that has resurfaces again on the volume of distribution and sharing of water between India and Pakistan in recent past. However, it is noteworthy that despite the political conflict, war and rivalry between the two countries post independence, yet the treaty is deemed as "a model for conflict resolution"¹⁹² as it has surpassed those obstacles successfully for more than five decades. Accordingly, some have argued that both the countries

¹⁸⁹ Ibid.

¹⁹⁰ Ibid.

¹⁹¹ Geethanjali and Richa Sekhani article, "China's One Belt One Road an Indian Perspective", written in *Economic and Political Weekly*, on 5th December 2015, Vol L No. 49.

¹⁹² Ramaswamy R Iyer, "India- Pakistan Water Disputes Indus Treaty: A Different View", in the *Economic and Political Weekly Journal*, Published on July 16, 2005, Vol 40. No 29.

have followed the path of “water rationality”¹⁹³ in spite of the persisting political conflict.

However, the complexities and the challenges is manifested from the very fact that the political economy of water as a pertinent question of human security that is guaranteed through the process of conflict resolution, cooperation and mutual understanding in the form Indus Water Treaty, is also contested and negated by the parallel politics of political conflict, violence and human insecurity. At the same time the concept of national security and human security in the 21st century encompass beyond the mere protection of territorial space but rather extend to the environmental and human security for interdependence, coexistence, sustainability and good life. Following which, in the case of Indus Water Treaty, the tension, objection and disputes mainly arose from the construction of two Hydro-projects namely Baglihar and Kishenganga from the Indian state. Nevertheless, both the states have contested and strive to resolve within the framework and ground rules of the ‘Indus Water Treaty’ of 1960.

The interface of these processes and the seemingly perpetual conflict of interest between the countries in turn have began to generate public debate and argument as to which tools, methods, strategy and policy could be used to the advantage of one over the other. As for instance, in the aftermath attack on the Uri based Indian Army by Jaish-e-Mohammed militants in Jammu and Kashmir which led to loss of 18 lives led some to argue whether water as a weapon for pressure tactics or a real threat could be used from the Indian state as it enjoy an upper riparian advantage with Pakistan in the events of intense crisis.¹⁹⁴

¹⁹³Uttam Kumar Sinha, a Research Fellow, in *Indian Institute of Defense Analyses*, in his article “Will The Indua Water Treaty Survive?” published on September 2012, Vol 36, Issue 5, pointed out that the Indo-pakistan dispute and conflict over the Indus Water Treaty of 1960 on the sharing of water survived as they submit to the concept of “water rationality”. However, he is apprehensive of the future outcome on the ground that there is uncertainty as to whether the rationality of the water would shape and paved the way for cooperation and stability or the very conflict over the water economy would ;led to further perpetuation and intensification of enmity and political rivalry in the near future.

¹⁹⁴In the aftermath incident of the Uri based attack which worsen the Indo-Pak relation, the Prime Minister of India, Narendra Modi, stated that “blood and water can’t flow at the same time” in a meeting with the official of water Ministry on the issue of the Indus Water Treaty, The Indian Express, 27th September, 2016. This in a way also hints that in the vent of intense political and security crisis, both the countries would opt for any mechanism to pressurize and change the course of the conflict to one’s one interest and advantage. .

This water conflict and use of water economy as a “bargaining tool”¹⁹⁵ or weapon is termed as “water Nationalism.”¹⁹⁶ Hence despite the historical account of successful resolution of India-Pakistan Water conflict through the Indus Water Treaty of 1960, there are “apprehensions that water could be a major source of conflict between India and Pakistan in the future.”¹⁹⁷

On the other hand, beyond the prism of viewing the Indus Water Treaty as a successful model of bilateral conflict resolution by many, there is also an allegation and discontentment from the state of Jammu and Kashmir that the treaty fail to take into account the interest of the Kashmiris. Further, it extended the argument that the discourse on the Indus Water Treaty of 1960 ought to be “relational and context-specific perspective on law and geography”¹⁹⁸ as the conflict is supposed to be taken as trilateral in nature. Moreover, it is of the view that even if political dimension and conflict persist, the economic and developmental interest of the Kashmiris should also be considered since the upstream riparian river passes through it. This becomes important from the perspective of the people of Jammu and Kashmir as they are deprived of a say in the sharing of the Indus Water Treaty. This is crucial in the sense that it will act as an impetus and resource for development, irrigation and urbanization. The political economy of water is also informed by the very fact there is a wide gap between the hydro power that is generated and the actual potential that lies untapped for development. As per the estimation of the Central Electricity Authority (CEA), the state of Jammu and Kashmir has a capacity to produced 16,475MW of hydro power out of which, only 3,263.46 MW has been harnessed.¹⁹⁹The deficiency and the underutilization has necessitated the generation of the untapped energy for growth and development of the region.

¹⁹⁵ With Reference to the IDSA Task Force Report, “Water Security for India: The External Dynamics”, *Institutes for Defense Studies and Analyses*, New Delhi, 2010.

¹⁹⁶ Amit Ranjan pointed out the water conflict in the sense of moving towards water nationalism in the article, “Disputed Waters: India, Pakistan and the Transboundary Rivers”, Sage Publication, October 21, 2016.

¹⁹⁷ Based on the IDSA Task Force Report, “Water Security for India: The External Dynamics”, *Institutes for Defense Studies and Analyses*, New Delhi, 2010.

¹⁹⁸ Majed Akhter, “More on the sharing of the Indus Waters”, *Economic and Political Weekly*, April 24, 2010, Vol XLV No.17.

¹⁹⁹ This data is based on the assessment of the Central Electricity Authority, (CEA) that is published in the *Economic Times* on 10th Jan, 2018.

Therefore, better understanding and allocation of the water economy in the long run would not only act as a catalyst for development but also help in the mitigation of the conflict.

Some other developmental concerns pertain to the question of transparency, accountability and good governance. According to the World Bank report, it is “unhappy over progress of infrastructure building”²⁰⁰ out of its funded project.

Taking all these development into consideration, the important question lies in how to translate those projects, policies, potential and human capital into a reality and bring equitable development and meaningful integration. This in a way do not discount the political nature of the conflict on the contrary it portrays how political economy is embedded in the conflict and at the same time a proper examination of the interface, politics and the process of political conflict and the economy will be crucial in the overall determination of development, peace and resolution of the persisting conflict in the region.

²⁰⁰The World Bank term the progress of the project as “unsatisfactory”. Further the Chief Executive Officer of the project also mentioned that out of the total allocation of 1500 crore, only about 30 crore has been spent. Based on the article from the Greater Kashmir, August 13, 2018. Further, as per the article that is extracted from the *Greater Kashmir* entitled “World Bank approves 500 crore project in J&K”, Dec 31, 2017. It has also approved another 500 crore for 222 projects for the construction of road, bridges, schools and others.

CONCLUSION

In the study of the political conflict, history and the nature of integration with the Indian state on a comparative note between the state of Nagaland and J&K, especially within the context of “Integration, Autonomy and the State: A comparative Study of Nagaland and J&K”, it is found that both the states has a long history of political conflict and violence centre over the contested issues of sovereignty, self government and self determination post the independence of India. Following which, it primarily focus to analyse and compare the subthemes of the history of political conflict, the process of conflict resolution as expressed in the form of Accords and Agreements, Federal challenges and the development policies in both the states.

The very study of the theme “Integration, Autonomy and the State: A comparative Study of Nagaland and Jammu & Kashmir” is a complex and difficult area to understand and analysed. However, despite the differences and peculiarities of each state, the overall analysis hints that there are persisting and unresolved political tension and conflict over the very questions of autonomy, integration, self determination and sovereignty in both the state. Further, the objective of this study is to compare the nature of the conflict and the process of integration and at the same time to examine as to which of the two state seems to be more integrated within the Indian state and why? Accordingly, the overall examination of historical and political events, Federalism, the nature of conflict and the process of conflict resolution through accords and political economy of development in a comparative note brings forth the following observations.

Historical Sensibilities and Political Overview of Nagaland and Jammu and Kashmir

To begin with, the comparative account of the two states on the historical and political conflict, despite the similarities on the historical accounts, realities, situation and the political realities, it points that the state of Jammu and Kashmir precedes Nagaland in the process of integration within the constitutional settings of India. This is reflected in the subsequent historical events such as the signing of the Instrument of Accession on 26th of October, 1947, formation of the Jammu and Kashmir Constituent Assembly, The Jammu and Kashmir (President Order) of 1950 which incorporate

Art.370 into the Indian Constitution and the subsequent Orders and Agreements. It is also noteworthy to mention that the state of Jammu and Kashmir acceded to the Indian state through this special provision on the condition and the ground that it is sovereign in all subjects with the exception of defence, foreign affairs and communication.

Further, Sheikh Abdullah's leadership, statesmanship and also his role as a representative of the Kashmiris to a large extent determines the future relationship of Jammu and Kashmir with the Indian state. He also argued that integration with India is preferred over Pakistan on the ground that the latter is feudalistic and undemocratic in its institutional setup. Again he also mentioned that when the dispute arose on this very question of accession and integration, it would be referred to the will of the people.

However, it is controversial and ambiguous over the very nature of what constitute the will of the people. This in turn has been an important bone of contention in the history of conflict. Hence, one the strongest point of contention apart from the agreed accord has been on the very question of the will of the people of Jammu and Kashmir. The problems lies in the very fact on what constitute the will of the people and at the same time through what methods will the question of accession be insured. Hence forth, several interpretation and political maneuvered took place on the contestation over the very issue of the will of the people and at the same time the ambiguity get reflected in the language of referendum, Plebiscite, in State Assembly and through the Constituent Assembly. Thus, this very issue constitutes one of the simmering conflicts in the process of nation building.

In the same manner, Nehru also played a crucial role in the process of integration of Jammu and Kashmir within the state of India. In a special way played an important role in shaping the opinion and the politics of that time. On 28th October, 1947 he reassured to the then Prime Minister of Pakistan that the question of accession "is subject to reference to people of state and their decisions"¹. He also suggested to the leaders of the J&K that the very issue be decided by the people of Jammu and Kashmir 'under the auspices of the United Nations'².

¹Aman. N. Hingorani, *Unravelling the Kashmir Knot*, (New Delhi: Sage Publication 2016), p.139.

²Ibid.p.140.

Whereas, in case of Nagaland the history of conflict begin with strong contestation over the very question of sovereignty and self determination that in turn resulted into violent conflict and political struggle. Though there was an attempt to integrate the Nagas through the Akbar Hydari Agreement prior to the Independence of India yet it failed. The strong resistance of the Nagas against the process of integration is seen in the form of declaration of Independence on 14th August 1947, holding of plebiscite in 1951, boycott of Nehru and U Nu visit of 1952 and the boycott of Lok Sabha and Assembly election. These historical and political difference, misunderstanding, discord and attempt through coercive integration in the earlier phase of the conflict resulted to the violent contestation between the Government of India and the Nagas.

Next it is also important to note that both the state are formed and integrated on controversial and critical political circumstances with its own peculiarities. While the state of Jammu and Kashmir is a byproduct of the partition of India and the consequent raid of the Tribal, on the other hand, the formation of the state of Nagaland also soon takes place after the Chinese Aggression of 1962. At the same time both the states occupy an important territorial space, geo strategic frontiers and politics that has an international ramification.

Then, the aftermath of 1971 war and the consequent Independence of Bangladesh is another important political event that impacts that shaped the politics of the Indian state especially within the context of Nagaland and Jammu and Kashmir. Accordingly, while the Shillong Accord of 1975 is construed by the Indian state as the beginning of the process of integration of Nagaland within the Indian Constitution, on the other hand the Sheikh-Indira Accord of 1975 is deemed as the consolidation and justification of the post 1953 Accords and amendments within the context of Art. 370. However, interestingly, both the public of their respective state at large consider their own agreement as a sellout of their respective rights.

