

**NEGOTIATION THEORY AND PRACTICE:  
NAGA PEACE TALKS AND INDIA-  
MYANMAR RELATIONS**

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## CERTIFICATE

This is to certify that the dissertation entitled "**NEGOTIATION THEORY AND PRACTICE: NAGA PEACE TALKS AND INDIA-MYANMAR RELATIONS**" submitted by **K. KRELO PETER KAJEO** for the degree of Master of Philosophy of this University is his original work and has not submitted by any other University.

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*Dedicated*  
*to my parents*

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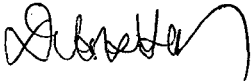
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## **PREFACE**

The Naga political problem has become perplexing and confusing. To tackle and solve this issue amicably, a thorough analysis of the problem is imperative. To trace the genesis, it dates back the inherent nature of the indigenous people. Since time immemorial, Nagas lived an independent life and hated interference. They had everything required for their sustenance. They were intolerable on being disturbed and dealt severely with the enemies. As time went by the colonial rulers arrived. Gradually, it penetrated into the nerves of the people and began to embrace an alien culture. They acquired more knowledge and wisdom in the process. But were embedded to defend the rich heritage of their forefathers. Fought with the superior being as fate willed it, had to meet the wrath many times.

Towards the twentieth century, the real battleground was drawn. Nagas demanded for a sovereign independent nation. When India's independence became imminent, they began to adopt more practical techniques to fulfil the long cherished dreams. In the process, it has cleared many hurdles and bottlenecks coming in the way for successful movement. They are fighting for the legitimate rights. Nagas want to leave them as they have found at the beginning. This is the bone of contention,

which the two parties trying to achieve the desired goal. To this issue, some solution should be found to the impasse.

### **OBJECTIVE OF STUDY**

The main intention of this dissertation is to critically analyse and examine the peace talks between the Government of India and the various Naga factions. The Naga problem is decades old and consistent efforts have made to settle once and for all. The Government of India and the Underground groups has signed various Accords in the past and even today talks are underway. But nothing concrete result has emerged from the peace negotiations or brought respite to the people. Consequently, unabated atrocities, miseries, chaos and total unrest seems to be the order of the day.

Thus, in this study a thorough review of the agreements arrived between the contracting parties be minutely studied. Why has the Accords failed to meet the hopes and aspirations of the people? Does the Government fail to accede the demands made in the Accord, or the Underground groups failed to honour the agreements? Was it lack of confidence and transparency a hindrance to the path of a negotiable outcome? Is it because of mistrust and misunderstanding between the two parties in reaching a consensus point? Is it because the Government and the Underground were not represented by the right persons in the negotiation or was represented but for self-aggrandizement rather looking

for the general interest as a whole? Why has the problem been prolonged for decades? Was the Naga Underground adamant or lack of interest and goodwill on the part of the Government continuing the impasse? It is with this perspective in view, the Indo-Naga problem will be closely analysed and examined.

First chapter deals with the historical perspective. It traces the Naga struggle movement, which sprang essentially in late 1880s but reached its zenith towards 1940s. Since the genesis, the demand for sovereign nation resulted in skirmishes between the Government of India and the Underground. Subsequently, to end the stalemate Accords had been signed on various occasions but proved futile. Another understanding had been reached in 1997, for a cease-fire negotiation and continues till date.

In the second chapter, the focus is basically on the theoretical aspect of negotiation, diplomacy, peace initiation etc. In order to solve any dispute confronting the state, dialogue has to initiate. But equally important to remember before the negotiation is; to separate the people from the problem; focus on interest not positions; generate a variety of possibility before deciding what to do; insist the result be based on some objective standards. These components would determine the successful outcome of the peace negotiation.

Third chapter is an overview of the peace process examined minutely keeping in mind the understandings arrived between the



Government of India and the Underground. The first Accord known as Hydari Agreement of 1947 could not materialised and miserably failed. Close on the heels were the 16-point Agreement signed 1960 ultimately led to the formation of its Statehood. The Shillong Accord 1975 was termed as 'sell out' of its movement. Recently, a breakthrough occurred between the Government of India and the NSCN (I-M) faction for holding a cease-fire and currently undergoing peace dialogue.

Fourth chapter concentrate on the recent developments arrived between the two parties. The credit for the current dialogue was by former Prime Minister P.V. Narshima Rao way back in 1995. But the Signing of cease-fire agreement was done under Prime Minister I.K. Gujral in August 1997. Subsequently, the later Prime Minister Atal Bihari Vajpayee followed the path of its predecessors trying to hammer out a solution. The contribution played by the NGO's particularly the Naga Hoho, Naga Mothers Association (NMA), United Naga Council (UNC), Naga Students Federation (NSF), Naga Peoples Movement for Human Rights (NPMHR) etc. has greatly helped in unifying the other factions and peace dialogue.

At the end the conclusions are drawn from the analysis of this dissertation. Some solution has to be found to the problem and end the menace of violence. It is hoped that the current negotiation would enable to ensure a peaceful and cordial relationship. Thereby, ending the prolonged struggle movement for a sovereign nation.

**CHAPTER I:**  
**INTRODUCTION**

## **INTRODUCTION: HISTORICAL PERSEPECTIVE**

*“...Meaningful discussion of the Naga Problem must keep in mind, the fact, the movement is primarily one for self-determination, and a peaceful political settlement of the issue can be achieved only when the Naga struggle is placed in its correct perspective”.*

**- Udayon Mishra (The Naga National Question, 1978)**

The Northeast region lies the easternmost part of India. This region constitutes an almost cut off from the rest of the Indian territory. The fact is it shares maximum international boundaries with its neighbouring countries, namely, Myanmar, Bangladesh and China. Towards the east lies a mongoloid race commonly known as “Naga”, inhabiting the mountainous steeply ridges. They are surrounded by the Hukwang valley in the Northeast, the Brahmaputra valley in the Northwest, the Cachar in the Southwest and the Chindwin in the East.

The contiguous Naga inhabited areas are allocated 40% in Myanmar (Burma) and 60% in the Indian Sub-continent<sup>1</sup>. This policy of division was carried out by the Britisher. The further fragmentation of the Naga areas were executed into four units under the Indian union. Thus, Nagas are scattered in the States of Nagaland, Assam, Arunachal Pradesh and Manipur. The Naga domains (Naga Hills) largely unknown an unvisited by the outside world. It is situated in the North of Sangaing Division in Myanmar. It comprises track of hills and plain areas bordering India’s

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<sup>1</sup> *Where peace-keepers have declared war*, published by National Campaign Committee against Militarisation and Repeal of Armed Forces (Special Powers) Act, April 1997, Nagaland Report, p.5.

Manipur, Nagaland and Arunachal states. The total population of the Nagas in Myanmar is estimated to be above five lakhs. Combining the Naga population, it is roughly around three million, stretching an area of 1,00,000 sq.kms.<sup>2</sup> Nagas comprise of more than forty tribes speaking different languages, belonging to the Tibeto-Burmese stock.

### **HISTORICAL BACKGROUND**

In the pre-Colonial period, the Nagas lived an independent life without any interference from the outside world. Each village was rather republic and the administration was confined within the armpit of its jurisdiction. This continued for years until the external forces penetrated into the Naga areas. The feeling of oneness and togetherness was not very much felt. It was only after decades the spirit of 'nagaism' came into existence. Towards the nineteenth century the British managed to annex part of the Naga territory into its domination. But the Treaty of Yandaboo in 1826 between the British and Burmese King established a supermacy over Assam and Manipur. Moreover, the King Raja Gambir Singh of Manipur signed an agreement with the Britis in 1832 allowing to annexe the greater portion of the Naga areas. The Ahoms migrated from Burma settled in the Brahmaputra valley and gradually became the rulers of the plains. But they knew the Nagas as turbulent and dangerous neighbours

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<sup>2</sup> Ibid.,

whose raids into the plains had to be contained by forts and ramparts<sup>3</sup> beneath the foothills. The Nagas are fighting people with their villages suited for warfare in the hilltops. Their warriors style in the nineteenth century showed an intuitive sense of the guerrilla tactics which presented difficulties for the Indian securities forces in the twentieth century. There was constant raids by the Nagas specially the Angamis so much so between 1835 and 1851 no less than ten punitive expeditions were sent into the Naga areas<sup>4</sup>. This ultimately let the British to extent its territorial expansion towards the Naga areas.

The Nagas demonstrated a stiff resistance to the forward policy adopted by the Britishers. But their fighting landed with severe punishment in the form of burning the villages. Gradually, they realized that it was impossible to challenge the superiority of the Englishmen. In turn, the British began to establish a secure and affectionate rapport with the Nagas. An Englishman Sir Charles Pawsey commented on the Nagas for their: "courage and cheerfulness, their magnificent physique, truthfulness and independence, their absence of servility and lack of caste"<sup>5</sup>. Thus with the passage of time the British and the Nagas were able to establish a cordial relations among themselves.

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<sup>3</sup> Neville Maxwell, *India and the Nagas*, First Published 1973, p.6.

<sup>4</sup> Ibid.,

<sup>5</sup> Ibid.,

## MIGRATORY ROUTE

No one is able to give a precise and accurate location of the Nagas' migration. There are different legends which speak of their immigration waves. A closer examination of the History reveals that the Naga people arrived the present location through successive waves from different directions. According to Alemchiba, in all probability the Maos, Angamis, Semas, Rengmas and Lothas from the first group<sup>6</sup>. Almost all the tribes point towards Mao-Makhel, the present Manipur state as the place of their migration. This story is still upheld by most Naga tribes as their historical home of dispersal.