This in turn paved the way for the formation and emergence of a strong nationalist movement in case of the Nagas under the banner of NSCN (IM) for self determination. The consequent rise in the popularity of the movement and influence within the Nagas and abroad and along with the change in the nature of the global politics compel the Indian state for a process of negotiation that later fructify with the

signing of the Ceasefire Agreement in 1997. Whereas in the case of Jammu and Kashmir, the test of the integration process through electoral politics failed to consolidate due to democratic deficit that take place in the form of rigged election of 1987 along with the erosion of autonomy.

Another important analysis of the nature of the history of conflict between the Government of India and the Nagas is that owing to the failure of military approach or the coercive methods of integration and violent contestation bereft of delving the core contentious issues in conjunction with the change in the global and national politics led to democratic process of negotiation for conflict resolution. On the other hand, the failure to integrate and consolidate the state of Jammu and Kashmir within the democratic process manifested in the form of democratic trust deficit, erosion of autonomy and corruption paved the way for militant phase of resistance for self determination, militarization and securitization in the state of Jammu and Kashmir

Following which, in the case of the Nagas since the ceasefire of 1997, the militant organizations especially the NSCN(IM) and other militant groups in conjunction with the civil society undertake democratic processes of dialogue, negotiation and mediation for conflict resolution. At the same time it has entered into a phase of better understanding and recognition between the conflicting parties as exemplified in the unique recognition of the history of the Nagas in 2003 and the signing of Framework Agreement in 2015. Moreover it seeks to resolve the issue by delving the core contentious issues through the principle of mutual reciprocity and mutual interest.

On the contrary, the trust deficit in the Indian democratic institution especially in the aftermath of 1987 election and at the same time, the erosion of autonomy granted through the Art 370 led to the process of militant resistance and assertion for self determination in the state of Jammu and Kashmir. In addition the bilateral conflict with Pakistan in the form of nuclear race, Kargil war, cross border terrorism and the incident of 9/11 has intensified the process of militarization and at the same time polarization of the region as a contested geo political and strategic space. Moreover, various confrontations like the Uri attack, attack on Pathankot airbase, Surgical strike, Pulwama attack on Army convoy on 14th Feb. 2019, and the consequent air strike and

the escalation of tension between India and Pakistan³ in the recent past reflects the political climate of the intensification of conflict. This prevailing political unrest, conflict and cycle of violence have not only led to the normalization of violence but also create political tension and violence in the region.

Analysis of the Accords and the Peace Process

Another way of understanding the nature of the conflict and the process of integration is to compare and analyse the nature, content and the outcome of the Accord and the conflict between the two states.

Following which, there have been various measures and numerous agreements undertaken between the Nagas and the Government of India to tackle the long standing conflict. Some of the notable Agreements include are the Nine Point Agreement, First Cease Fire Agreement in 1964, Peace Mission Proposal, Shillong Accord of 1975, Second Cease Fire Agreement in 1997 which was revised on January 13, 2001, 'recognition of the unique history of the Nagas' and 'Framework Agreement' of 3rd August, 2015. Besides, there is an ongoing peace process with the NSCN-IM along with other NNPG's and Government of India (GOI).

Similarly, different agreements and accords were signed between the Indian state and Jammu and Kashmir. However, there are also accords between the Indian state and Pakistan as well. The important accords related with the issue of Kashmir include The Instrument of Accession of 26th Oct, 1947, Delhi Agreement of July 1952, Shimla Accord of 1972, Indira-Abdullah Accord of 1975 and Lahore Declaration of 1999.

In addressing the question of peace process on a comparative note, it is noteworthy to mention that one of the important features of the state of Nagaland in

³ The political conflict and tension between India and Pakistan has over a period of time in the recent past intensified with attack and counter attack from both the countries. This is primary over the very question and the conflict over the state of Jammu and Kashmir. Though the Line of Actual Control (LoC) is assumed as the de facto boundaries between the two countries, yet the continued violence especially in the form of cross border terrorism from the state of Pakistan as a safe haven has accentuated the tension especially after the Pulwama attack on the Indian army convoy on 14th of Feb. 2019 by the Jaish -e-Muhammad based in Pakistan. This in turn has escalated the tension between the two countries that compel the Indian state to pursue an air strike on the training centre of the terrorist in Balakot. Consequently, there was a counter air strike from Pakistan that finally intensified the conflict between India and Pakistan.

the process of signing the various Accords and Agreement is the role of the civil society of the Nagas in the process of conflict resolution. This is manifested in the active engagement and support for democratic process of dialogue and negotiations from various civil societies like the Church, Naga Mothers Association (NMA), Naga Hoho, Naga Peoples Movement for Human Rights (NPMHR), All Naga Student Association of Manipur (ANSAM), Naga Student Federation (NSF), United Naga Council (UNC) and Naga Student Union Delhi (NSUD) for a meaningful and durable conflict resolution. It is important to mention that when the political conflict, violence, militarization and disorder deepens in the 1950's, Naga Peoples Convention (NPC) shoulder the responsibility to mediate between the two conflicting parties and in the process facilitated for the creation of Nagaland state in 1963.⁴In the similar note, civil society especially the Nagaland Baptist Church (NBC) pressed for peace and resolution of the conflict on account of the persisting conflict, violence and tension. Following which, 'Nagaland peace Mission' was formed in April 1964 as a neutral body to mediate for peace and a just solution. Accordingly, on 24th May 1964, the first Ceasefire was signed between the Government of India and Federal Government of Nagaland to facilitate the peace process of negotiation to resolve the pertinent conflict.⁵ Again, it was the civil society through the Nagaland Peace Council (NPC) to a large extent responsible for the signing of the Shillong Accord in 1975.⁶

However, it is quite important to take into consideration that despite the positive contribution of the civil societies in paving the way for democratic peace process and non violent methods of delving the conflict, yet there are limitations within the role of the civil society itself especially within the context of the Indo-Naga conflict. As a result, on a critical analysis, it also seems to hints that they failed to take into account the comprehensive, complex and holistic nature of the conflict and in the

⁴The Naga People Convention as a civil society is formed in 1957 by a few concern Naga leaders to facilitate peace and democratic process of resolving the conflict. The effort led to the signing of the 16 point agreement that resulted in the creation of 16th state of Nagaland in 1963. However, it is important to note that effort of NPC to bring the Naga revolutionaries to bring to the negotiating table failed due to the differences between the underground Nagas. Thereby, the NPC took a centre stage and played a crucial role in the signing of the 16th point Agreement.

⁵Despite the failure of the Naga Peace Mission to resolve the conflict due to the rigid stance of both the conflicting parties, yet it was successful in mitigating the tension and at the same time it stress the importance of peaceful democratic process as a mean to deal the complex issue by keeping the mutual interest in mind for a durable peace and solution.

⁶Once again the Nagaland Baptist Church initiated and persuaded the Government of Nagaland and the Naga revolutionaries to a negotiating table. Hence in 1974 Nagaland Peace Council comprised of Church Leaders and Sarvodaya Peace Observor that consequently paved the way for the signing of the Shillong Accord in 1975.

process seek to address the sectarian interest and temporal solution as a sort of a reactionary politics as reflected in the perpetuating nature of the conflict. At the same time, the negligence of the mediatory role as well as the non violent means of settling the dispute as advocated through the civil society has in the course of the history of the conflict not only cost huge loss of life, resources and property but also took another three more decades to sign the 2nd Ceasefire agreement in 1997 since the signing of the 1st Ceasefire Agreement of 1964.

Following which, taking the importance and relevance of the above into consideration, the various civil societies like the Naga Hoho, NMA, NSF, ANSAM, NSUD, frontal organization along with the Churches continue to support and play a crucial role in peace process and search for solution. Moreover, sensing their limitation over their role in the past, the various civil societies are cautious of their role and in the process realised the urgency and the need for reconciliation and understanding not only within the various factions and Naga National Groups but also among the various civil societies in order to play more effective mediatory role in peace building for durable and just solution. As for instance, the Forum for Naga Reconciliation and the NMA also initiate various consultative meetings with Naga National Groups and civil societies.⁷ Moreover, the importance of the civil society of the Nagas lies in the fact that they continue to play a crucial role especially in the advocacy for peace and honourable solution as exemplified in the celebration of Naga Day on 10th Jan. 2018 and Global Naga Mass rally (GNMR) on 23th Feb. 2019.⁸ Accordingly the various civil societies pressed for a definite time frame to

⁷The Forum for Naga Reconciliation (FNR) was formed on 24th Feb. 2008, with the support of 39 Naga Frontal Organisations, the Nagaland Baptist Church Council (NBCC), and the Council of Naga Baptist churches (CNBC). The forum was formed with the intention to mitigate the intense inter factional division, violence, suspicion and distrust. Instead it seeks to provide the platform to build bridges for better understanding, mutual respect reconciliation and genuine forgiveness within the Naga society in the quest for peace and conflict resolution. Thereby, various covenants of reconciliation and agreements materialized which in a way has brought not only reduction of violence but also brought better understanding amongst the Naga National groups and also within the society. Similarly the Naga Mother Association facilitates and supports the reconciliation and at the same time interrogates the very nature and the content of the peace process as to whether it encapsulates the very question of gender justice in the attempt to arrive towards an honourable and just solution. The argument and the standpoint of the NMA is based on the interaction of the representatives of the association with the Naga Scholar Association in 2017.

⁸On January 10, 2018, the Nagas without Borders come together to celebrate the Naga Day to commemorate the submission of the Memorandum of the Naga Club to the Simon Commission on January 10, 1929. At the same time it is also noteworthy that on 23th Feb. 2019, thousands of the Nagas participated in the Global Naga Mass Rally with the support of various civil societies and frontal organizations like the Naga Hoho, NMA, NPMHR, Nagaland Tribal Council, Naga Student Union

resolve the protracted conflict and at the same time construed the delay in the peace process as denial of justice. Hence, the civil societies seek to intervene and address the grievance through public mobilization like the Global Naga Mass rally (GNMR) which “call for immediate political solution which is honourable and acceptable.”⁹ Sensing the pressure of the civil society, the interlocutor of the Indo Naga conflict R.N Ravi, call for a consultative meeting on 26th and 27th of Feb, 2019, with the civil societies of the Nagas. However, the Naga Hoho, which is the apex organization of the Nagas and the Naga Student Federation (NSF) boycotted the consultative meeting on the ground that various meeting of such kind has not fructify into any concrete solution.¹⁰ Following which, R.N Ravi in a press report mentioned that the delay on the final solution is due to the differences on contentious issues like the flag and the Constitution.¹¹ Hence, the civil societies of the Nagas indeed play a crucial role in the mitigation of tension and in the process of the conflict resolution.

Similarly there is a vibrant civil society in Kashmir like the JKCCS, ADPP, HRO and Kashmiri Bar Association. It is interesting to note that these civil societies mostly confine and deal with the violation of the human rights as the Government is not subjected to scrutiny from these organizations. As for instance, the Jammu and Kashmir Coalition of Civil societies(JKCCS) in alliance with the Association of Parents of Disappeared Person has played a crucial role in the reduction of disappearance, creating awareness of state impunity, documentation of crime and at the same time open up a space for debate and discussion. However, their capacity for the deliverance of Justice is limited as the impunity of the state is exercised through

Delhi (NSUD). It is important in the sense that these civil societies protest against the prolong peace process and the political conflict that has lasted for more than six decades and thereby demand an early solution that is just and honourable.

⁹The Global Naga Mass rally from Mandi House to Parliament Street, New Delhi took place on 23th Feb.2019. Thousands of Nagas participated with a clarion call for immediate political solution that is acceptable and honourable. The civil society through this rally critically interrogate the delay and outcome of the peace process and in the process caution the state to not take the patience of the civil societies in particular and the Nagas in general for granted as the delaying tactics would surely worn out the patience of the Naga society especially the younger generation. Here the frontal organizations call for a specific timeframe for solution and not merely used the political conflict and issue for electoral politics. Likewise, the president of the Naga Scholar Association termed the delay as “the longest denial of justice”.

¹⁰The importance of the role and the participation of the civil societies lies in the fact that due to the apprehension of the civil societies over the delay, it in a way compelled the state to call for a press conference where in Ravi mentioned that the delay is due to the tension and disagreement over certain symbolic issues like constitution and flag.

the Court Martial route and Administrative Tribunal.¹² In addition, since the Jammu and Kashmir Bar Association is a non statutory body, its role is mostly confine to jail visit and documentation despite some active personal engagement with the cause of human rights. Thus, their influence on the institutional resolution of conflict over political concerns is minimal and at the same time largely confined within Srinagar. On the contrary, the intense militarization processes and the consequent common victimhood and alienation has not only paved the way for wide public and community participation in protest against the state but also led to the process of mass mobilization and polarization for separation and self determination. This indicates the resistance and existence of the active public outside the democratic institution as exemplified in the mass participation in the funeral of BurhanWani.¹³ Further, the grievance is also manifested through the electoral boycott on different occasions.

Following which, the predominance of the security framework of integration has in the process rather led to psychological alienation and resistance.¹⁴ The cycle of violence in turn heighten the political discord and resistance to the very process, method and policy of coercive integration.¹⁵ It is also argued that the political integration of Jammu and Kashmir never take place on the ground that the uniqueness of history and culture and the related special provision of Art 370, that intend to safeguard the rights of the Kashmiris was not adhered to as per the intend of its letter and spirit. Instead the militarization and the negligence of the democratic credentials have provided the impetus for further radicalization devoid of political space for confidence building measures (CBM).¹⁶ The political reality and situation in Kashmir

¹²The analysis and the point of argument is based on the discussion and interaction with the human right activist and Jammu and Kashmir Coalition of Civil Societies (JKCCS) on 14 the of April, 2017. It is stated that despite thousands of CBI investigation on the state excess, atrocities and violation of human rights especially army, it mentioned that only a handful of fair investigation takes place.

¹³Based from the article, “Burhan Wani’s Death and a year of living Dangerously”, *The Hindu*, July 8, 2017. This also unfold the complex overlapping nature of the social as political in the form of assertion for self determination through funeral. Moreover, it depicts the contestation and the tension between cultural nationalism and the secular discourse. It is also argued that the conflation between the social and the political to an extent emerge of the trust deficit in the democratic process and the mainstream political parties of India.

¹⁴This is based on the field work interview with Yasir Ashraf, Journalist and co-editor of Greater Kashmir on 12th of April 2017 in Srinagar. He is of the view that the very state strategy of integration as a failed process despite the claims of citizenship from the Indian state in a meaningful sense.

¹⁵As per the statement extracted from one of the interview in the field work, it mentioned that the Majority of the Kashmiris want a unified and independent Jammu and Kashmir. While some section wants integration with Pakistan and others with the Indian state.

¹⁶With reference to the interview that is conducted on the question of integration of Jammu and Kashmir, according to Yawar Hussain a journalist of Rising Kashmir on 10th of April, 2017, the

has deeply affected the youth and the students in particular because of the violence and the prolong conflict. Frequent call for bandhs, hartals from different groups both the government and the militants have destabilized the educational institution. This has led to the incompleteness of the syllabus and at the same time gradually deteriorated the quality of education. This in turn kills the aspiration of the youth and their future. It also limited their life prospects, chances and opportunities leading to unemployment. Eventually, their frustration, alienation, anger and despair made them an easy target for militant groups to induct into their system. In addition, the unrest from the conflict between the state and the separatist also led to the limitation of freedom of speech and expression, movement and access to internet.

Thereby, it shrinks, restricts and curbs the democratic space especially for the youth and the students for public debate which eventually provides an easy outlet for violent resistance.¹⁷ This eventually perpetuates the conflict and also reflects the nature and the impact of conflict in the society. One of the consequences of this political tension is the migration of students across cities for better educational facilities and infrastructure.¹⁸

In addition, the centrality of the youth in the conflict zone especially in the state of Jammu and Kashmir lies in the fact that they are an active agent of conflict through the process of radicalization and at the same time they bear the brunt of victimhood due to the state policy of containment through militarization. Therefore one of the important challenges is how to engage with the youth who advocate and assert for Azaadi through militancy. This also relates to the question of political economy, aspirations and unemployment. As a result, on account of the interface with

process of political integration in a substantive sense was never realized as exemplified from the rigged election of 1987 electoral politics that sharpened democratic deficit and alienation. Following which, the militant phase and the state approach to contain the same through militarization has in the process widened the political conflict. The stone pelting and the violent mode of resistance is deemed as the failure of democratic process of confidence building measures to resolve the contentious issues.

¹⁷According to the interview with Shahid Ali Khan, Cultural Officer of the Youth Wing of the University of Jammu and Kashmir on 17th April 2017, he mentioned that despite the laurels, potential and talents of the student, the political unrest, hartals, bandh and strike has to a large extent deteriorated the education system and the democratic platform for debate and learning and instead paved the way for violent protest.

¹⁸The point of argument and the existing reality of the youth in particular are based on the narrative and the account of the interview and discussion with different individuals and groups during the field work on April, 2017. Despite the differing nuances and specificity on why the youth both the educated and the less educated enter into the militant organization, yet there is a sort of common consensus that militarization, alienation, bandh, unemployment, lack of opportunities and common victimhood paved the way for violent mode of protest in the form of stone pelting and militancy.

the conflict, violence and militarization it resulted not only to the lost of many lives but also led to psychological trauma and physical disorder to the youth in particular and many other people in general as well. This in the end resulted to the violation of human rights¹⁹ in the region.

Similarly, women in the conflict society and conflict zone lament of double oppression and injustice both from the parties to the conflict and at the same time at the domestic or private sphere. Next, they expressed and voiced their grievances by stating that their contribution were not acknowledged and recognized. The importance of women question arose on the ground that despite the existence of many civil societies yet there is an absence of organized entities not only for non violence and democratic method of resistance but also for peace and gender Justice. The larger question arose as to how can a civilized being remain adamant and silent to the cycle of violence that take life on routine basis? Another important development especially in the state of Jammu and Kashmir is the increasing polarization of women and at the same time experiences the common victimhood of near and dear ones due to the excessive militarization and the cycle of violence. This in turn paved the way for their active participation that is reflected through their presence in their mode of protest even in the form of stone pelting.²⁰

Taking the above into consideration, the increasing presence of women on the street against oppression as an act of resistance is indicative of the Indian state, the government of Jammu and Kashmir and the militants groups to rethink critically the harm and injustice that is inflicted on the women in particular and other victims in general and help us persuade of the urgency to solve the problem at the earliest in the interest of peace, gender justice and conflict resolution. This imbalance in the form of representation, recognition, distribution and decision making has in turn necessitates the need for social inclusion, institution and social reform. This also brings into

¹⁹This line of argument and analysis is based on the interview conducted with Dr. Nasir Hussain, President of Dr. Association in conjunction with the similar views that is held by different interviewee. He stated that the pellet guns used as a crowd control as lethal and fatal which has a grave consequences that amounts to violation of human rights. It had caused psychiatric disorder, post trauma, increase in mental disorder with suicidal tendencies. The pellet guns have cause death, blinded more than 1500 and at the same time cause disruption of vision to many.

²⁰The confrontation, militarisation and the radicalization of the region has in the process negated the democratic space. This shrinking of the democratic space can be seen in the active participation of women resistance in the stone pelting.

account the importance of the special role of the Naga Mother Association in the mitigation of violence and advocacy for dialogue and peaceful conflict resolution.

Another important characteristic feature on a comparative account is the role of religion in determining the impact of peace and conflict within the society. While in the case of the Nagas, the churches play a significant role not only as a facilitator and agent of peace, but also advocate for conflict resolution through the path of non violence. However, in case of Jammu and Kashmir, though the Mosque acts as a source of strength, unity and comfort from the common victimhood of violence, alienation and political conflict, yet it seems to have little impact on the peaceful and democratic process of resistance.²¹ Next, it is also important to note that there is no direct territorial link, influence, affiliation and connection between the Nagas and its neighbor especially with China on religious ground. As a result, the civil society especially the Churches is cautious, critical and apprehensive of Chinese proximity and interference in the internal matter of the state of Nagaland and the Nagas. Whereas, the partition of India on the basis of religion has a bearing and implication on the discourse of the conflict in the state of Jammu and Kashmir in the post independence in the sense that there is an element of corresponding religious affinity with the state of Pakistan.²² Then, the electoral politics in the state of Jammu and Kashmir has also further polarized, communalise and divided the loyalty of the society along religious lines especially between Jammu region and Kashmir region. However, this does not necessarily discount the political history, secular identity and the Kashmiri identity of the people of the region as a whole.

It is also quite important to note the role of media as a fourth estate especially in a conflict zone to examine as to whether it contributes in the perpetuation of the conflict

²¹There is indeed a strong cohesion of the society based upon the religious belief and unity. The religiosity and the strict observance of rituals imply the importance of religion and institution in life of the Kashmiri society. However, the question as to how far the religious institution plays a crucial role in the process of mitigation of violence through the advocacy of non violence seems blurred as certain events like the stone pelting also takes place after the Friday Namaz. This in a way also indicates the complexity and the challenges as to how to demarcate the interface and the overlapping nature of religion and politics. Following which, the shrinking of democratic spaces in the conflict zone could facilitate as Machiavelli argued in his book "The Prince", the possibility of introducing arm at ease in such a social and political climate.

²²Despite the religious affinity with the neighbouring state, it is also important to take into account that the state of Jammu and Kashmir integrate with the Indian state on the condition that special provision and safeguard would be guaranteed within the Union of India. Further it also argued that Sheik Abdullah and the people of Jammu and Kashmir opted for India as a secular state in preference against the autocratic state of Pakistan.

or mitigation of tension. Or in other word, whether they disseminate fair, dispassionate, reliable and authentic information to the society or manipulate the information for narrow and short term corporate gains. Firstly, media has the capacity to construct people's perception and certain identities through a process of othering. Accordingly, certain communities like the Muslim are stereotyped and typecast especially by generalizing them as violent, aggressive, fundamentalist and terrorist. The general perception of the Indian state as well to large extent fall into the trap of such categorization and in the process generalize the whole of J&K and the people as violent and at the same time typecast the space as a location of permanent unrest and hence the justification for the militarization, torture, killing and the violation of human rights.

While on the contrary, this is a misrepresentation of the people and region as a whole. Despite the presence of violence, protest, stone pelting and encounter at some places, there are normal activities, life and law and order at many places.²³ The politics of propaganda and misrepresentation to a large extent is due to the role of media in the construction of negativity, irresponsibility, generalization and rhetoric nationalism and at the same time on account of the politicization of media to garner viewers. Following which, in a conflict zones like Jammu and Kashmir and Nagaland, the media has a tendency to be biased, selective, exaggerate out of proportion and spur up public emotions to increase viewership. Further, another glaring blunder that the media indulges is the emergence of media trial as a court wherein it decides every issue instead of being a facilitator and dissemination of information for public reason. Thereby, it deprived the viewers and the public of informed choice and the freedom to choose and critically decides on their own. As a result, due to this generalization, the people of the conflict zone in particular viewed the media as an enemy of the periphery, the marginalized and the minorities.

²³The general narrative and perception of the people from the mainstream towards the peripheral identity is often to a large extent shape by the construction and generalization of the identity through the media. This process of typecasting and misrepresentation especially the whole people in the region often promotes and intensifies conflict and violence. However, on contrary to the popular narrative, there are many places, districts and region like Jammu, Ladakh and Srinagar within the state of Jammu and Kashmir where normal activities, business and transaction that takes place on regular basis apart from the sporadic violent incident that takes place in different pockets of the state. Further polarization and communalization of electoral politics also in a way further deepened the conflict. In the same manner politicization of media through the selective portrayal of certain fact from certain media channel or even the absence of media report on the conflict zone like Nagaland and the North East as well has further not only deepen misunderstanding but also misrepresent certain facts, truth and identities which in a way contributes to perpetuate conflict.