The Aos legend tells that they have emerged from six stones at Chongliyimti. This legend does not hold much truth because of its obscurity. They believe to have migrated from Tangkhul area of Manipur entering the outskirts of Chakhesang area towards northward through Sangtam area and reached Chonliyimti<sup>7</sup>. The Tangkhuls date its origin to Thaungdut near the river Chinwin in Burma. Most probably, the Tangkhuls, Sangtams, Kheinmunghans, Yimchungers, Chans and Aos formed another migratory wave coming through Thaungdut area in Burma. Though it is difficult to exactly locate their migration route yet it is

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<sup>6</sup> A. Alemchiba, "A Brief Historical Account of Nagaland", The Naga Institute of Culture Kohima, Nagaland, 1970, p.19.

<sup>7</sup> Ibid.,

believed to have arrived through successive waves and settled the present location.

### **ORIGIN OF THE TERM “NAGA”**

There is much speculations with the term “Naga” and no consensus has reached even today. The various interpretations/theories which have speculated upon would act as means to achieving the needing result. It is imperative to draw some of the theories given by different people at different times. According to Peal, the exact term should be Noga and not Naga as indicated. It implies Nog or Nok means “people”. Even in the thirteenth century the Assamese always called “Noga”. Some say the word meant “naked” to connote the Nagas are traditionally less clothed in the ancient time. There are others who call Naga as hill-people. Charles Chasie was of the view that the term “Naga” is a Tibeto-Chinese word<sup>8</sup> as opposed its being a Sanskrit term. The physical and cultural similarities shows by some tribe of South East Asia and the Nagas very much resemblance. Moreover the names bearing like “Naga” and “Nabas” of Philippines, ‘Naka’ of Malaya, Naiga of Burma, Nagrey of Jave Island etc. There is also the story of the Naga King’s daughter connected with the formation of the earliest states: Funan, the Lin-yi, which existed in the lower of Mekong and its delta, North of Hue in modern Annam, and the

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<sup>8</sup> Charles Chasie, “*The Naga Imbroglia, A personal perspective*”, Kohima, Nagaland, 1999, p.17.

problem part of the Malay peninsula<sup>9</sup>. The different versions enumerated are however more speculative rather than authentic and thus difficult to connote exact meaning of the word. It is a process which keeps growing and cherishing by the people continuously.

### **EARLY TRANSITION:**

The Nagas are a distinct stock invariably different from the plain people. They were mostly confined on the hilltop and high mountains ridges. It was believed to have the advantages of protecting their villages on being attacked by enemies. This confinement and attachment to his village led to an independent life. Little was exposed to the outside villages through matrimonial alliances.

The basic occupation was agriculture and practically Nagas depended for their livelihood from the products. There are two methods which are practiced in agriculture:

- (i) The slash and burn or Swidden agriculture and it used for dry rice, job's tears, millet, taro etc. with good rainfall and fertile soil could yield an annual surplus. But it depends on having plenty of land and leaving some trees standing, since the soil quickly become infertile and new sites have to be chosen.

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<sup>9</sup> Alemchiba, n. 6, p.27.



- (ii) The second is terraced wet rice cultivation in which terraces are cut into the hill slopes and the water supply is carefully controlled through a system of canals and pipes. But this method demands high capital investment and is said to be more dangerous.<sup>10</sup>

The Nagas have been practising this method of cultivation for centuries. Since due to lack of market incentives the surplus produced goods were not properly materialised. At the most, the rich people would throw a traditional party (feast of merit) and get recognition from the public. Barter system was known to them. But the government noted in 1888, each household excluding almost the sole article of salt, produces what suffices it for its needs.<sup>11</sup> This could be probably one of the reason as to why the Nagas want an independent secluded form of life. But gradually, the introduction with the Ahoms of Assam led to the outside world and greatly undermined the Naga cultural and traditional invasion. This contact has positive and negative effects. They had political and commercial relations with the Ahoms. This eventually led granting of lands in the valley and the Nagas in turn paid tribute to the Ahom kings. Of course, there were fights and raids but were resolved with the good human spirit.

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<sup>10</sup> Julian Jacobs, "*The Nagas: Hill peoples of North East India*", Publication, Thomes & Hudson, 1990, p.25.

<sup>11</sup> Ibid.,

The real blow to the Naga country was the British. Since its inception to the Naga Hills, it followed the method of crude and cordial relations. It first penetrated toward the early nineteenth century through the Manipur state and proceeded to the Naga inhabited areas. The British were able to win over some Naga tribes but met strong resistance after reaching Khonoma. With their superior armed weapons they could subdue the natives weapons. This was slowly pushed forward and eventually situation became totally different. The colonial rules adopted different policies while trying to contact with the Nagas. But why did the British take special interest towards the Nagas. The answer is: they were able to learn the traditional style of living and imparting education to the illiterate Nagas.

According to Daili Mao<sup>12</sup> the probable reasons for British to contact with the Nagas were:

- (a) Security and safety of Indian Borders.
- (b) To stop raids on the plains of Assam (Ahoms).
- (c) For trade and commerce (later became political leaders).
- (d) Extension of its empire Assam to Burma via Naga Hills.
- (e) Greater contact with the Manipur King.

The missionaries did play a vital role in changing the Naga culture and its traditions. They gradually converted the people to embrace the doctrine of Christianity. The education of western culture had a deep

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<sup>12</sup> Daili A Mao. *Nagas: Problems and Politics*, Ashish P. House, 1993, pp. 16-18.

impact and was responsible for sowing the seed of modernisation and self governance. With the passage of time, the interaction seems to have brought far more fruitful results. They were able to persuade the ignorant Nagas and embedded with the zeal of modernisation. The ultimate outcome became clear and people started to denounce the old traditional practices. But there are few who still cherish their old culture and traditional style of living.

### **IMPACT ON NAGAS IN WORLD WARS:**

The real turning point of the Naga history was when many of them were recruited as Labor Corps during First World War. During their returned from France, they began to feel the aspiration of governing thyself. They have witnessed the pattern and style and this have tremendous impact on their lives. Thus, without losing much time they formed the Naga Club in 1918 and acted as a public platform. Subsequently, they presented a memorandum to the Simon Commission pertaining to the Reformed Scheme Programme in 1929. The Nagas clearly articulated its views and urged the Commission to leave them as it was when they first contacted.

During the Second World War, the Nagas greatly contributed their services to the Englishmen. The battle was fought in the National Highway Kohima-Imphal road. Since the Japanese corps had occupied the greater portion of the Naga inhabited areas so the Nagas would play a decisive

role in ensuring either sides' victory. The British managed to persuade the Nagas that after the war their demands would be looked into. Ultimately, the Nagas joined hands with the British and ensured their triumph. In the words of Field Marshal Slim, "without the Nagas help the British might have lost the war. It was the Nagas who determined the fate of the British army in war"<sup>13</sup>.

The imminence of Indian independence in 1946 brought about intense Naga political agitation for a separate homeland under the banner of Naga National Council (NNC). This council was basically formed to further the social and cultural advances of the Nagas. But slowly the NNC became the ultimate spokesperson who would lead the Nagas in the political movement. The government sensing the situation before independence sent an emissary to discuss the Naga problem. It emerged as Sir Akbar Hydari Agreement in 1947, Clause 9 became controversial and the other clauses were not fulfilled in letter and spirit. Thus, the Nagas began to use different methods to apprise of their legitimate rights. By this time, A.Z. Phizo became the leader of the Nagas in their demand for sovereignty. The team met Muhammed Ali Jinnah and told him they did not mean to be included in India either, the infact intended to make a unilateral declaration of independence on August 14, 1947 (which was

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<sup>13</sup> Gavin Young, *"The Nagas An Unknown War"*, Shenvah Press London, 1962, p.5.

also to be Pakistan's independence day)<sup>14</sup>. Two days later, they met Mahatma Gandhi, the Father of Indian Nation who in turn assured the delegation of its full support for its independence. But he was assassinated in 1948. Had he lived longer the history of the Nagas would have been different.

All hopes for the Nagas went in the wilderness. The NNC began to formulate various programmes and placed their demands before the Government of India. The only weapon left in their hands was non-cooperation and civil disobedience movement. Perhaps, they might have acquired these noble notions from the father of the Indian nation. On 27<sup>th</sup> August 1948, no Tax campaign public demonstration led by A. Daihrii was held at Mao-gate, Manipur in which three innocent people were killed on the spot and many were injured by the 4<sup>th</sup> battalion of Assam Rifles. They were the first Naga martyrs. Even today 27<sup>th</sup> August is being observed as a Martyrs day in the Mao inhabited areas. A delegation met C. Rajgopalachari, the first Governor-General of Independent India at Shillong, and told the former that India wants to be friendly with them and it is up to them either to become part of India or to be a separate nation.

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<sup>14</sup> Ibid., n.3, p.8

In May 1950, the Government of India offered District Autonomy to the Nagas but they refused to accept as their vision was for full independence. To strengthen their political movement the NNC president Phizo held a plebiscite conducted in all Naga areas. The result was overwhelming in which Nagas wanted independence. The situation was going from bad to worse. Many of them have gone Underground to fight for its sovereignty. To meet the exigencies, the Government deployed security forces to crack down the threat of the Underground. Many were killed in the process of raiding and people expressed their resentment through demonstration. To bring normalcy from the war like situation, some moderates felt the need to be with the Government of India. The result was the formation of Naga People's Conventions (NPC). Thereupon, the crucial 16-point Agreement was signed in 1960 with the Government of India. Subsequently, Nagaland was formed as the 16<sup>th</sup> state of the Indian Union in 1963. Under this agreement, Nagaland was placed in the External Affairs Ministry. But the Underground were totally annoyed at this agreement and termed as a sell out of the Naga Political Movement. The NPC president Dr. Imkongliba has to pay the prize for his life.

To curb the menace of violence, efforts were made by the Naga public particularly the church leaders. It was with the initiative of the Naga Baptist Church, a peace council was established. An agreement was reached between the Underground and the Centre to bring a cease-fire in May 1964. They appointed a Peace Mission comprising three members,

namely, B.P. Chaliha, Jaya Prakash Narayan and Rev. Michael Scott. Their theme was briefly: "Forgive, and what you can't forgive, forget"<sup>15</sup>.