On the comparative study of the important accords between the Government of India with both the states of Nagaland and J&K, it is also seen that while in the case of Nagaland, prior to the peace process of 1997, Accords simultaneously operates as a strategy of integration along with the process of militarization. While in the case of J&K, the accords are signed not only with the leader of the Kashmiris as an arrangement for integration within the constitution of India but also with the state of Pakistan as a process and an attempt for conflict resolution

In addressing the peace process, the challenges to probe further arose as to what the Peace process and the Accord really implies? In doing so, it in a way will help to find out the paradox to unfold as to whether the signing of peace processes and the agreement that is undertaken can be considered as the culmination of the pertinent conflict. The complexity largely emerges on account of the enormous time and the resource involved in the democratic peace process in the quest for solution along with the very perpetuation of conflict. Thereby, on comparative account, it hints that since the signing of the Ceasefire and the Peace Process there has been reduction of violence in the state of Nagaland. Moreover, on a positive note, the public endorse the peaceful methods of dealing the long protracted conflict. However, the Naga society at large are increasingly apprehensive of the process, nature and the outcome of the conflict resolution on account of the delay, non-materialization and non-resolution of the persisting conflict.

Similarly, the Accords with the state of Jammu and Kashmir were signed as a special safeguard and at the same time as a process of integration and conflict resolution. Yet, the questions and challenges of democratic trust deficit, sanctity of the special provision and the erosion of the same, corruption and the consequent militarization of the region and cycle of violence that dominate the political discourse have in a way seems to have cast a shadow of doubt over the very methods of peaceful democratic process. This in a way implies the complex, multifaceted and the contested meaning of the very politics and rationale of the peace process.

Thus the signing of the accord could simply imply perpetuation of the conflict or metamorphosis into other form.²⁴ While, some view the Agreements as a

²⁴Samir Kumar Das, *Peace Processes And Peace Accords*, ed.in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 13.

“technique of governance”²⁵, other looked it as terrain and a subject of “contested meaning.”²⁶ Thereby, it depicts the very ambiguity, vagueness and the contested nature of the Accord and Agreements. Hence, this peace processes do not necessarily implies the integration and conflict resolution per se rather the substantive outcome would determine the nature and the course of the conflict in both the states.

In a nutshell, while in case of Nagaland, though there are political tension, contestation and sensibilities over core contentious issues along with the extra judicial measures, simultaneously, there is also an ongoing democratic process of negotiation and dialogue for resolution of conflict and integration. This is exemplified in the vital role that the Naga civil societies played in the mitigation of tension and support for peaceful approach to resolve the conflict. On the other hand, the gradual erosion of autonomy, democratic trust deficit, polarization and mass mobilization has led to the intensification of militarization and securitization of the conflict in the state of Jammu and Kashmir. However, another important point of contentions over the nature of the Accords and Agreement as a process of conflict resolution and integration in the state of Nagaland lies in the fact that there are multiple views over the very process and the outcome of the Accord owing to the delay, non-resolution and persisting conflict. Therefore the challenges and the criticality lies in how the contentious issue would be resolved in a substantive and meaningful ways. On the contrary, the state of Jammu and Kashmir proceeds from the phase of integration through the special provision towards a moment of departure on account of the violation of the sanctity of the contract, encroachment and non adherence to the democratic processes and credentials. This also contributes and paved the way for violent methods of resistance for self determination.

Federal Dynamics and the Question of Autonomy

To begin with, it is important to note that the analysis of the accords and agreement cannot fully comprehend and capture the very question of integration, autonomy and democratic challenges. Following which it necessitates the comparative study of the state of Nagaland and Jammu and Kashmir on the very issues of federal relation,

²⁵Paula Banerjee , in introduction to section II entitled “ Peace As Process” in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, (New Delhi: Sage Publications, 2005), 118.

²⁶ Ibid.

dynamics and the challenges within the very context of integration and autonomy. Thereby, it demands critical examination and understanding of the special provisions of Art.371A and Art.370 that pertain to the state of Nagaland and Jammu and Kashmir respectively.

Therefore in the light of the discourse on the federal relation between the Indian state and the state of Nagaland, it is important to mention that the constitution of India through Art 371A provides special provision as a form of federal arrangement for the state of Nagaland. Accordingly, the centre state relation and the autonomy of the state is protected and safeguarded from the interference and encroachment of the Indian state. However, some of the issues and tension within this provision in the state of Nagaland in recent times has revolved around the question of the ownership of mineral resources, demand for separate state from the ENPO, Inner Line permit of 1873 and controversy over the ownership of land and inheritance.

However, despite the seemingly relative stability of Art 371A, it is noteworthy to see that this special provision to a large extent failed to incorporate the interest of the Nagas as majority of the Nagas live outside the state of Nagaland and at the same time their rights are not protected and safeguarded within the Federal provisions of the Indian constitution. The challenges and limitations of this special Federal provision of Art.371A are expressed in the form of demand for the integration of the Naga inhabited areas. Still other argues in the form of special Constitutional Provision and safeguards for the Nagas living outside the state of Nagaland in the state of Arunachal, Assam and Manipur for recognition, representation and redistribution against exclusion, marginalization and minoritisation. Further the persisting political conflict over the question of sovereignty and territoriality of the Nagas with the Indian state still remain unsettled though there are attempts and negotiations to solve the pertinent conflict as a form of federal solution within the framework of shared sovereignty.

Similarly, just as the state of Nagaland is protected and incorporated in Art 371A of the Indian Constitution, the state of Jammu and Kashmir is also safeguarded within the special provision of Art.370. Accordingly, this special article grant special privileges and rights to the people of J&K and at the same time it is taken as the basis for the centre state relationship. However, there has been a gradual erosion of

autonomy in the form of encroachment from the centre, deemed as a process of integration. Moreover, the interface of security and democratic processes in the form of electoral politics and conflict in the region over a period of time led to militarization and democratic deficit. Thus, the violation of the sanctity of the contract of the special provision, erosion of autonomy, democratic rights and the consequent resistance in a militant form has also led to the coercive method of integration. This approach of integration within the security paradigm has rather led to the securitization and militarization of the region. This in the process further intensified the conflict as manifested in the demand for self determination and restoration of the special status. Thus there is a strong demand for the restoration of pre 1953 provision and status against the subsequent erosion of autonomy in the name of integration.²⁷ However, there are still others who opine that the political conflict, situation and questions of Jammu and Kashmir as complex and slightly bleak where in the destiny and the outcome is reserved to history for viable solution. At the same time they also strongly advocate for economic development along with the political dialogue for conflict resolution.²⁸

It is also noteworthy to take into account that some other Federal contentions within the state of J&K relate to the very demand and struggle on the very questions of autonomy, rehabilitation of the Pandits, abrogation of Art.370 and Art.35A. This is also reflected in the demand for union territories from the Ladakh region and Jammu region as well. Another important issue that has generated a wide debate and contention in the current political discourse over the conflict in the region pertains to the Art 35A under Art.370 of the Indian Constitution which gives special privileges and right to the resident of Jammu and Kashmir. As a result, the validity and

²⁷Based upon the interview that is conducted over the political question of conflict and the aspiration of the people especially in the valley of Kashmir, there is a common call for Azadi. However, there also seems to be an ambiguity over the very meaning of the term to different groups which in a way mention of independence or integration with the state of Pakistan. Further, to many it also means the restoration of pre 1953 status and the restoration of autonomy. Moreover, the militarization of the region has necessitated the concern citizen of the region calling for the restoration of democratic space and political space in the form of safeguarding the right through fair provision and accommodation rather than perpetuating the process of coercive integration and assimilation. On conversation with a Professor from the Kashmir University, on 17th April, 2017, he remarked that the approach in dealing with the prevailing problem must focus on people centric that will ensure fullest development of personality through active participation and engagement rather than passive recipient and victimization of the people of the region.

²⁸The argument is based on the interview with some lecturers from the Kashmir University on 17th April 2017. Similarly the business community and Trader Association also express the desire for peace and development without discounting the political concerns.

constitutionality of this special provision was challenged in the Supreme Court and thereby, it demands the abrogation of the special provision of Art. 370.

However, there is strong resistance and support against the abrogation of the special autonomy from the various organizations, civil society and public at large within the state of J&K. At the same time the Supreme Court also seems to be extremely cautious of the outcome of the decision of the contentious issue as reflected in the deferment of the case though it argued and defended the delay in the final verdict on account on the upcoming Urban Local Bodies election. This necessitates the reexamination of the importance of the very nature of the autonomy both from the perspective of the Centre as well as the state of Jammu and Kashmir. In a nutshell, the interface of the grievance of democratic deficit, violation in the form of extra judicial measures, militarization and the conflict over Art 370 either in the form of erosion or abrogation of the same has become an important question over the centre state relation which in a way to a large extent determine the nature of integration as well as the demand for self determination.

Taking the above into consideration, within the context of integration, autonomy and federal concerns in a comparative framework, it pointed out that both the states have a Federal challenges with its peculiarities in different forms despite the special provisions guaranteed to both the states of Nagaland and Jammu and Kashmir. Further the persisting political tension, limitations and challenges of the special federal provisions in conjunction with the non allegiance of the same has turn out to be one of the most crucial and contentious issue that is related with the very subject of integration as well as the question of self determination. Thus, the manner and the approach in which these critical political questions are addressed will largely determine the very outcome of integration or intensification of the conflict for self determination and secession. Hence, the persisting conflict unfolds the reality of these political tension and challenges in both the states.

Considering the federal challenges and analysis of both the states into account, it seems to hint that there is a continued tension over the core political conflict. This in a way constitutes the fundamental basis for the persisting violence, struggle contestation and non resolution of the conflict in both the cases. Hence there are complexity and tension over the question of integration, autonomy, federal concerns

vis-a-vis the very question of self determination and sovereignty. However, there is a difference in the mode of engagement between the two states over the very nature of conflict. Thus, despite the peculiarities and the challenges between the two states yet on a comparative note, the art 371A seem to be relatively more stable than Art. 370.

A Comparative Account on the Political Economy of Development in Nagaland and J&K

(A) The Political Economy of Development in Nagaland

Since the Indian independence, the nature of the political economy of development and conflict in the state of Nagaland as a conflict zone has been mostly viewed from the prism of security. This is reflected in the process of the geo political mapping of the region within the framework of security with little consideration of the socio-political, history and economic practices of the region. The dominance of the discourse and policy of security paradigm is seen in the materialization of the term like the North East Frontier Agency (NEFA), Excluded Areas and Backward Areas, imposition of extra Judicial measures like the Assam Disturb Area Act of 1955, Armed Forced Special Power Act of 1958, violation of the human rights and the consequent reorganization and mapping of the North East region in the post Colonial India. This also implies the very notion of statusquosation of the region from the security perspective as a permanent frontier and peripheral space. Further, appointment of military General or person as the head of the Institution like the North East Council (NEC) and Development of North East Region (DONER) implies the dominance of the security over the concern of development.

Further, the strategies of the state for the development of the region are also based on the philosophy of North East Frontier Areas which is to let the region develop within their own pace and socio political and cultural setting. However, the irony is that this philosophy also runs along with the parallel process of deligitimisation and deinstitutionalization of the traditional notion of social, political and economic system of the region. This in turn led into a dependent economy from onceself subsistent economy. As a result, Nagaland political economy is a dependent one as it relies to a large extent from the funding of the central government in the nature of grants, schemes and subsidies.

However, since the change in the global and national politics with the onset of globalization, growth of the East ASEAN Tigers and the rise of China both in security and economic dimension, it also gave the impetus to look the conflict in the region with different perspectives beyond the security Paradigm. The shift in the nature of engagement and orientation in the region in a way illustrates the complex reality, interface and the interdependence of political, social, cultural, security and economic for the overall development of the region and economic integration with the South ASEAN states.

This shift in the nature from beyond the prism of security towards a more holistic approach with economic, cultural development and other aspects is reflected in the signing of many new economic, trade policies and agreements. Some of the notable agreements includes the ‘Look East Policy’ and the subsequent ‘Act East Policy’, signing of the Ceasefire Agreement of 1997 for democratic process of peaceful conflict resolution, Free Trade Agreements, MoUs, undertaking and approval of various infrastructural projects like the four lane highway that will connect Dimapur and Kohima and Official Development Assistance for connectivity in the region.

Further, the Free Trade Agreements with the ASEAN countries also specified further development of certain designated post such as Moreh and Champai in India and Tamu and Rih in Myanmar. Moreover, India has entered into many ‘bilateral and multilateral projects’ to enhance better connectivity with the North East and South East Asia like the 165 Kilometer of road project that link Tamu and Kalaymyo-Kalewa and at the same time held the ASEAN- Indian Car Rally in November, 2004.²⁹ Other important ongoing projects include the ‘Trans Asian Highway’, India-Myanmar-Thailand Trilateral Highway, Kaladan Multimodal Transit project, India Myanmar rail linkages, The Stilwell Road, Tamanthi Hydroelectric project, Myanmar-India-Bangladesh gas pipeline, connecting with the Sittwe port, riverine transport, ‘rail link from Jiribam to Hanoi through Myanmar’, to upgrade trade points at Rih-Zowkhatar in Mizoram and ‘Rih-Tidim and Rih-Falam road in Myanmar’ etc.

30

²⁹ Based on the article of Thongkhohal Haokip entitled “India’s Look East Policy”, Third Concept An International Journal of Ideas, Vol. 24, No. 291, May 2011

³⁰ Ibid.

Keeping the criticality and the importance of the above considerations in mind, the Indian state also seems to make serious attempt to develop and integrate the region in the recent times. This is partly reflected in the desire to rectify and reevaluate the flaws with the government policy and institutions like the North East Council (NEC), Development of North East Region (DONER), Federation of Indian Chamber and Commerce (FICCI) along with the promotion of start up in the Region.

Despite the various challenges, the relevance of the 'look East Policy' and the 'Act East Policy' lies in the fact that it will be crucial and fundamental in the overall development of the state of Nagaland and North East in particular and the Indian state in general. Moreover the successful implementation of the Act East and meaningful engagement with the South East Asian countries will also to a large extent depend on the removal of infrastructural bottlenecks that connect the North East with the region. Sensing these challenges, there is a shift in the nature of the state policy towards the region for more development and economic integration.

Therefore, taking all these development into consideration, the nature of the political economy of Nagaland also seems to shift its economic outlook from the traditional approach of inward looking local economy and transaction toward outward approach for economic integration, trade, exchange and development. This change in the political climate and economic openness for development and economic integration is manifested in the form of cooperation and collaboration for better connectivity like the ongoing construction of four lane highway from Dimapur to Kohima,³¹ signing of MoUs between Japan International Cooperation Agency (JICA) and India to avail 400 Cr as loan for Nagaland Forest Management Project³² and at the same time Japan also provide Official Development Assistance (ODA) loan of 2500 Cr for the North East Road Network connectivity improvement Project Phase (2).³³ Besides, the change in political climate for economic development is seen in the rise in tourism sector, promotion of start Up schemes from the government, signing of

³¹*The Economic Times*, May 23, 2013.

³² Extract from *The Morung Express*, April 6, 2017

³³*The Shillong Times*, April 4, 2018. Earlier, Japan had also provided an ODA loan of 4000 Cr for the development and improvement of the North East Road Connectivity Project Phase 1. Even in the future the country is willing to invest in the infrastructural development of viability road connectivity as contribution for the realization of North East as the Gateway for the South East Asian and East Asian Countries as a part of the Look East and Act East Policy.

MoU between the state of Nagaland and Maharashtra³⁴ for industrial development and organizing Nagaland International Trade Expo³⁵ for economic development. Another important development and economic engagement within the state of Nagaland apart from the concern of the Nagaland entrepreneurs focus on marketability is the launching of Confederation of India Tribal Entrepreneurs on May 7, 2018 under Startup India for more financial accessibility by linking the entrepreneur with the various financial institutions for economic activities.³⁶

Further, there is a surge in the entrepreneurial venture from the younger generation with various collaborations and MoU. Taking all these development and opportunities into consideration, it is increasingly moving towards the process of economic integration both at the national and international level. However, the question arose as to whether the people of region and the Nagas in particular would be able to translate these facilities into a reality. This drive towards the process of integration is not only seen as a part of economic integration but also as an attempt to resolve the pertinent political conflict through this economic framework of development. Nevertheless, whether this would lead to development and meaningful integration in a way would largely depend on how this economic, security, political and other concern were substantially addressed and resolved.

(B) The Political Economy of Jammu and Kashmir

The nature political economy of Jammu and Kashmir like that of the state of Nagaland is also to a large extent dependent on the state funding in the form of grant, schemes, loan and subsidies. Besides, Land reform under Sheikh Abdullah constitutes one of the important economic policy and development initiatives in the agrarian sector of the state of Jammu and Kashmir. As a result, this land reform in a way ushered in a more equitable distribution of land. Moreover, Tourism, horticulture and handicraft are some of the important sectors that contribute to the economy of the state apart from the government service revenue and investment. Further, apart from the various educational institutions like the IIT, IIM, NIFT, Colleges and Universities, the state of Jammu and Kashmir also have important industries such as silk textile,

³⁴This is with reference to the article published by the *Press Trust of India* updated on Dec. 4, 2014

³⁵ Eastern Mirror, 26 November, 2017

³⁶ Published in the *Morung Express*, May 5, 2018 with the article entitled "CITE Nagaland Chapter under Startup India to be launched".

carpet making and woolen textile, Jammu and Kashmir Entrepreneurship Development Institutes, Agro-based industries, Forest based Industries, Paper Mache and Cement Industry and Industrial Complexes.

However, the political conflict, violence, instability and militarization has not only deterred investment in the state but at the same time has also slowed down the growth of economy from these sectors over a period of time.

Thus, the predominance of the security framework over developmental concerns gets reflected in the existing political phenomena is manifested in the form of militarization, violence, bandh culture, polarization, securitization and stone pelting. This in turn resulted to the fall in the tourism sector, deters investment, stifled the educational system and eventually impacts the overall growth and economy of the state. As for instance, it is pointed out that since 1989 there is a decline in the tourism economy on account of the political situation with 4 to 5 months of hartal in addition to 6 months of winter in a year. This eventually crippled the economy of the state. Accordingly, the prior concern of the business community like the houseboat association is the restoration of political order; especially improve law and order and restore peace so as to revive their economy³⁷

Similarly, the Kashmir Traders and Manufacturing Federation which is another class or section of economic group also argued along the similar line. They also mentioned that on account of the political conflict, there was a continuous shutdown of business for 105 days in 2016. Yaseen Khan, the President of the Federation also stated that business has declined for almost 30 years. On the other hand he also mentioned that since 1990, gun culture and militarization has overshadowed the politics and the political economy of the region. Then from 2008 onward, the nature of conflict shifted from the gun culture toward stone pelting. He further argued that since 2008 till date there is a decline of 80% in business with total negligence on developmental work and infrastructure development. One of the implication of this policies and political economy has resulted into a situation where

³⁷As per the interview that was conducted with Abdul Majeed, who is an accountant in Houseboat Association on 14th of April 2017 in Srinagar. The Association also expressed their grievance on the state government for the restriction on the movement and renovation of their boat. They also argued that restriction on their interest is gradually checked through the reduction of houseboat from 13000 to 900 from the government order on the ground of decadence.

most of the new generation of the Kashmir society no longer want to engaged in business³⁸ However, he was of the opinion that the present economy is dependent to a large extent on employment in government service and horticulture.

In addition, there is massive decline and reduction in handicraft and shawl business transaction in term of volume and output from 3200 crore in 1990 to 1200 crore business. The business community is also of the apprehension that the government is unwilling to assist even the basic infrastructure on the ground of the existing political realities or deliberately sidelined on the excuse of political conflict.³⁹ Further, the government is also accused of the discriminatory approach towards Kashmir in favor of Jammu and Ladakh region in terms of infrastructure development like road, flyover, IIM and fund allocation. Then, it is alleged that various developmental projects and infrastructure undertaking are designed along the border for security concerns with little attention and consideration for the development of the region and the state as a whole. As a result, they want the government to view the government beyond the prism of security to reduce the militarization and political conflict and instead focus on the issue of development.⁴⁰

Moreover, this frequent and repeated bandh has to a large extent affected not only trade and commerce in particular but also tourism which is an important sector of the state economy. Besides, the education sector often comes to a halt for most of the months scheduled for learning due to the existing state of the affair. The prevailing situation of the educational system is illustrated from the very fact that the political economy of conflict, unrest and militarization both from the state and separatist has created a condition where a pattern of hartal for over 6 months followed by three months of winter and finally conducting the exam has in turn shattered and devastated the education system of the Kashmiris student. Consequently, there were instances of mass promotion up to class 8 due to the failure to complete the syllabus on the scheduled time lines. Similarly, even the higher educational system is also equally

³⁸This information is based upon the interview with Mohammed Yaseen Khan, President of the Kashmir Trader and Manufacturing Federation from the field work that is undertaken in the district of Srinagar on 14th of April 2017. He also mentioned that there has been no economic growth for the last 20 years. Moreover due to the adverse political situation many of the youth has resorted to migration instead of engaging in the business activities.

³⁹ Ibid.

⁴⁰ Ibid. Moreover, different people across section from Kashmir also accused the state of discriminatory and negligence in the region with respect to development.

affected owing to the non completion of the syllabus that eventually led to the selective framing of questionnaires for examination. This frequent bandh and hartal as a mode of protest and resistance has not only led to academic stagnation but also stifled the advancement and the development of extracurricular activities despite the availability of many potential young talents.⁴¹

Despite the setbacks, there are also efforts from the centre government to develop the region by undertaking certain important project of developmental work in the recent past. These projects includes the four lane Jammu-Udhampur highway, the completion of the India's longest Chenani-Nashri Tunnel in 2017 that connect Jammu and Srinagar, the under construction of the 14.2 km long Zoji La Tunnel that will provide all weather road and connect Srinagar-Kargil and Leh,⁴² the ongoing project of Chenab railway bridge, and various railway line that are operational and under construction.

Taking the above into consideration, despite the presence of institutions for growth, development and projects, the efficiency and the challenges will apparently illustrates as to how far the output is in proportion to the actual input for economic growth, development and employment. Moreover, the increasing public uproar on the issue of alienation and unemployment and above all the precedence of the political conflict, militarization and violence in a way have sidelined the very discourse and concern for the political economy of development in the state of Jammu and Kashmir.

However, though there is the dominance of the discourse of security and political conflict, yet there are also important challenges on the political economy of conflict and development. These tensions emerge not only out of the conflict but also due to the interface over security, development and political rights. The implicit nature of these contestations is manifested in the debate and the conflict over certain vital issues like challenging the constitutionality of Art.35A and the demand for consequent abrogation of Art.370. Similarly, there are other disputes like the sharing of the Indus Water Treaty of 1960. Though this treaty is seen as a model of conflict resolution between India and Pakistan, yet, it is negated and contested on the ground

⁴¹The following facts and argument is in accordance with the interview given by Shahid Ali Khan, a Cultural Officer in the youth wing of the Kashmir University on 17th of April 2000 from the field work that is undertaken in the Kashmir University in Srinagar.

⁴²Wikipedia accessed on 27th August 2018.

that there is a parallel politics of persisting violence and political dispute. It is also deemed as a question of environment, source of energy and human security that is crucial for irrigation and development within the state of Jammu and Kashmir.