Meetings were held but from the inception stalemate would be clearly discernible. The Indian were not willing to concede the demands of the Nagas for its sovereignty, while they keep insisting its rightful demand for self-governance. Ultimately, both sides have to be contended with calling off the cease-fire after eight years of intense parleys in 1972.

The whole atmosphere retained its pre cease-fire period. More forces were dispatched and the immediate result was more recruitment of the Underground to counteract the menace. The suffers were the common people who are armless and made the victims of this vicious war like situation. They began to plead for different methods to ameliorate the already torn tiny state. A few underground leaders arrived an agreement with the Government of India signed the Shillong Accord in 1975. This signing had serious impact on the movement since there was no consultations from the high command. Thus, the result was the breaking away from the parent NNC body because Phizo failed to publicly denounce the Shillong Accord. It was under the leadership of Th. Muivah, Isaac Swu and S.S. Khaplang formed the Nationalist Socialist Council of Nagaland (NSCN) (now call Nagalim) in January 1980. There was virtual silence after

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<sup>15</sup> Ursula Graham Bower, *"The Naga Problem"*, 1967, p.66.

the break away, each trying to bargain and woo the public morale. After a gap of eight years, a serious misunderstanding cropped up within among the NSCN. Mr. Khalpang staged a coup killing many of its cadre including the Deputy General Commander-in-Chief Ashiho Mao. Thus, two parallel body were established one led by Muivah and Isaac as NSCN (I-M) and another led by Khalpang as NSCN (K). The Naga political movement is basically represented by different faction claiming to fight for its independence.

To bring about peace and tranquility in the state it requires the concerted effort of the public. Another breakthrough had reached between the Centre and the NSCN (I-M) for peace talks in 1997. This was a major development because the common public had supported the negotiation process. Efforts are also being made to bring about the other factions in the cease-fire agreement. To ensure a sustainable and durable result need the support of everyone. The whole episode of this negotiation would entirely be on how the Centre and the NSCN were able to reach a workable atmosphere. One has to watch and see how the progress had been made but most importantly witness their sincerity and transparency in bringing about a permanent solution to the Naga political vexed problem.



**CHAPTER II:**  
**THEORETICAL FRAMEWORK**  
**OF NAGA TALKS**

## **THEORETICAL FRAMEWORK OF NAGA TALKS**

*"Ours is an age of Negotiation..."*

- William Zartman, 1977

In this section, the focus would be on the theoretical aspects of Negotiation and its relevance to the peace processes. Negotiation forms a vital element because of conflict and dissension. Conflict occurs with one or more groups, organizations or states. To resolve the conflict it demands by resorting through non-violent means. The Naga problem needs a special attention for bringing a lasting solution. The government of India initiated the process of having parleys with the Naga Underground in hammering out a permanent settlement. But before jumping into the fray it is equally important to underscore the basic ingredients essential for fruitful deliberations viz., negotiation, conflict resolution and cooperation, diplomacy and peace building mechanism.

### **NEGOTIATIONS: TRADITIONAL AND MODERN VIEWS**

In the traditional view of negotiation, partners meet to find a joint and mutually acceptable solution to the problem. To undertake the task of negotiation representatives are appointed by the authority and act accordingly. Negotiators play a vital role depending on his skills in determining the outcome of the talks. Since they are the official appointees this curtail the freedom of expressing and acting on their own

free will. Moreover, the method of delegation limited authority to negotiators still persists. This greatly undermines the capability of the negotiators.

In modern times, the situation has not changed tremendously. One finds an increasing connection between diplomacy practice and scientific research especially in decision making process. International negotiations have undergone some significant changes. They have grown in number and become more complex technically and politically and have acquired new dimension such as being an alternative to coercive solution of disputed problems.

Mention must be made on National and International negotiations because a variety of situations ranging from parties to the process coming to settlement. Such as a family quarrel, dividing a piece of cake between children or even a set of toys. These negotiations could be formal or information, direct or indirect. However, International negotiation plays a greater role than national, by the fact of the nation-state coming on the entire scene of negotiation processes. To begin with the process, Zartman and Berman has raised some imminent questions regarding the method of negotiations. These include "such as: by what process do parties resolve their differences before taking up arms? What factors account for the success of this process? If they fail or no attempt is made to solve differences peacefully, by what process do parties seek to resolve their

differences once fighting has erupted? What rôle does the individual play in conflict resolution? As in other endeavors, are there some who are especially talented in seeking ways natural gift or have they learned their craft through apprenticeship or at the bargaining to table”<sup>1</sup>.

## **DEFINITION OF NEGOTIATION**

International Encyclopedia of the Social Sciences defines: “Negotiation is a form of interaction through which individuals, organizations and governments explicitly try to arrange (or pretend to do so) a new combination of some of their common and conflicting interests”<sup>2</sup>.

Dean Pruitt has defined “Negotiation is a process by which a joint decision is made by two or more parties. The parties first verbalize contradictory demands and move toward agreement by a process of concession making or search for a new alternatives”<sup>3</sup>. Glenn Fisher too has given his definition of Negotiation, “as a process of study in social psychology. It is an interplay of perception, information processing and reaction which turn on images of reality on implicit assumptions regarding the issue being negotiated and on underlying matrix of conventional wisdom, beliefs and social expectations”<sup>4</sup>. These authors have given their different definitions on negotiation but the main objective was to solve the

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<sup>1</sup> I.W. Zartman and M.R. Berman, *The Practical Negotiator*, (New Haven, 1982), P. VII-I.

<sup>2</sup> David L. Sich(ed), *International Encyclopedia of the Social Sciences*, Vol. 2, p.117.

<sup>3</sup> D.G. Pruitt, *Negotiation Behaviour*, (Orlando, 1981) Academic Press, p.1.

<sup>4</sup> Glen Fisher, *International Negotiation 1980*, USA, p.11.

dispute confronting them. Negotiations can be bilateral involving two parties or multilateral with many parties.

## **CONFLICT RESOLUTION**

Conflict can be defined as an episode in which a party tries to influence another or an element of the common environment and the other resists. John Galtung defined conflict as an action that has incompatible goals. Conflict may occur at various levels interpersonal, community, inter-state or intra-state<sup>5</sup>. At the intra-state level these conflicts could be political, economic, social, or cultural motivations. Since twin forces of conflict and co-operation mark human relations, therefore, the seeds of conflict resolution lie within conflict and co-operation.

Conflict resolution implies the peaceful process of ending a conflict of disputes.<sup>6</sup> The various methods and techniques to achieve this goal includes negotiation, mediation, arbitration, consensus building, diplomacy and peace making there are no viable theories to conflict resolution because there is no consensus in tackling the problem. The reason being no sovereign state would surrender its power to the world body at the behest of another. But there is no approval on the notion of

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<sup>5</sup> Abu Nimer, *Religious approaches to peace building*, Gopen Sampson 1997. A topology of conflict resolution field.

<sup>6</sup> Heidi Burgess and R. Guy M. Burgess, *Encyclopedia of conflict resolution*.

balance of power. This act as a mechanism in maintaining stability when powerful states ally with the more powerful to preserve the status quo.

The Intra-State conflict has multiplied over a period of time yet theory building relating to intra-state conflicts especially ethnic conflict has remained a neglected field of inquiry. The magnitude of the problem becomes even greater in pluralistic societies. The Social Sciences has looked at conflict from a variety of angles. Conflict issues have been examined from the standpoint of psychology, sociology and anthropology. This only reflects the heterogeneous and pluralistic nature of societies<sup>7</sup>. But intra-state conflict have began to acquire significance in today's world. Conflict resolution mechanisms begun to acquire significance in today's world. Conflict resolution mechanisms acquire an added importance in countries, which have a pluralistic society.

#### **DIPLOMACY:**

Diplomacy is used in at least two senses. The first and more narrowly defined refers to the process by which governments, acting through officials agents, communicate with one another. The second refers to modes and techniques of Foreign Policy affecting the International system<sup>8</sup>. But in the Chambers Dictionary speaks diplomacy "as the art of

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<sup>7</sup> International Encyclopedia of the Social Sciences, Vols. 3 &4 (1968, macmillan)

<sup>8</sup> Ibid., p.187.

negotiation especially in relations between states, tact in management of people concerned in any affairs”.

In the past the method of using diplomacy was rather confined to contacts and connections of a peaceful nature between states. But things have changed with the development of communications and government has to send messages only, so the question of diplomatic contact becomes rare. In fact, Diplomacy connotes specially to the use of accredited officials for intergovernmental communication, not simply to communication links between states.

The present world has greatly influenced by the technology revolution and has a direct impact on the sphere of Diplomacy. The formal functioning virtually becomes all encompassing and negotiations are largely conducted by foreign offices. These tasks of diplomatic contacts are utilized only for transmission of requests and responses. In fact, the present day diplomacy has multilateral character.

In the case of Arab-Israeli conflict the diplomacy involved a number of countries. This hampers the smooth functioning of the affairs since to reach a consensus was not possible. Countries involved in the diplomatic negotiation include USA, Israel, Jordan, Egypt, Saudi Arabia, Syria, the PLO and the Soviet Union in January 1977 and ended in complete failure



in November 1977.<sup>9</sup> This calls for concerted effort of the member countries in resolving the issue through diplomatic means.