Besides, another significant issue and controversies that has a geo political concern and implication on the political economy of India and the state of Jammu and Kashmir is the recent development of Belt and Road Initiative for infrastructure development from the Chinese Government. This development is taken as a threat to territorial integrity and sovereignty of India on the ground that it passes through the Pak Administered Kashmir. These expansion of the infrastructure of trade and the challenges of sovereignty and territorial integrity in turn also necessitates the need for rapid development of infrastructure in J&K especially infrastructure for economic and security concerns.

Further this development in the Pakistan Administered Kashmir would further demand an answer from the Indian state to .the problem of the people of Jammu and Kashmir in terms of challenges in trade, development, landlocked economy and closed border with the outside world. Thereby, with the rise and the challenges from the Chinese economic and political emergence, the issue and tension over political economy and geo political climate in the region would increasingly become more pertinent in the near future. This in turn will largely impact the political conflict, security, development and political economy of the state of Jammu and Kashmir as well.

In addition, other developmental challenge pertains to the matter of transparency and accountability and good governance. As for instance, the World Bank report mentioned that it is “unhappy over progress of infrastructure building”⁴³ out of its funded project that is intended for the construction of bridges, roads, and schools⁴⁴ within the state of Jammu and Kashmir.

⁴³The World Bank term the progress of the project as “unsatisfactory”. Further the Chief Executive Officer of the project also mentioned that out of the total allocation of 1500 crore, only about 30 crore has been spent. Based on the article from the *Greater Kashmir*, August 13, 2018.

⁴⁴As per the article that is extracted from the *Greater Kashmir* entitled “World Bank approves 500 crore project in J&K”, Dec 31, 2017.

However, the persisting tension and conflict over these concerns and the non resolution of the same has in turn accentuated and intensified the very aspiration for self determination and secession. Further, the prospect and the tension over the dilemma of security and development have also failed to address both the concerns adequately. Further, the absence of peace as a precondition for development has negated the very viable space for growth and development. Taking all these development into consideration the important question lies in how to translate those projects, potential and human capital into a development for the well being of the people of the region and security of the state as a whole. This in a way, do not discount the political nature of the conflict. On the contrary, it unfolds the interface of politics and the processes of how political economy is also embedded in the conflict. Thus, it also points to a large extent the importance of the developmental process and resolution of the persisting conflict in delving with the complex question of integration as well as the very demand and resistance for secession and self determination.

On the whole, a comparative account between the state of Jammu and Kashmir and Nagaland shows that while in the state of Nagaland , economic and development paradigm are also pursued beyond the prism of security by the Indian state for more economic integration with the region of the North East and with the South East Asian countries. While in the case of Jammu and Kashmir, despite the effort of developmental project and policies, security framework is still central to the very discourse of development

Thus, the comparative account on the political economy of conflict and development between the two states of Jammu and Kashmir and Nagaland in a way seems to hint that the latter is moving more towards the process of economic integration than the former.

Further, the study within a comparative frame indicates that the state of Nagaland seems to be moving closer towards integration through a democratic process of dialogue, negotiation for peaceful conflict resolution than the state of J&K. This is also to an extent manifest by the prevailing political climate, tension and environment in the recent past such as the attack on Indian Parliament of 2001, Uri

attack, surgical strike, attack on Pathankot airbase, Pulwama suicide attack on the CRPF convoy on 14th February, 2019, the consequent army operation and airstrike in Pakistan. Further, the counter airstrike from the Pakistan and the escalating tension with the absence of mutual trust, dialogue and negotiation in conjunction with the continued violence implies the political tension and state of nature in Jammu and Kashmir.⁴⁵

Hence, taking all the above analysis into consideration on a holistic approach, the comparative study of the two states of Nagaland and Jammu and Kashmir on the nature and the process of the political history of the conflict, the examination of the democratic process of Accords and Agreements, Federal polity and the political economy of development, despite the commonalities along with its specific peculiarities in a way seem to hint that the state of Nagaland seems to be moving closer to a process of integration and conflict resolution than the state of Jammu and Kashmir. Further, despite the challenges and the persisting conflict, the democratic processes of engagement, ongoing consultation process and the effort from the organization of different civil societies of the Nagas in a way hints the process of integration and reconciliation. However, this does not necessarily mean to be discounted as integration per se rather, it is indicative of the process towards integration. As a result, meaningful integration will largely depend on how the pertinent conflicts are resolved in a substantial manner. At the same time, the manner in which the contentious issues are judiciously addressed will also largely determine the nature of engagement with the conflict from both the conflicting parties as past historical experiences have shown.

However, it is significant to take into consideration that despite the commonalities and similarities between the two states, there are limitations, peculiarities and specificity of its own in the very nature of this study within a comparative framework. Thus, the proposed studies that undertake a comparative approach for this research duly recognize and acknowledge the limitations of this study. Further, for the purpose of clarity, the nuances, specificity and the differences

⁴⁵Abhinav Kumar, "Soldiering on, after Pulwama" *The Indian Express*, Feb 20, 2019.

that are embedded in the socio-cultural, identities and political settings also demands careful and meticulous study.

Besides, in spite of the application of the same policies and approach to a seemingly similar nature of the conflict, yet the outcome and the trajectory may vary due to different context, timelines lived experienced and political phenomena. As a result, it demands deeper introspection of the nuances that determine different outcomes or conditions that could lead to similar results especially within the context of integration.

Following which, despite the limitations it also brings to our attention as to how the study of these different themes, context, processes and the interface in a significant way not only provide better understanding and insight on the nature of conflict but also help to determine the nature and the outcome of engagement especially within the context of integration, autonomy and the State. Further, it also in a way shows that the democratic process of negotiation not only mitigates violence but also provides a space for peaceful resolution of the conflict. At the same time it also unfolds the complex reality and forewarns that the adoption of coercive methods towards integration within the prism of security further leads to the intensification of conflict, militarisation and violence which in the end negates the very process of integration and instead hardened the very demand for self determination and secessionism. Therefore, it in a way implies that pertinent and persisting political conflict demands political dialogue, negotiation and peaceful democratic processes for political solution.

Thus, the overall examination of the comparative study of Nagaland and Jammu and Kashmir shows that there are persisting political tensions and unresolved conflicts in both the state. It also stands as a statement of fact that the different strategies and measures adopted to tackle the issues leads to different outcomes. Hence, the manner in which these contentious issues are substantially addressed will largely determine the nature and outcome of integration.

However, this does not necessarily mean that the state of Nagaland and the Nagas are more integrated than the state of Jammu and Kashmir per se. Rather, it points to the significance of how different modes of engagement especially

democratic peaceful process and violent contestation could impact and lead to different outcome. Finally, it in a way also implies that a meaningful integration will substantially depend on how the contentious and substantive issues are deliberated, addressed and resolved within the democratic processes in a meaningful way.⁴⁶

⁴⁶ Despite the peace process that has been going on for so many years with many accords and the recent Framework Agreement that was signed on 5th of August 2015, there is no concrete outcome and resolution of the conflict. There is a continued tension over the contentious and contested issues on the symbolic questions like the flag, constitution and the president. The resolution of these issues based on shared understanding and mutual interest would be crucial in the final determination of the resolving the conflict. Further the NE region as a whole not only continues to exist as a sensitive and an important strategic terrain but also as a contested geo territorial and political space. The tension could be seen in the resistance, controversies and wide protest against the Citizen Amendment bill of 2016 in most of the states of the North East. The bill and the policy are seen as a process of demographic mapping and restructuring of the identity to construct minority of the inhabitants of the region. Further there are lingering disputes between China and India as manifested in military tension in Doklam and Arunachal. Thus, the nature of the political scenario of the Nagas in particular and the North East in general would largely depend on how the contentious issue are addressed and resolved in a substantive manner.

BIBLIOGRAPHY

- Aabedi, Zain-Ul-Aabedin. "Ladakh then and now", New Delhi: *Atlantic Publisher and Distributer*, 2015, Accessed: 28-05-2018 08:37 UTC
- Agarwal, Jai Shankar. *Economic and Political Weekly*, Vol.50. Issue. No. 16., 2015.
- Aier. Rev. Dr. Wati. 'article' in the book , *Nagas at Work*' New Delhi, 1996.
- Almond, Gabriel A. and Powell G. Bingham. *Comparative Politics: A Developmental Approach*, Bombay: Little, Brown and Company (Inc.), 1966.
- Austin, Granville. *The Indian Constitution: Cornerstone of a Nation*, New Delhi: Oxford University Press, 1974.
- Banerjee, Paula. "in introduction to section II entitled " Peace As Process" in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2000.
- Barker, Ernest. *Greek Political Theory: Plato and His Predecessors*, Delhi: Surjeet Publications, 2006.
- Barry, Brian. *Justice as Impartiality*, New York: Oxford University Press, 1995
- Baruah, Sanjib. *Durable Disorder: Understanding the Politics of North East India*, New Delhi, London: Oxford University Press, 2005.
- Basi, S.N. *Dr B.R Ambedkar, Framing of Indian Constitution, contains The Constitution of India*" Hyderabad: Ava Publications, 2015.
- Basu, Anuradha "Abrogation of Old Testament Art 370," *Nickled and Dimed*, Jindal School of International Affairs blog, posted in March 4, 2018.
- Basu, D.D. *Introduction to the Constitution of India*, Calcutta: Lexis Nexis, 2011.
- Behera, Navnita Chadha. *State, Identity and Violence: Jammu, Kashmir and Ladakh*, New Delhi: Manohar Publishers, 2000.
- Bhaduri, Amit. *Political Economy of Contemporary India*, edited by R. Nagaraj and S. Motiram, published by the Cambridge University Press, 2017.

- Bhandari, Proff. J.S. “foreword” *‘Nagas at Work’*, New Delhi, 1996.
- Bhattacharjea, Ajit. *Kashmir the Wounded Valley*, Michigan: UBS Publisher, 1994.
- Bhattacharya, Rakhee. “North Eastern India and its Neighbours, negotiating security and development”, 2018.
- Bhaumik, Subir. *Troubled Periphery: Crisis of India’s North East*, New Delhi: Sage Publications, 2009.
- Bhaumik, Subir. “The Accord that Never Was: A Critique of the 1975 Shillong Accord,” in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.
- Bhaumik, Subir . “Historic is still some way away” *The Hindu*, 27th August, 2017.
- Bhaumik, Subir. “The Accord that Never Was: A Critique of the 1975 Shillong Accord” in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 1999.
- Bose, S. *Kashmir*, New Delhi, 2003.
- Bose, Sarmila. “The North East Exception,” in review of *Durable Disorder*, *The Hindu*, November, 22, 2005.
- Brunner, Hans Peter. *North East India Local Economic Development and Global Markets*, New Delhi: Sage Publication, 2010.
- Carvalho, Edzia and Landman, Todd. *Issues and Methods in Comparative Politics an Introduction*, New York: Routledge Publication (Fourth Edition), 2017.
- Chakraborty, Sujit. “Special federal relationship’ final solution to the Naga imbroglio”, *Seven Sisters Post*, on 21 March, 2012 .
- Chatterjee, Shibashis. “Theorizing Peace” in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.
- Choudhury, Rekha, “Electioneering in Kashmir: Overlap between Separatist and Mainstream Political Space”, Source: *Economic and Political Weekly*, Vol. 43, No.28 (Jul.12-18, 2008), pp. 22-25, Publishedby: *Economic and Political*

Weekly StableURL:<http://www.jstor.org/stable/40277712> Accessed: 28-05-2018 08:28 UTC

Chowdhary, Rekha. "BJP's unprecedented victory in Jammu," *Economic and Political Weekly*, Vol.50, Issue No. 19, 09 May, 2015.

Chowdhary, Rekha. "*Jammu and Kashmir, Politics of identity and separatism*" Routledge Publication, New Delhi, 2016.

CITE Nagaland Chapter under Startup India to be launched, *The Morung Express*, May 5, 2018.

Corbridge, Stuart. "The Political Economy of Development in India Since Independence" published by *Development Studies Institute*, London School of Economics.

Daga, Mohit Kumar. *The Economic Times*, March 3, 2018.

Das, Samir Kumar. "Nobody's Communique: Ethnic Accords in Northeast India", in *Peace Processes And Peace Accords*, ed. Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.

Das, Samir Kumar. *Peace Processes and Peace Accords*, ed. in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publication, 2005

Das, Taraknath. "The Kashmir Issue and the United Nations", *Political Science Quarterly*, Vol. 65, No. 2 (Jun., 1950), pp. 264-282, U. N. Document S/646, January 15, 1948.

Data assessment of the Central Electricity Authority (CEA), that is published in *The Economic Times*, 10th Jan, 2018.

David Ross. *The Nicomachean Ethics of Aristotle*, trans. David Ross, London: Oxford University Press, 1925.

Deb, B.J. "Non Governmental organizations and Social Development : A critique" in his edited book *Development Priorities in North East India*.

Dhar. *Jammu and Kashmir*, New Delhi: National Book Trust, 1977.

Directorate of Economics and Statistics, Nagaland, 2005-2006, *The Morung Express*, Dec.11, 2017.

Doungel, Dr Jangkhongam. *Autonomy Movements and the Sixth Schedule in North East India*, Delhi: Sage Publication, 2016.

Dr. Ahir, D.C. *Dr Ambedkar and the Indian Constitution*, Lucknow: Modern Press, 1973.

Dr. Rajiv Kumar, Senior Fellow, Centre for Policy Research, New Delhi, presented on the “Role of the North East in India’s Look East Policy’ in the conference on the ‘Delhi Dialogue VI: Releasing the ASEAN-Indian Vision for Partnership and Prosperity” held on March 6-7, 2014. It was published on March 20, 2014 by the *Indian Defense Studies and Analyses* on YouTube. Duschinski, Haley. “Destiny Effects: Militarisation, State Power and Punitive Containment in Kashmir Valley”, *Anthropological Quaterly*, Vol. 82, No. 3, Tokyo: Ohio University, 2009.

Dushchenki, Haley. "Survival Is Now Our Politics": Kashmiri Hindu Community Identity and the Politics of Homeland”, Source: *International Journal of Hindu Studies*, Vol. 12, No. 1 (Apr.2008), pp.41-64, Published by: *Springer* Stable URL: <http://www.jstor.org/stable/40343840> Accessed: 28-05-2018 08:37 UTC

Dworkin, Ronald. *Taking Rights Seriously*, Cambridge: Harvard University Press, 1977

Eastern Mirrior, 26 November, 2017

Economic Print Edition, *Asia, Shillong*, 22nd, Feb, 2018

Elah, Milewe. “Strive for Excellence” *The Morung Express*, Jan 2, 2018.

Enayat, Hamid. *Modern Islamic Political Thought*, New York: Ashgate Publication, 2009.

Elwin, Verrier. *A Philosophy for NEFA*, Shillong,1964.

Frankel, Francine. *India’s Political Economy: The Gradual Revolution (1947-2004)*,”London: Oxford University Press, 2006.

- Fraser, Nancy. "Social Justice in the age of Identity Politics," Lecture, The Tanner Lecture on Human Values, New York: Stanford University Press, 1996.
- Friedrich, Carl J. eds. *The Philosophy of Hegel*, New York: Modern Library, 1954.
- Gajendragadkar, D.R.P.B. "Kashmir-Retrospect and Prospect Patel Memorial lecture", Bombay, 1967, referred from Barbara Ward work on 'Space Ship Earth' Hamish Hamilton Ltd. London, 1966.
- Gandhi, M. K. *Hind Swaraj or Indian Home Rule*, Ahmedabad: Navajivan Publishing House, 1938.
- Ganguly, J.B. "Globalisation and North East India: Opportunities and Challenges in the Twenty first Century", in the book '*Development Priorities in North East India* edited by Bimal .J.Deb, 2010.
- Geethanjali and Richa Sekhani. "China's One Belt One Road an Indian Perspective," *Economic and Political Weekly*, 5th December 2015, Vol. 2, No. 49.
- Ghosh, Sasanka. "The North East Policy of the Government of India and the Socio political Binaries" in *Democracy and Development in India's North East Challenges and Opportunities*, by L.S Gassahand C.J Thomas, Shillong, 2015.
- Girl student with stones in hand redefine protest in Kashmir, *The rising Kashmir*, May 9, 2017.
- Goswami, Namrata. "Nagaland a long road to peace," *The Hindu*, 6 January, 2009.
- Guha, Ramachandra. "Opening a Window in Kashmir", *Economic and Political Weekly*, Vol. 39, Issue No. 3., 2004.
- Guha, Ramachandra. "why we must listen to Jaya Prakash Narayan" *The Hindustan times*, 26th Sept, 2016.
- Guha, Ramachandra. "Kashmir, Past and Present", *The Hindustan Times*, 2017
- Gundevia, Y.D. *War and Peace in Nagaland*, Delhi, 1988, cross referred by Subir Bhaumik in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.

- Gupta, Dipankar. *Justice Before Reconciliation: Negotiating a 'New Normal' in Post-Riot Mumbai and Ahmedabad*, New Delhi: Routledge Taylor & Francis Group, 2011.
- Gupta, Samudra. "Towards the Govt- Naga Peace Accord: everything you need to know", *The Indian Express*, 2006.
- Guv administration create separate division for Ladakh, *Rising Kashmir*, Feb, 9, 2019.
- Gupta, U.N. *Indian Federalism and Unity of Nation*, Allahabad: Sagar Press, 1988.
- Haksar, Nandita. *The Exodus Is Not Over Migration from the Raptured Homelands of North East India*, New Delhi, Speaking Tiger Publishing Pvt. Limited, 2016.
- Haksar, Nandita and Sebastian Hongray. *The Judgement That Never Came: Army rule in the North East India*, 2011
- Haokip, Thongkholal. "India's Look East Policy", *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May, 2011.
- Hasan,Zoya. *Democracy in Muslim societies The Asian experience*, New Delhi: Sage Publication, 2007.
- Hingorani, Aman M. *Unravelling the Kashmir Knot*, New Delhi: Sage Publication, 2016.
- Hoho, Naga. "Three years of Framework Agreement: India not prepared for honourable political solution" *The Morung Express*, August 3, 2018.
- Horam, M. *Social and Cultural life of Nagas The Tangkhul Nagas*, Delhi: B.R Publishing Corporation, 1977.
- Horam, M. *Naga Insurgency: The Last Thirty years*, New Delhi: Cosmo Publications, in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.
- Horam, M. *Naga Insurgency: The Last Thirty years*, New Delhi: Cosmo Publications, 1988.

IDSA Task Force Report “Water Security for India: The External Dynamics”
Institutes for Defense Studies and Analyses, New Delhi, 2010.

Jagmahon (2010), “The Politics of Maximum Autonomy”, *India International Centre Quarterly*, Vol. 37, No. 3/4, A TANGLED WEB: Jammu & Kashmir (WINTER 2010 - SPRING 2011), pp. 126-141, Stable URL:<http://www.jstor.org/stable/41804083>.

Jamir, Moa. “Women reservation in Nagaland” *The Morung Express*, August 14, 2016.

Jamwal, Suman, “Commercial Contacts Between Kashmir and Rome” Source: *Annals of the Bhandarkar Oriental Research Institute*, Vol. 75, No. 1/4 (1994), pp.201-208
Published by: BhandarkarOrientalResearchInstituteStableURL:<http://www.jstor.org/stable/41694416> Accessed: 28-05-2018 08:48 UTC

Kak, Sanjay. “What Are Kashmir's Stone Pelters Saying to Us?”, *Economic and Political Weekly*, Vol. 45, No. 37 (SEPTEMBER 11-17, 2010), pp. 12-16
Published by: Economic and Political Weekly Stable URL:
<http://www.jstor.org/stable/25742062S>

Karmakar, Rahul. “Atal Bihari Vajpayee, an understanding friend of the Nagas” *The Hindu*, 2018.

Kashmiri Pandits demand homeland, revocation of article 370, *The Economic Times*, August 27, 2017.

Khanna, R. “Impact of Article 356’ upon the existing centre-state’ relation under Indian Constitution” eds. of U.N Gupta, *Indian Federalism and Unity of Nation*, Allahabad: Vohra Publications, 1988.

Khole, General. “Framework Agreement will protect the future of the Nagas”, *The Morung Express*, 2018.

Kikon, Dolly. “Engaging Naga Nationalism: Can Democracy Function in Militarized Societies?,” *Economic and Political Weekly*, Vol. 40, No. 26, p. 22-44., 2005.

Kikon, Dolly. “What is unique about Naga History” *Economic and Political Weekly*, Vol. 50. Issue No 35, 29th August, 2015.

- Kohli, Atul. *State Directed Development: Political Power and Industrialization in the Global Periphery*, Cambridge University Press, 2004.
- Kumar, Abhinav. "Soldiering on, after Pulwama" by Abhinav Kumar, *The Indian Express*, Feb 20, 2019.
- Kumar, Anirudh "Sheikh Abdullah and Land Reforms in Jammu and Kashmir" ,*Economic and Political Weekly*, August 2, 2014, Vol. XLIX No.31., 2014.
- Lawrence Saez. *Federation Without a Centre, The Impact of Political and Economic Reform on India's Federal System*, New Delhi: Sage, 2002. 252 pages, ISBN 81-7829-073-1 (India, hb.) / 0-7619-9593-5 (US, hb.)
- Lok Sabha, Bill No.172 of 2016, Citizen Amendment Bill 2016.
- M.P Pezbaruah, presented on the "Role of the North East in India's Look East Policy" in the conference on the 'Delhi Dialogue VI: Releasing the ASEAN-Indian Vision for Partnership and Prosperity' held on March 6-7, 2014. It was published on March 20, 2014 by the *Indian Defense Studies and Analyses* on YouTube.
- Mahajan, Gurpreet, *India: Political Ideas and the Making of a Democratic Discourse*. New York: Zed Books, 2013.
- Mahajan, Gurpreet, *Explanation and Understanding in the Human Sciences*, New Delhi: Oxford University Press, 1992.
- Majed Akhter, Majed. "More on the sharing of the Indus Waters," *Economic and Political Weekly*, April 24, 2010, Vol XLV No.17.
- Majumdar, D.N. and T. N. Madan. *An Introduction to Social Anthropology*,(Bombay: Asian Publication House, 1956) as referred by U. A. Shimray, *Ecology and Economic System: A Case of the Naga Community*, New Delhi: Regency Publications, 2007.
- Masood, Bashaarat. Article in *The Indian Express*, 6th of August 2018.
- Mayer, Lawrence, Patterson, Dennis and Thames, Frank. eds. *Contending perspective in Comparative Politics*, Washington: Sage Publication, 2009.

- Mehta, Pratap Bhanu. "The nuances of Art 35A," *The Indian Express*, 8th of August, 2018.
- Menon, V.P. (1957), *The Transfer of Power in India*, New Delhi, 1957, p.407 in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications.
- Ministry of the External Affairs of India access on 2nd April 2, 2018
- Mishra, A.K. entitled 'Integrated Management of Natural Resources of North East India for sustainable development in 21st Century' in '*Development Priorities in North East India*' edited by Bimal.J. Deb.
- Modi, Narendra. "Blood and water can't flow at the same time" *The Indian Express*, 27th September, 2016.
- Morris Jones. W.H. *Government and Politics of India*, London: Oxford University Press, 1971
- Morung Express, April 1, 2018.
- Morung express, July 2, 2017.
- Morung Express, July 24, 2015.
- Mukherjee, Jhumpa. *Conflict Resolution in Multicultural Societies, The Indian Experience*, New Delhi: Sage Publication, 2014.
- Mukhim, Patricia. "Gathering the Tribe" *The Hindu*, Nov.3, 2017.
- Mukhim, Patricia. "Forging peace in Nagaland" *The Hindu*, May 9, 2018.
- Munshi, Sadaf. "Revisiting the question of the Kashmiri Pandits, the battle of the narratives", from Anuradha Bhasin Jamwal's review (EPW 27 April, 2013) of Rahul Pandita's book, *Our Moon Has Blood Clots*.
- Naga Reconciliation Process: Top rebel leaders discuss pact in *The Sangai Express*, 23rd July, 2014.
- Nagaland Post, 22nd Feb. 2018.