## PEACE BUILDING

This forms an essential mechanism in the International arena to combat the conflict and its devastating consequences. It offers a greater insight to building the trouble areas perpetuated for years. A secure, stable order and political peace cannot ultimately be based on forced order on repression and military might. There cannot be peace within the heavily armed fortress but largely depends on the overall development of social, political, and environment conditions include:

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- ❖ Economic equity and sufficiency (development)
  - ❖ Political participation (democracy)
  - ❖ Respect for the rights and integrity of individuals (human rights)
  - ❖ Healthy environment
  - ❖ Strict limits on the means of destruction, along with the development of peaceful means of resolving disputes.<sup>10</sup>

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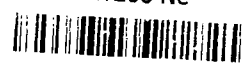
<sup>9</sup> Janice Gross Stein(ed), *Getting to the Table, The Arab-Israeli Conflict*, (Toronto, Ontario 1985), pp.174-75.

<sup>10</sup> Ernier Regehr, "The challenge of peace building", *Ploughshares Monitor*, Dec. 1995, Vol. XVI, No. 4, p.3.

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Peace building essentially revolves round the diplomatic and the military processes designed to address the conflict on many levels and junctures. But there are two components required in this venture, namely, (a) stopping the fighting or getting into a cease-fire and (b) mitigating the crisis as to establish a stabilizing a traumatized social and political order.<sup>11</sup>

### **CESSATION OF WAR**

The essence of diplomacy is to prevent the arm conflict and the cessation of war breakout. Preventive diplomacy is basically to intervene the parties to reject the military pursuit and start the negotiating process which is just and non-military settlement of the dispute.<sup>12</sup> Peace making diplomacy focus on to end the military efforts and come to a cease-fire, thereby the negotiating table for a political settlement.

### **MITIGATING CRISIS**

Once the cessation takes place, the scope of having greater harmony among states brightenes. This would invariably bring an atmosphere of mutual understanding. Ultimately the sequence follows the ground rules for the cease-fire to mitigate the impact of the crisis. Mitigating the crisis implies coming to the aid of the victims, bringing added stability through

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<sup>11</sup> Ibid.,

<sup>12</sup> Ibid., p.4.

peace keeping forces and setting the stage for long-term rehabilitation through emergency peace building measures.<sup>13</sup> International body undertakes a mechanism like humanitarian intervention to mitigate the warlike situation and restore a peace solution.

The method of peace keeping is to enforce a preventive measure in ensuring as to de-escalate the conflict. Peace keeping under the International Military and patrolling undertakes after the agreement reached between conflicting parties as to restore a peaceful solution to the dispute.<sup>14</sup>

#### **PRE NEGOTIATION:**

There are certain assumptions and phrases in the pre-negotiation period. Harold Saunders<sup>15</sup> has drawn the attention to reach back and more extensively into the period before the decision to negotiate is made and analyze, what can be done to help parties to reach that decision. There are three functional needs namely,

- a) Defining the problem.
- b) Developing a commitment to negotiation on the part of the parties.

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<sup>13</sup> Ibid., p.5.

<sup>14</sup> Ibid., pp.5-6.

<sup>15</sup> Harold Saunders, "We need a larger theory of negotiation: The importance of Pre-negotiation phases", Negotiation Journal (July 1985), p.250.

c) Arranging the negotiations.<sup>16</sup>

The first two functional deals with the creation of a political commitment to solve the problem as susceptible of mutually management. The third deals with efforts to come to closure or the crystallizing the previous intent or search in a concrete agreement.<sup>17</sup> Therefore, Negotiation culminates the whole process of the preliminaries and the final face-to-face diplomatic encounters.

### **DEFINING PRE NEGOTIATION**

In a situation where one or more parties considers negotiation as a policy option and communicate the intention to the other parties. It ends when the parties agree to formal negotiations. When one party abandons the consideration of negotiation as an option, then this definition leaves the essential pre negotiation implicit because it concentrates on the limited characteristics. It is the span of time and activity in which the parties move conflicting unilateral solutions for mutual problem to a joint search for cooperative multilateral or joint solution.<sup>18</sup>

Jacob Blaustein<sup>19</sup> has enumerated seven functions of pre-negotiation.

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<sup>16</sup> Jacob Blaustein *Getting to the Table, Pre-negotiation: Phases and functions*, Washington D.C., p.2.

<sup>17</sup> Ibid.,

<sup>18</sup> Ibid., p.4.

<sup>19</sup> Ibid., pp. 8-14.

***(i) Risks:***

Negotiation is a game where exchanges between depend on the one trying to acquire more power over the other. This kind of power thirst is definitely a risky venture. But in pre-negotiation the changes of risks may lower as it is associated with co-operation and escape hatches in case things go wrong. The exchange of information reduces the unknown and hence the changes of risks become less burdensome.

***(ii) Costs:***

In pre-negotiation it allows the parties to get access and come to terms with the costs of concessions and agreements. The essential elements of power in negotiation are the establishment of a final agreement i.e. the value of what is obtained by each party without any agreement. Like risks and reciprocity cost can be estimated without ever meeting the adversary but, those estimates will be based on poorer information than that the party could obtain by meeting in pre-negotiation.

***(iii) Requirement:***

It is an important element in negotiation but there is a fear since reciprocity has its own ways. The reason being one does not make concessions because one is sure that the other will not repay concessions because it is sure that the other will not either pay. Pre-negotiation is the time to convince the other party that concessions will be required. These

exchanges and assurances are less risky during these phases because they are indicative of future behavior rather than commitments.

***(iv) Support:***

In pre-negotiation period, each group would have the privilege to consolidate their own support for an accommodative policy, to prepare the home front for a shift from a winning to a conciliatory mentality. It involves not only changing the public image of the adversary but also putting together domestic coalition of interest to support termination rather than conduct of conflict. Each party has a role to play in the other's politics and that party which has concluded that negotiation is a conceivable outcome as a special challenge to reach into the domestic political processes of the other. It helps to build a supportive coalition for accommodation.

***(v) Alternatives:***

One of the first priorities in pre-negotiation involves turning the problem into a manageable issue susceptible of a negotiated outcome. This requires inventing and choosing among alternative definitions of the problem, ways of handling the problem and setting the themes and limits-parameters and perimeters necessary to guide a solution.

***(vi) Participants:***

There has to be certain amount of selection amongst various alternative definitions and solutions to conflict during pre-negotiation.

This implies to select those who are susceptible coming to an agreement the participants to the conflict. It is a universal fact that conflicts are not likely to be solved and it is not possible to include the parties to the agreement. An alternative arises as to whether to joint or avoid the coalition of parties. The number of participants to agreement has to be judged carefully lest there not be enough of them to create a lasting settlement.

**(vii) Bridges:**

The principal function of pre-negotiation is to build bridges from conflict to conciliation, with the changes in perception, mentality, tactics, definitions, acceptability levels and partners. These measures cover important aspects of shift, pre negotiations and sets up temporary mechanisms on a transitional and provisional basis. Cease-fire and moratoriums constitute a major component in temporary suspension of Conflicts activities.

Ronald Fisher<sup>20</sup> has expounded the method of trust and the need to treat while building bridges. In the pre-negotiation parties in general can expect not to trust each other since looking for unilateral advantage but by the end of negotiation it could have established some mutual trust to make an agreement. The initial steps of the shift are made in pre-

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<sup>20</sup> Ronald Fisher, *The Social Psychology of Inter-group and International Conflict Resolution (1990)*, University of Saskatchewan.

negotiations parties conduct small lists of trust and construct mechanisms by which trust can be shown and monitored.<sup>21</sup>

#### **FOUR ELEMENTS OF NEGOTIATION**

There are four elements, which are paramount in the process of negotiation. Fisher and Ury have greatly contributed and can be discussed as follows:

- (i) People: Separate the people from the problem
- (ii) Interests: Focus on interests not positions
- (iii) Options: Generate a variety of possibilities before deciding what to do
- (iv) Criteria: Insist that the result be based on some objective standards.

By elaborating and summarizing the above elements would give a greater insights into the negotiation processes.

#### **(i) People: Separate the people from the problem**

Negotiation takes place with the human beings and not with abstract representatives. They have certain inherent values, emotions, viewpoints and also from different backgrounds. This sums up the whole

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<sup>21</sup> Zartman and Burman, Practical Negotiator, p.27.

being as unpredictable.<sup>22</sup> Since they are the people who have to negotiate, thus the ultimate result lies in their hands for a lasting solution or otherwise. The process of working out an agreement may produce a psychological commitment to a mutually satisfactory outcome. A major consequence of the “people problem” in negotiation is that the parties’ relationship tends to become entangled with their discussion of substance.

Human beings are known for their uniqueness. Each is different and has varied perception from other. This complicates the problem of communicating with their fellow beings. Taking position makes worse because people’s ego becomes identified with their positions. Therefore before working on the substantive problem the “people problem”<sup>23</sup> should be entangled from it and dealt with separately. Thus it would enhance a smooth flow of negotiating while separating the people from the problem.

There are some imminent headings, an explanatory note required and drawn as below:

“Negotiators are people first.....Every negotiations has two kinds of interests, in the substance and in the relationship...The relationship tends to become entangled with the problem....Positional bargaining puts

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<sup>22</sup> Fisher & Ury, *Getting to yes: Negotiating Agreement without giving in* (Boston 1981), p. 19.

<sup>23</sup> *Ibid.*, p.20.



relationship and substance in conflict...separate the relationship from the substance; deal directly with the people problem...perception...put yourself in their shoes...discuss each other's perception...emotion...make emotions explicit and acknowledge them as legitimate...speak about yourself, not about them...speak for a purpose...built a working relationship...face the problem, not the people.

Lastly, the basic approach is to deal with the people as human beings and with the problem on its merits<sup>24</sup>.

**(ii) Focus on interest, not positions**

The question arises as to whom to tackle the problem since most of the situations, human beings have the tendency in ameliorating one's position rather than concentrating on the interests of others. An example would show how the general perceptions of interests precede that of position. Two people have a quarrel in a study hall as one insisted the window be opened and other wants it closed. The reason was one wants fresh air but the other wants to avoid the draft. The warden intervened in the tussle by opening wide a window in the next room bringing fresh air without a draft. Thus, the interests of both are served rather on position.

Interests motivate people to attain the desired positions. For instance, in the Egyptian-Israeli Peace Treaty blocked out at Camp David

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<sup>24</sup> Ibid., pp. 21-40.

in 1978 demonstrates the urgency of looking behind positions<sup>25</sup> when both countries sets for negotiations, their positions are incompatible accusing each other. The final outcome was the stalemate each bargaining hard over their positions rather than on interests.

Some explanatory notes can be summarized as under: "For a wise solution reconcile interests, not positions...Interests define the problem...Realize that each has a multiple interests...The most powerful interests are basic human needs...Make your interests come alive...Acknowledge their interest as part of the problem...Put the problem before your answer...look forward, not back...Be concrete but flexible...And the most essential which underline is be hard on the problem, soft on the people"<sup>26</sup>.

### **(iii) Invent options for mutual gain**

These elements constitute a soul searching for the negotiation process. The fact remains that once options are made available then the chances of having a solution assured. But there are four obstacles that inhibit the options:

- a) Premature judgment;
- b) Searching for the single answer;
- c) The assumptions of a fixed pie;

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<sup>25</sup> Ibid., p.42.

<sup>26</sup> Fisher and Ury, pp.43-57.

d) and thinking that solving their problem is their problem”<sup>27</sup>.

To overcome the obstacles in the options there are four methods incorporating for a mutual and lasting result. These can be mentioned in the followings:

- i) To separate the act of inventing options from the act of judging them.
- ii) To broaden the options on the table rather than look for a single answer.
- iii) To search for mutual gains.
- iv) To invent ways of making their decisions easy.<sup>28</sup>

The objective of this assumption emphasises the need to invent avenues and decide subsequently. The creation of new things requires adequate efforts and invariably helps in coming to an answer. Brainstorming is an instrument used basically to hammer out many ideas as possible. This generates a means in reaching a desirous result and gives many options to the problem.

The need of the hours is to generate a number of options before negotiations. Creativity and inventing is an absolute necessity. Many options at their disposal would enable the negotiator to arrive at

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<sup>27</sup> Ibid., p.59.

<sup>28</sup> Ibid., p.62.

satisfactory agreements. Invention should be the sole objective and decide at a later phase.

**(iv) Using objective criteria**

The process of using objective criteria in the negotiation enhances in activating its goal. Most of the time, negotiator tries to resolve the conflicts by positional bargaining and by talking about what they are willing or unwilling to accept.

Through the discussion of objective criteria it minimizes the number of commitments that each side make and unmake as they proceed toward agreement. But in positional bargaining, negotiators spend much of the time defending their position and attacking the other side's. People using objective criteria tend to use time more efficiently talking about the probable ways and solutions.<sup>29</sup>

A brief summary of the objective criteria can be enumerated thus:  
“....Developing objective criteria...Fair standards....fair procedures...  
Negotiating with objective criteria...frame each issue as a joint search...  
Research and be open to reason...Never yield to pressure....”<sup>30</sup>

There are three basic points to ponder:

- (i) Frame each issue as a joint search for objective criteria.

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<sup>29</sup> Ibid., pp.86-87.

<sup>30</sup> Ibid., pp.87-96.

- (ii) Reason and be open to reason as to which standards are most appropriate and how they should be applied.
- (iii) Never yield to pressure, only to principle.

In a nutshell, focus on objective criteria firmly but flexibly.

After dealing with the theoretical aspect of negotiation and the peace processes in general, it would be imperative to analyze and examine how the Naga problem can be solved. We would discuss whether it has followed the norms and procedures of negotiation in resolving the decades old stalemate. Thus, keeping in mind we will focus the over all view of the peace processes arrived between the Government of India and the Underground groups in the next chapter.

**CHAPTER III:**

**OVERVIEW OF THE  
PEACE PROCESS**

## OVERVIEW OF THE PEACE PROCESS

*“...Delhi’s response to the Naga struggle has been a crude combination of all-out suppression and pacification with gifts. The gifts took the Nagas by surprise as they were not expected. We have become addicted to the gifts and have dragged Delhi into a relationship of messy co-addition with us”.*

**- Niketu Iralu, Proximity & Distance, Times of India.**

The Naga struggle movement became vivid after the formation of Naga Club in 1918. Thereupon, the leaders submitted a memorandum to the Simon Commission in 1929 emphasizing that Nagas be left alone to decide its destiny. During the First World War many Nagas were recruited as Labor Corps and rendered their valuable services. In the course of exposing to the outside world dramatically changed the nature of its course and gave a moral boost, embedded with the zeal for patriotism. The sense of togetherness began to feel in the Nagas’ minds and led to demand for self-governance. This ultimately gave birth to form the Tribal Council consisting of all the Tribe representatives.

The Tribal Council held its meeting at Wokha in 1946. After thorough deliberations the Council approved its nomenclature as the Naga National Council (NNC). The sole objective of this Council was confined to catering to the welfare and upliftment of the people. Later on, the Council began to overtake not only social aspects but also political activities, which would ameliorate the whole atmosphere.

## FORMATION OF NNC IN 1946

The formation of the NNC pushed forward the consolidation of desperate nationalistic force<sup>1</sup> in the sphere of Naga history. Aliba Imti became its first President and T. Sakhrie its General Secretary. Initially, the NNC was comprised of only 29 members representing few Naga tribes<sup>2</sup>. Subsequently, the membership was made compulsory for all the Naga citizens in general and a voluntary contribution of rupee one to hundred or more was collected from each and every family<sup>3</sup> towards the NNC fund. With the initiative of the NNC a Journal called the "Naga Nation" was published in Kohima. This became the mouthpiece of the movement by creating immense political consciousness and awareness. It was created to impart and educate the various Naga tribes not only their socio-economic problem but also their culture and the rich traditional heritage.

In 1947, the NNC declared that Naga Hills would be ceased to be part of India when she attained its Independence. Given the verdict controversy coming to surface, the extremist group led by A.Z. Phizo demanded complete independence, while the moderate group favoured the continuance of the relations with the Government of India. There was another group favouring Nagaland as to a mandatory state under the

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<sup>1</sup> Udayan Mishra, *North East India Quest for Identity*, (Naga National Question) Omson Pub. Guwahati, 1998, p.7.

<sup>2</sup> Ibid.,

<sup>3</sup> Asoso Yonuo, "*The Rising Nagas*", 1974, Vivek Publishing House, New Delhi, 1979, pp. 125-26.



British Government for a specific period of time.<sup>4</sup> But the NNC opposed all the suggestions and went ahead with the demand for self-governance.

Subsequently, at a meeting held in Wokha on 19<sup>th</sup> June 1946, different views and suggestions were compiled. It was resolved to pass all the resolutions and be placed at the Cabinet Mission for necessary actions. But Nehru the designate Prime Minister responded in August 1946, turning down the demand for a sovereign state. He stated: "It is obvious that the Naga territory in Eastern Assam is much too small to stand by itself politically or economically. It lies between the two countries, India and China and part of it consist of rather backward people who require considerable help. When India is independent as it is bound to be soon, it will not be possible for the British Government to hold on the Nagas territory or any part of it? They could be isolated between India and China. Inevitably, therefore, this Naga territory must be part of India and Assam with which it has developed such close associations"<sup>5</sup>.

#### **FIRST ACCORD 1947**

As the Britishers were about to leave India, the NNC had started their different program as to find an alternative for the Nagas. Since self-

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<sup>4</sup> A. Alemchiba, "*A Brief Historical Account of Nagaland*", the Naga Institute of Culture Kohima, Nagaland, 1970, p.169.

<sup>5</sup> Ibid.,

governance was their watchword, so to appease the Nagas from disturbing the congenial atmosphere, the Government sent Sir Akbar Hydari in 1947 to break deadlock and study the ground realities of the situations<sup>6</sup>. The meetings lasted for three days and NNC opted for favour of consolidating the entire Naga region. It resulted as the Nine Point Agreement or the Hydari Agreement. Though the Government representatives and the NNC agreed on many points as the right of the Nagas to develop themselves and to express their wish recognised<sup>7</sup>, but the most controversial in the Nine Point Agreement was clause 9, which reads:

**“The Government of Assam as the agent of the Government of Indian Union will have a special responsibility for the period of ten years to ensure the due observance of this period that the Naga National Council will be asked whether they require the above agreement to be extended for a further period, or a new agreement regarding the future of the Naga people would be arrived at”<sup>8</sup>.**

This clause became the bone of contention between the Government of India and the NNC. The Nagas thought after ten years period they would attain the right for self-determination whereas the official perceived

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<sup>6</sup> Ibid., n.3, p.171.

<sup>7</sup> Horam, M. *“Naga Polity”* (Reprinted, low Price Pub. Delhi, 1992), p.13.

<sup>8</sup> The Nine-Point Hydari Agreement, 1947 (see appendix).

with the expiry of the term Nagas would join the Indian Union like any other states. Phizo was rather firm on the notion of sovereignty while a group favoured sharing with the Indian Union. Under Phizo's leadership many of his followers were willing to sacrifice for the cause of the Naga Nation.

A delegation led by Phizo met Mahatma Gandhi at *Bhangi* Colony on 19<sup>th</sup> July 1947 and apprised him of the extreme views. They reiterated its stand that Nagas were not Indians from time immemorial. The Naga delegates asked for his help to save the Naga Hills from India's occupation; Gandhi said:

**“Nagas have every right to independent. We do not want to feel that India is yours, that this city of Delhi is yours. I feel that Naga Hills is mine just as it is yours. But if you say that this is mine, then the matter must stop there. I believe in the brotherhood of men but I do not believe in force union. If you do not wish to join in the Indian Union no one will force you to do that”<sup>9</sup>.**

When the delegates contend that Hydari was trying to use force in the event Nagas refused to join with the Indian Union, Gandhi

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<sup>9</sup> Ibid., n. 4, pp. 173-74.

immediately replied, "Akbar is wrong; He cannot do that...I will come to the Naga Hills, I will ask them to shot me first before one Naga is shot"<sup>10</sup>.