Naga Day; Nagas without Border, published by the *Forum for Naga Reconciliation*, Dimapur, 2017.

Nehru, Jawaharlal. *Discovery of India*, London: Meridian Books Limited, 1951.

Noorani A.G. “Art.370: Law and Politics” of Kashmir section in *Frontline Magazine*

Nuh, V.K. (ed) (2002), incorporated in T H. Srikanth & C.J Thomas, “Naga Resistance Movement and the Peace Process in Northeast India”, in *Peace and Democracy in South Asia*, volume 1, Issue 2, 2005.

Padel, Felix. The Third Jayashree Roy Memorial Lecture “Identity and ecosystem in North East India: challenges from Rapid Changes”, delivered on 14th November, 2014.

Palshikar, Suhas. “India’s Second Dominant Party System”, *The Economic and Political Weekly*, Vol. No.52. Issue No.11, 18 March, 2017.

Parthasarathy, Malini. “Understanding Kashmir”’s Stone Pelters”, *The Hindu*, November 5, 2016.

Paula Banerjee. “in introduction to section II entitled “ Peace As Process” in *Peace Processes And Peace Accords*, edited by Samir Kumar Das in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.

Peter B. Guy and Pierre Jon. *Comparative Governance Rediscovering the Fundamental Dimension of Governing*, London: Cambridge University Press, 2016.

Prakash, Siddhartha. “Political economy of Kashmir since 1947,” *Economic and Political Weekly*, June 10, 2000.

Press Trust of India updated on Dec. 4, 2014.

Puri, Balraj. *Economic and Political Weekly*, Vol. 43, Issue No. 34, 23., 2008.

Rai, Mridu (2004), *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*, Review by: Sumit Ganguly in *Journal of Asian Studies*.

Rai, Mridu. “*Hindu Rulers , Muslim Subjects, Islam Rights and the History of Kashmir*”, Delhi 2004 wherein it was quoted in the *Economic and Political*

- Weekly*, that is entitled "Sheikh Abdullah and Land Reforms in Jammu and Kashmir" by Anirudh Kumar Prasad, August 2, 2014, Vol. XLIX No.31 :
- Raina, Dina Nath. *Unhappy Kashmir, the Hidden Story*, New Delhi, 1990.
- Ramaswamy, R. "India- Pakistan Water Disputes Indus Treaty: A Different View" *Economic and Political Weekly*, Published on July 16, 2005, Vol.40. No 29.
- Ranjan, Amit. *Disputed Waters: India, Pakistan and the Transboundary Rivers*, Sage Publication, October 21, 2016.
- Rawls, John. *Theory of Justice*, London: Oxford University Press, 1971.
- Rawls, John (1975), "Outline of a Decision Procedure for Ethics," *The Philosophical Review*, No.2, Vol. 60, 182. <http://www.jstor.org/stable/2181696>.
- Ray, B. Datta. "Introduction," in *Reorganisation of North -East India since 1947*, ed., B Datta Ray and S. P Aggarwal, New Delhi: Concept Publishing Company, 1996.
- Report of the State Autonomy Committee, Srinagar July, 2000.
- Report on the progress of education in East Bengal and Assam 1901-1907, pp.108-109
- Rudolph, Lloyd I., and Sussane Hoeber Rudolph. *In pursuit of Lakshmi: The Political Economy of the Indian State*, Chicago: University of Chicago Press, 1987.
- Sajjanhar, Ashok. "Taking Stock of India's Act East Policy" in *ORF Issue Brief*, May 2016, Issue No. 142.
- Samaddar, Ranabir. "Series Note", in *Peace Processes And Peace Accords*, ed. by Samir Kumar Das, in *South Asian Peace Studies: volume 2*, New Delhi: Sage Publications, 2005.
- Sarangi, Asha and Sudhapai. 'Introduction: Contextualizing Reorganisation', in *Interrogating Reorganisation of States, Culture, identity and Politics in India*, edited by New Delhi: Routledge Taylor & Francis Group, 2011.
- Sarita, Dr. *Federalism in India A Quest for New Identity*, New Delhi, 2009.

- Satish D.P. “Abrogation of article 370 a very complex affairs say legal expert”
New18, May 28, 2014.
- Scott, Rev. Michael. *The Nagas India’s Problem or the World’s?:The Search for Peace* (Unpublish Articles), 2004.
- Sema, K.K. “Pan Naga Hoho under Framework Agreement”, September 16th, 2017.
- Sen, Amartya. *Development as Freedom*” London: Oxford University Press, 1999.
- Sharma, J. N. “foreword” in the work of Dr. Sarita, *Federalism in India, A Quest for New Identity*, Chandigarh: New Research Publishers, 2004.
- Shimray, R.R. *Origin and Culture of Nagas*, Somsok Publications, New Delhi: Sage Publcatin, 1985.
- Shimray, U.A. *Ecology and Economic System: A Case of the Naga Community*, New Delhi: Regency Publications, 2007.
- Shishak, Dr. Tuisem A. “Nagas and Education” in the edited book “*Nagas at Work*”
New Delhi: Sage Publications, 1996.
- Schofield, Victoria. *Kashmir in Conflict: India Pakistan and the unending war*, New York: Routledge Publication, 2012.
- Sikri, Rajiv. Sikri’s lecture on ‘North East India and India’s Look East Policy’ that was further quoted by Thongkhola Haokip entitled “India’s Look East Policy”, *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011.
- Singh, Laitonjam Muhindro. “Naga Movement in Manipur: Its Genesis and impact on State Politics”, in *Eastern Quarterly*, volume 5, Issues 11 and 111, July – December, 2008.
- Singh, Manmahon. Prime Minister’s keynote address at the ASEAN Business Advisory Council, Dec. 12, 2015, Kaula Lumpur which was incorporated in the writing of Thongkhola Haokip entitled “India’s Look East Policy”, *Third Concept An International Journal of Ideas*, Vol. 24, No. 291, May 2011

Singh, Vijaita. “Naga peace Accord Awaits consensus on Signatories”, *The Hindu*, 2017.

Singh, Vijaita. “Detail of 2015 Naga Agreement”, *The Hindu*, July 19, 2018.

Sinha, Uttam Kumar. “Will The Indus Water Treaty Survive?” *Indian Institute of Defense Analyses*, September 2012, Vol. 36, Issue 5.

Sinha, Yashwant. “Concerned Citizens Group Report of the Third Visit”, August 17-19, 2017.

Source: *Asian Survey*, Vol. 37, No. 11 (Nov., 1997), pp. 1005-1030.

Srikanth, H.& C.J Thomas. “Naga Resistance Movement and the Peace Process in Northeast India”, in ‘*Peace and Democracy in South Asia*, volume 1, Issue 2., 2005.

Staniland, Paul. “Kashmir since 2003 Counterinsurgency and the Paradox of “Normalcy”, *Asian Survey*, Vol. 53, No. 5 (September/October 2013), pp. 931-957 Published by: University of California Press Stable URL: <http://www.jstor.org/stable/10..25/as.2013.53.5.931>

String of Pearls Indian Ocean, *Wikipedia*, the free encyclopedia accessed on May 23, 2018, at 6.16PM..

Supreme Court defers hearing on Art 35A till Jan next year, *The Greater Kashmir*, 31st August, 2018.

Sylemlieh, David .R. presented the First Jayashree Roy Memorial Lecture entitled “Colonialism and Christian Missions in North East India “presented by David.R. Sylemlieh, 2017.

The Economic Times, May 23, 2013.

The Global Naga Mass rally from Mandi House to Parliament Street, New Delhi took place on 23th Feb.2019.

The importance of Article 370, *The Hindu Editorial*, 15th October, 2015.

The Morung Express, April 6, 2017

- The New Silk Road, *Economic and Political Weekly*, Editorial, May 20, 2017.
- The Shillong Times*, April 4, 2018.
- Thorner, Alice. "The Kashmir Conflict ", *The Middle East Journal*, Vol. 3, No. 2., 1949.
- Toye, John. "Political Economy and the Analysis of Indian Development", *Modern Asian Studies*. Vol 22. No. 1, (1988), pp. 97-122, published by Cambridge University Press, accessed on 18 – 09-2018.
- Tunyi, Zhoto. 'The interface of Democracy and development: The question of Democratic Governance, Development Identity and Insurgency In the North East" in the book, *Democracy and Development in India's North East Challenges and Opportunities*, edited by L.S Gassah and C.J Thomas. Shillong, 2015.
- U.N Gupta. *Indian Federalism and Unity of Nation*, Allahabad: Vohra Publishers, 1988.
- Vashum, R. *Nagas' Right to Self-Determination: An Anthropological-Historical Perspective*, New Delhi: Mittal Publications, 2000.
- Verghese, B.G. "foreword," in *Interrogating Reorganisation of States, Culture, identity and Politics in India*, ed. Asha Sarangi and Sudhapai , New Delhi: Routledge Taylor & Francis Group, 2011.
- Victoria Schofield. *Kashmir in Conflict: India Pakistan and the unending war*, New York: Routledge Publication, 2012
- Watt, W. Montgomery. *Islamic Political Thought, The Basic Concepts*, Edinburg: University Press, 1968.
- What's the mystery of the Indira-Abdullah Accord?," *Deccan Herald*, Dec. 13, 2012
- Why Major Gogoi is wrong", *The Indian Express*, May 24, 2017.
- Widmalm, Sten,(1997), "The Rise and Fall of Democracy in Jammu and Kashmir",Source: *Asian Survey*, Vol. 37, No. 11 (Nov., 1997), pp. 1005-1030 , Published by: University of California Press Stable URL: <http://www.jstor.org/stable/2645738>, Accessed: 28-05-2018 08:24 UTC

- World Bank approves 500 crore project in J&K, *Greater Kashmir*, Dec 31, 2017.
- Wouters, Jelle J P. "Land Tax, Reservation for Women and Customary Law in Nagaland" *Economic & Political Weekly*, March, 4, 2017 vol 2, No. 9
- Yaqoob, Mudasir. *Greater Kashmir*, June 19, 2013.
- Yasir, Sameer. Article in First Post, on Jan 10, 2017.
- Young, Iris Marion. *Responsibility for Justice*, New York: Oxford University Press, 2011.
- Zagar, Abdul Majid. "Indira Sheikh 1975 Accord", *Kashmir Watch*, March 1, 2012
- Zhimomi, Shri Khekiho. "Economic Development in Nagaland prospects and constraint", NUTA Nagaland University, Kohima, 2006.
- Zutshi, Chitrallekha. "Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir" in *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir* edited work of Mridu Rai review by: Praveen Swami Source: *The American Historical Review*, Vol. 110, No. 3 (June 2005), pp. 778-780 Published by: Oxford University Press on behalf of the American Historical Association
- Zutshi, Chitrallekha. "Designed for Eternity": Kashmiri Shawls, Empire, and Cultures of Production and Consumption in Mid-Victorian Britain" Source: *Journal of British Studies*, Vol. 48, No. 2, Special Issue on Material Culture (Apr. 2009), pp. 420-440, Published by: *Cambridge University Press* on behalf of The North American Conference on British Studies Stable URL: <http://www.jstor.org/stable/25483041> Accessed: 28-05-2018 08:53 UTC