The father of the Indian Nation had a great respect for the Nagas. His fatherly treatment on the Nagas had a deep impact and inspired them to shun violence and lead the path of non-violence. But the sudden assassination left the people in the lunch. Had Gandhi being alive then the course of history of the Nagas would have been different.

In November 1949, Governor General of India C. Raja Gopalachari visited Shillong, the Naga leaders presented their demand for independence. Fully aware of the domestic problems and aspirations he categorically stated that "Nagas were at full liberty to do as they like either to become part of India or to separate, if they felt it, it would be best in their interest to be isolated"<sup>11</sup>.

As the Nagas were bargaining hard on the question of sovereignty they at this crucial time elected Phizo as NNC President on 11<sup>th</sup> December 1950. His zeal and enthusiasm greatly contributed to the struggle movement. Subsequently, under Phizo's direction a plebiscite was held on May 1951. Their response was overwhelming in which 99% supported

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<sup>10</sup> A.Z. Phizo, "*The fate of the Naga people: An appeal to the World*", NNC, 1960 (unpublished) p.3.

<sup>11</sup> N. Maxwell, *India, The Nagas and the North East*, Report No. 17, Revised Edition, Minority Right Group, 1980, p.5.

complete independence. It covered the whole Naga inhabited areas on signature and thumbprint methods. This popular mandate was placed before the Government of India in 1952. But to their surprise it ended on a “stormy”<sup>12</sup> note. The NNC boycotted the First General Election and the Nagas refused to participate in the election process. This greatly signaled the world community that they were determined to go ahead with its struggle.

The following year Prime Minister Nehru visited Kohima with his counterpart Burmese premier U Nu. On March 30<sup>th</sup> 1953, every one was prepared and waiting anxiously to hear from Nehru and Nu. The Naga people desired to submit a memorandum and a friendly dialogue on the question of Naga independence.<sup>13</sup> The episode was unfortunate as the Deputy Commissioner turned down the request of NNC either to submit memorandum or talk personally at the public meeting. The crowd protested against the decision and said, “if he will not listen to us, why should we listen to him”<sup>14</sup> was the prompt reply. The result was Nagas walkout enmasse from the gathering and were left by few government officials mostly non-Nagas. The Prime Minister was stunned since it occurred when the two premiers were addressing the Naga people. It hurt

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<sup>12</sup> Charles Chasie, *“The Naga Embroglio, A personal perspective”* Standard printers & publishers, Kohima, 1999, p.39.

<sup>13</sup> *Ibid.*, n.3, p.204.

<sup>14</sup> *Ibid.*, n.12, p.40.

so much that he vowed never to visit Nagaland anymore. In fact, that was the last and first of his visit.

The outcome of the event was severe. The security forces were pumped into this tiny hill country with large numbers. The NNC leaders were ordered to be arrested without any conditions. This led the exodus and many of them went underground. Many followed and left their homes and vowed to fight this undemocratic treatment meted out. On 4<sup>th</sup> April 1953, Assam police personnel raided the house of T. Sakhrie, the then General Secretary of the NNC.<sup>15</sup> Thereupon, a number of villages like Visema, Jakhama, Kegwema, Phesama, and Khonoma were raided. This unpleasant policy followed by the Government of India led the Naga leaders to evade arrest and compelled them to go Underground, which sowed the seeds of the Insurgency Movement. The trend of this movement still persists and continues to propagate the idea for self-determination.

### **PEACE INITIATIVE**

The only substitute to the armed insurgency was to replace with peace. An unabated and undeclared war was waging between the security forces and the Underground after the episode of 1953. Houses were raided, human lives were lost, property were destroyed, each passing day

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<sup>15</sup> Ibid., n.3, pp. 204-5.

misery and sufferings mounted the innocent public.<sup>16</sup> The Church leaders realized the need of bringing about an atmosphere where the people would live in harmony and peace. Therefore, it took the initiative in creating and understanding among the underground groups basically to shun violence.

A meeting was convened on 27<sup>th</sup> July 1957 as All Tribal Conference and was represented by eight tribes.<sup>17</sup> Subsequently, the meeting resolved to call All Tribals as Naga People Convention. The first meeting of All Tribal Naga People Convention (NPCI) was called at Kohima on 22<sup>nd</sup> to 26<sup>th</sup> August 1957. It was attended by more than one thousand delegates from different Naga tribes. Dr. Imkongliba as president and Shri Jasokie as Secretary were elected respectively. During the deliberations major resolutions were adopted namely Settlement of the Naga issue through negotiation, pending a final political solution, the then Naga Hill District of NEFA be constituted into a single administrative unit under the External Affairs Ministry<sup>18</sup>.

The NPC presented its resolutions through the Assam Governor for necessary action. It was forwarded to the Prime Minister Nehru which received a green signal. The consequence was that it prompted to the adoption of informing in the Lok Shaba by Nehru about forming Nagaland

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<sup>16</sup> Ibid., n.3, p.221.

<sup>17</sup> M. Ramunny, *"The World of the Nagas"* Northern Block Centre, New Delhi, 1988, p.72.

<sup>18</sup> Alemchiba, n.4, p.186.

State in 1960. This created rift amongst the group of the Naga. Phizo was greatly troubled by the news after the progress made between the NPC and the Government of India. He strongly opposed this understanding and term as a sell out of the Nagas. His desire for the Sovereign Naga nation would be threatened. No doubt, in 1961 the Underground assassinated the President of NPC for the agreement made on behalf of the Naga people.

The aftermath was animosity in the rank and file of the Naga political movement. Thereupon the Government of India had accepted the NPC proposal in Principle and overreacted itself in favor of the creation of Nagaland within the Indian Union. Shortly, the 16<sup>th</sup> State of Indian Union became a reality under the State of Nagaland Act.

A.Z. Phizo initiated that cease-fire and dialogue be resumed at the earliest and was communicated to the Government of India. In fact, the Government rejected his proposal and term just a handful of Underground was not possible. The Government insisted that if peaceful cease-fire and dialogue were to take place, all "cease hostilities and surrender of arms"<sup>19</sup>. But the method adopted by the Government was not possible and termed the demand for unconditional surrender was not accepted<sup>20</sup> to his people.

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<sup>19</sup> Ibid., n.3, p.249.

<sup>20</sup> Ibid.,



President of India Dr. S. Radhakrishnan officially inaugurated the State of Nagaland on 1<sup>st</sup> December 1963 as the 16<sup>th</sup> State of the Indian Union. But the State was carved out only for the Naga Hills. This formation led a major population and areas outside the Nagaland State. Its implication was great because of the deliberate attempt on the part of Government to divide and rule the Nagas. Through this it was distinctly divided into five segments, namely, Manipur, Assam, Arunachal Pradesh and Nagaland, one group live in Myanmar. The Government policy had serious repercussion since time immemorial Nagas worked together in achieving the goal.

### **PEACE MOVEMENT**

The situation in Nagaland was grave and a spark would turn into flame. It was the initiative of the Nagaland Baptist Church to restore normalcy in this tiny state. The convention held its meeting from January to February 1964. The delegates were represented from all the Naga tribes and join with large numbers. It came to the conclusion that they would request the Government of India and the Federal Government of Nagaland (FGN) to constitute a "Peace Mission".

The effort of the Nagaland Baptist Church Council had tremendous impact on the Underground and the Overground. The reason being, total unrest prevailed after the formation of its Statehood. The Council

appointed the Peace Mission comprising Bimalaprasad Chaliha, Jayaprakash Narayan and Rev. Michael Scott. From the beginning the including of a Foreigner was objected but was agreed by both the parties. The main task of the Peace Mission was to bring a rapprochement and initiate a dialogue. Since before starting the peace process a congenial situation was an essential requirement, the Peace Mission group was formulated known as the "Peace Mission Proposals"<sup>21</sup>.

This committee held talks at Sakrabama between 23<sup>rd</sup> and 25<sup>th</sup> May 1964, where a draft agreement on the cessation of hostilities was worked out. Among others things it postulated that the agreement should extend to all areas inhabited by the Nagas like Manipur, Assam and NEFA. But the proposal came to an agreement to include only three areas of Manipur's like, Mao, Tamenlong and Urkhul.<sup>22</sup> After the deliberations cease-fire was rectified in the month of August. All operations would come to cease from 5<sup>th</sup> September 1964. This announcement of peace brought relief to the Naga inhabited areas.

The main ground rules agreed upon were suspension of operation, that the Federal Government would not undertake (a) Sniping and ambushing, (b) imposition of fines, (c) kidnapping and recruiting (d) sabotage activities, raiding and firing on security posts, towns, and

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<sup>21</sup> The Peace Mission Proposals, 1964 (for detail see appendix).

<sup>22</sup> Yonuo Asoso, n.3, p.267.

administrative centre and moving with arms or in uniform in towns, villages and administrative centres wherever there was security posts and approaching within one thousand yards of security posts. On the other hand, the security forces agreed to refrain from: jungle operation, raiding of Camps of the Underground, patrolling beyond one thousand yards of security post, searching of villages, arial action, arrests imposition of labor by way of punishment.<sup>23</sup>

To ensure the successful peace talks a need was felt to co-ordinate the Peace Mission by a group of "Peace Observers". This was done to have a transparency of the discussion and was approved by both Government of India and the Federal Government. The members included were Nabakrishna Choudhury, Dr. M. Aram, Santi Amalprabha Das and Miss marjorie Sykes.<sup>24</sup> Their main task of the 'Peace Observers' were to investigate any allegation of the Cease-fire violations but they were not to investigate allegations or complaints prior to 24<sup>th</sup> February 1965<sup>25</sup>.

### **FIRST PEACE TALKS**

The peace talks began on 23<sup>rd</sup> September 1964 at Chedema Peace Camp near Kohima. It was held at the highest level. Y. Gundevia, the Foreign Secretary, headed the Government of India and Zashi Huire led

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<sup>23</sup> Suspension of Operation Agreement, 14<sup>th</sup> August 1964.

<sup>24</sup> M. Aram, *Peace in Nagaländ: Eight years story (1964-74)*, Arnold Heinemann Publications, New Delhi, 1974, p.52.

<sup>25</sup> Ibid.,

the Naga Federal Government. Gundevia made the statement and reiterate Government's willingness to grant greater autonomy to satisfy their aspirations within the framework of the Indian Constitution. The Underground leader Zashi pointed that Nagaland was an Independent Country and expressed the Nagas would never yield to Indian Government efforts to subjugate their country<sup>26</sup>. From the very opening session of the meeting it became a deadlock. The peace talks occurred for more than five times but the outcome was fruitless. The reason behind was the Naga Federal Government refusal to accept Nagaland constitutional state within the Indian Union. It stressed the rights for a sovereign Nagaland that was not acceptable to the Government of India.

Since from the very beginning there was no headway, therefore, the Peace Mission brought out a new proposal that "the NFG could on their own volition decide to be a participant in the Union of India and mutually settle the terms and conditions for that purpose. On the other hand, the Government of India could consider to what extent the pattern adopted and structure of the relationship between Nagaland and Government of India should adopt and recast so as to satisfy the political aspiration of all sections of Naga Opinions"<sup>27</sup>.

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<sup>26</sup> M. Horam, n.7, p.111.

<sup>27</sup> Ibid., n. 21 (see appendix for detail).

In the continued talks over the issue of granting the right to govern, the Government of India was firm on its stand and reiterated to accept under the constitution of India. But this was not applicable since their demand was not less than the term sovereignty. This demand put the Peace Mission and the Government of India a check which could not proceed anymore in the dialogue. The proposal of the Peace Mission was forwarded to the Naga Federal leaders to discuss in the Tata Hoho (NFG Parliament). But no positive results would emerge from the deliberations.

### **MINISTERIAL TALKS**

In the second phase the ministerial level talks between Minister Indira Gandhi and the Naga Federal leader led by Ato Kilonser (P.M.) was held on 18<sup>th</sup> February 1966 along with the Peace Mission. At the first round no concrete result was visible. In all, there were six rounds of talks. When the situation was quite fluid J.P. Narayan resigned on 25<sup>th</sup> February 1966 citing that Naga leaders did not have confidence in him. Close on his heels was Rev. Scott who was dedicated to the service in solving the vexed problem was charged with being partisan to the Nagas. In May 1966, the Indian Government ordered his deportation from the country and seized all his recording papers. The sole member left in the mission was B.P.

Chaliha. He too was forced to resign after the sabotage of train in Lunding (Assam) by the Naga army.<sup>28</sup>

The talks were at the point of collapsing but things became brightened. Prime Minister Indira Gandhi reiterated her stand that solution need not be found within the framework of Indian Constitution but within the Indian Union referring the “constitution could be amended as a way to obtain a solution to the Naga problem”<sup>29</sup>. The main objective was to grant autonomous status to Nagaland. The Naga Federal leaders continued with the standpoint i.e. not short of Independence. Consequently, they bargained for a while to convey to A.Z. Phizo who was already in London, a series of misunderstanding had cropped up between extremists and moderates. But the message was clear nothing less than self-governance. This had greatly hampered the peace talks and ultimately the Naga Federal leaders had to come back home with empty handed.

The Tata Hoho (Parliament) had blamed the Prime Minister (Ato Kilonser) Mughato Sukhai for the debacle, and insisted that he had masterminded and not taken others into confidence. The change of guard was in the offing. Mughato resigned as Prime Minister and General Kaito was ousted.<sup>30</sup> Scato Suw resigned from the post of President. He was

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<sup>28</sup> M. Rammuny, p.150.

<sup>29</sup> B.G. Verghese, *India's North-East Resurgent, Ethnicity, Insurgency, Government & Development*. Konark Publishers. 1995, p.92.

<sup>30</sup> Ibid., n.7. pp. 140-41.

replaced by a relative of Phizo, Mashieu and General Mowu Angami was appointed the Naga Federal Army general. Th. Muivah was appointed as the General Secretary and Z. Ramyo as Kilo Kilonser (Home Minister). This change of guard clearly exposed the domination of the Angamis and the Tangkhul. The outcome was severe General Kaito broke away from NFG formed its own army with some other Naga tribes. But he was eliminated on 3<sup>rd</sup> August 1968 in the capital of Nagaland by the Naga Federal army. The break away formed the Revolutionary group led by Zuhseto. They arrested President of NFG and its Secretary. After much discussions between the two groups came to an agreement to release them. The NNC and the NFG denounced the existence of Revolutionary Government and labeled them as renegades and traitors<sup>31</sup> and refused to grant the movements recognition. The fact was the revolutionary group was working with the security force in arresting the NFG leaders.

Uncertainties were prevailing in the Naga Nation when a group led by General Mowu returned to Nagaland from China with heavy sophisticated arms was caught unaware by the situation at home. The Indian army captured them and Revolutionary groups with 165 soldiers and made them surrender in phase wise.<sup>32</sup> Another group led by Isaac Swu entered Nagaland through Tuensang district and was captured by the

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<sup>31</sup> M. Horam, *Naga Insurgency-The last 30 years*. Cosmo Publication, New Delhi, 1988, pp.143-44.

<sup>32</sup> M. Rammuny, n.7, p.177

security forces with the help of the village guards.<sup>33</sup> But Isaac managed to escape from their captive. This was a great setback for the Underground and a moral boost for the Government of India.

With the formation of the Revolutionary Government and the NFG it had serious fallout to the state ruling Naga National Organization (NNO). It criticized the incumbent Chief Minister Hokishe Sema for patronizing the Revolutionary group. The Indian Government and the other standing on its own feet to settle the problem supported the situation. An attempt was made to assassinate the Chief Minister by the Naga Federal army but had escaped. There was hue and cry from the public as the Chief Minister was stated to attend a UN Conference pertaining to the Naga Issue.

The situation was running out of hand and ultimately security forces was called back to the state. The result was the culmination of cease-fire which formally ended on 18<sup>th</sup> September 1972 after eight years of futile efforts. Things again returned to square one with the pre-cease fire era. Army patrolling with heavy arms in every nook and corner of the state. To deal with more stringent action, the Government imposed Unlawful Activities Prevention Act 1967 and the Armed Forces [Special

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<sup>33</sup> Ibid.,



power] Regulation Acts. The Naga Federal Army and the NNC were banned as unlawful organisation.<sup>34</sup>

The whole atmosphere in Nagaland was rather pathetic. Frequent killings, attacks, ambushes, atrocities, intimations became the order of the day. Chief Minister H. Sema later took the initiative in breaking the deadlock with the Revolutionary Government. After much discussion at the negotiating table some one thousand plus surrendered on 16<sup>th</sup> August 1973 in front of B.K. Nehru the then Governor of Nagaland. Subsequently, the Prime Minister sanctioned Rs. 25 lakhs for the rehabilitation of these people.<sup>35</sup> Many of them were recruited in the Border Security Force and other services.

But the turbulent still persisted, as the NFG armies were reluctant to give up arms. Rather they began to arm and adopt more offensive tactics. It was at that time many were recruited and went to China for training. They were basically trying to give a tough resistance to the Security forces. Thus, the dreams of peace in Nagaland became a nightmare. Troubled by frequent encounters between the NFG and the Security forces a group of right thinking persons came and formed a Liaison Committee as to ensure that normalcy returned to Nagaland. The

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<sup>34</sup> Ibid., pp.192-93.

<sup>35</sup> M. Rammuny, p.197.

Committee did manage to convince the NFG to come to the negotiating table for a settlement with Government of India.

### **SHILLONG ACCORD 1975**

The agreement between the NFG and Government of India signed the commonly known as Shillong Accord on 11<sup>th</sup> November 1975. The Federal Group was led by Zashi and NNC by Kevie Yalley (Phizo's brother). The Indian side was represented by the then Governor of Nagaland L.P. Singh.

The following were the outcome of the discussions:

- (i) The representatives of Underground organisations conveyed their decision, of their own volition to accept without condition the Constitution of India;
- (ii) It was agreed that the arms would be brought out and deposited at appointed places. Details for giving effect to this agreement will be worked out between them and representatives of the Committee;
- (iii) It was agreed that the representatives of the Underground organizations should have reasonable time to formulate other issues for discussion for final settlement.<sup>36</sup>

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<sup>36</sup> Shillong Accord on 11 November 1975.

The people expected that the situations would return to normalcy after the Accord. Military operations came to a standstill and the Government was optimistic in ensuring a permanent solution. This was a major breakthrough on the part of the Government for a final settlement on the Naga Insurgent Movement.<sup>37</sup> Nevertheless, the Nagas in general and the NNC leaders in particulars opposed the Accord.

The outcome of the Accord had tremendous impact. There was total confusion with regard to the signing since many of them were caught unaware by the news. The Eastern Nagaland were not happy and condemned on hearing the breakthrough. Their leaders Isaac and Muivah who were on a Good Will Mission to China<sup>38</sup> denounced the Accord as treason and the signatories representing NNC-Federal Government as traitors. Since their leader Phizo was in London, the information was dispatched to condemn it but insistent request became futile and assumed Phizo's approval of the Accord.

After the Good Will Mission, Muivah strongly condemned Phizo for not in accordance with party's stand. This mistrust had a severe impact and a new group formation was round the corner. Since the only alternative was to replace by a new front, a clear picture emerged over the

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<sup>37</sup> M. Rammuny, n. 17, p.227.

<sup>38</sup> B.G. Verghese, p.95.

leadership loyalties as the Semas and the Tangkhuls supported Isaac and Muivah moved in establishing a front.

On 30<sup>th</sup> August 1978 Martial law was imposed in the headquarters for a period of six months. During the course many leaders were arrested including Isaac and Muivah. A meeting was convened and elected S.S. Khaplang as President of the Naga Federal Army, a Hemi Naga from Burma. In 1979 after the release of Isaac and Muivah it managed to convince Khaplang who formed coup d'état and was responsible for Martial Law. Subsequently, the three leaders broke away from the NNC and jointly formed the National Socialist Council of Nagaland (NSCN). It was believed that the formation was a direct impact of the Shillong Accord.

### **SPLIT IN NSCN**

The formation of the NSCN dates back to 1980. It was formed basically on the principle of socialism and economic upliftment of the Naga public. The new established Government elected Isaac Swu as Chairman, S.S. Khaplang as Vice-Chairman and Th. Muivah as General Secretary. Its objective was to build up a Sovereign Christian Socialist State of Nagaland. But things did not turn as to be expected of. It became clear that certain tribes were not in good terms. This greatly undermined the smooth functioning of the internal affairs. There was report of India's Intelligence in helping certain group as to create hatred among the Naga

tribes. The National Assembly convened a meeting at the NSCN Headquarters to review the reported controversy. Instead of trying to resolve the problems things turned out to be battleground for bloodshed among the National workers. On 30<sup>th</sup> April 1988, Muivah camp attacked by Khaplang group killing more than hundred men mostly Tangkhuls and many women and children lost their precious lives. But Muivah escaped with some followers and joined hands with Isaac. Consequently, there was split and two faction emerged namely, NSCN (I-M) Isaac Muivah and the other NSCN (K) Khaplang.

The Government had banned the two factions since 1991. Subsequently, the security forces began to crack down the insurgent activities and armed with latest weaponry system. The Underground rearmed themselves to fight for there cherish goal of Sovereignty and continues till the present moment.

The common populace was in terror and always caught between the security forces and the Underground. To restore normalcy efforts were made by various organizations as to give peace to this trouble torn state. An agreement was reached between the Government of India and the NSCN (I-M) in restoring the decades old problem. Thus began the Second Phase of cease-fire commenced in July 1997.

With the commencement of the Second Phase of Cease-fire, it is hoped that this would ensure a period of lessening from killings, atrocities and unwarranted incidents. We cannot foresee as to what the outcome of the cease-fire be. But one thing is certain the cease-fire would bring a congenial environment for fruitful discussions. Everything depends on the parties i.e. the Government of India and the NSCN (I-M) as to come to a level and to hammer out a lasting solution. In the next chapter, we shall fully concentrate on the cease-fire coming to force and the recent peace talks, which are undergoing between the Government and NSCN group.

**CHAPTER IV:**  
**RECENT PEACE TALKS**

## **RECENT PEACE TALKS**

*“Let all past rancour and misunderstanding be forgotten and let a new chapter of progress, prosperity and goodwill be written, on a page which begins today”.*

**- Dr. S. Radhakrishnan, President of India, 1<sup>st</sup> December 1963**

The Naga people were rather disgruntled with the scenario prevalent in the state. Their hopes and aspirations for a normal life became a far cry. They were perplexed as to whether it would have a situation in the sixties, which was comparatively free from violent. They had experienced enough of firearms and the gun culture. Their sole aim was to hanker for state where peace reigned in the state. The fulfil their dreams, certain amount of peaceful atmosphere is necessary. Twenty-five years had elapsed after the culmination of the first cease-fire agreement in 1972. A ray hope brightened for the Nagas in particular and the public in general when a breakthrough emerged between the Government of India and the National Socialist Council of Nagaland (NSCN) Isaac-Muivah faction in 1997 to resolve the decades old vexed problem.

The herculean task had begun under the stewardship of the then Indian Prime Minister P.V. Narasimha Rao. On 12<sup>th</sup> June 1995. Rao met the NSCN (I-M) collective leadership in Amsterdam. During the course of the parley he said; “I believe in political solution. We must solve the



problem through political tolerance in tackling the problem”.<sup>1</sup> The NSCN (I-M) reciprocated the call and demanded for a meaningful dialogue. Subsequently, in September 1995 the Prime Minister Office (PMO) sent its Principal Secretary A.N. Verma and met the collective leadership of the NSCN in New York to discuss the various ground situations. But the regime of Rao was short-lived and a change of guard occurred in 1996.

His successor H.D. Gowda the Prime Minister followed his predecessor’s initiative. He deputed Rajesh Pilot M.P. former Minister of State (Internal Security) for Home as his emissary to discuss with the NSCN. Pilot represented the Government of India and held discussions in Bangkok. This was to arrange for Gowda’s visit to meet the NSCN leaders. Accordingly, the meeting took place on 3<sup>rd</sup> February 1999 in Zurich, Switzerland. Thereupon, the Prime Minister made a statement in the parliament during the budget session thus:

**“This is a very important thing I would like to disclose. During my tour to the North East (NE), I made a public announcement inviting the Underground groups for discussions without preconditions, in order to find a political solution which would ensure durable peace in the region. It was also my assessment that the common people in all these areas genuinely desired**

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<sup>1</sup> *Souvenir: 50 years of Resistance*, 1999, Published by Govt. of the People’s Republic of Nagalim (GPRN).

**restoration of peace and normalcy so that they could pursue their vocations without hindrance and unemployed youth could find employment. My call was responded to by the National Socialist Council of Nagalim (NSCN) and had a meeting recently with, Isaac Swu Chairman and Th. Muivah, General Secretary of this Organisation. It has been agreed that further talks would be held.”<sup>2</sup>**

Since Gowda led a coalition government at the centre, the political instability cost him dearly. But the process initiated with the NSCN did not derail with the change of Government. Rather new Prime Minister I.K. Gujral took special interest in resolving the Naga problem. Without wasting much time. Gujral sent his principal Secretary Satish Chandra to discuss and held talks with the NSCN leaders. Gujral announced in the Parliament: “In the recent talks with the Isaac-Muivah group of the NSCN, it has now been mutually agreed to cease-fire for three months with effect from 1st August 1997 and initiate discussions at political level”<sup>3</sup>. The announcement to this effect was lauded by both the Houses of Parliament. This gave a moral boost to the officials to venture this thorny and delicate problem.

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<sup>2</sup> Ibid..

<sup>3</sup> Ibid..

The NSCN (I-M) subsequently had set three conditions for peace dialogue with the government of India, namely, (i) The negotiation should be resolved around sovereignty; (ii) It should be held in a third country and (iii) It should be mediated by a third country.<sup>4</sup>

But later on, the government of India and the NSCN agreed on the following terms:

- i) The talks shall be without conditions from both sides.
- ii) The talks shall be at the highest level i.e. at the Prime Ministerial level.
- iii) The venue of the talks shall be anywhere outside India.
- iv) It's objective will be towards finding a peaceful honorable political solution to the problem.<sup>5</sup>

The process of the Indo-Naga dialogue was taking its shape. The Naga people hailed this development and hoped for a speedy solution. There was joy and celebration over the agreed rules signed between the Government of India and the NSCN (I-M) but they were also of the opinion to include all the factions under the purview of the peace talks for a political solution. In the meantime, the Naga public especially the Naga

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<sup>4</sup> Santanu Ghosh and Subit Ghosh, "Isak-Muivah sets terms for Negotiation", *The Telegraph*, 8<sup>th</sup> January 1997.

<sup>5</sup> *Ibid.*, n. 1, p. 104.

Hoho (the apex body consisting of all Naga tribes) and the other NGO's began to render their active services. The Naga Hoho, NSF, NMA, UNC, NPMHR, NBCC etc. wanted this initiation of a dialogue to be the final opportunity to solve the problem in letter and spirit. These NGO's were in favor of combining all the other fraction into the cease-fire. The task of this endeavor was left to the church leaders since it would contribute a major role. Consequently, a Committee was formed as Joint Naga Peace Mission comprising Church leaders and prominent Naga citizens under the leadership of Rev. V.K. Nuh for the unification process. The committee could not make much headway as there were some conditions placed by the NSCN (I-M)<sup>6</sup> for the political dialogue. The Nagaland government had declared the year 1996 as a year of "peace offensive" and decided to start a political dialogue to the end Naga Insurgency.<sup>7</sup>

A section of people, prominent among them being former Governor of Himachal Pradesh Hokushe Sema, were of the view that "unconditional talks" would not be materialized unless the ban on Naga insurgents were lifted by the Centre. Moreover, in 1996 under the banner of the Peace Mission convened a meeting and decided to press upon the centre to lift the ban imposed on the insurgents and remove the unlawful Acts like

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<sup>6</sup> Oinam Sunil, "Merger of Naga outfits remains distant dreams", *The Telegraph*, 7<sup>th</sup> Jan. 1997.

<sup>7</sup> Ibid.,

Disturbed Area Act, the Armed Forces Special Power Act, 1958, before the starting of the unconditional peace talks.<sup>8</sup>

There was apprehension and hesitation, the sincerity in the Government of India because in the past Accords had been signed but never materialized. It may be noted that his predecessor Narasimha Rao had once remarked: "I am Prime Minister of India, I will not let you down. If we do not come to an agreement we will thank you and let you go your way honorably."<sup>9</sup> The Government on its part had tried to commence the cease-fire during Rao's tenure but could not do due to unavoidable circumstances.

Since the Naga inhabited areas are basically dominated by three Underground groups, namely, NSCN (I-M), NSCN (K), and NNC, the NSCN (I M) among these seems to be the strongest in terms of manpower and weaponry equipment. This faction is predominantly active in Nagaland and Manipur. While the NSCN (K) has relatively its base in Myanmar though active in Nagaland and some parts in Arunachal Pradesh, the other factions has been maintaining its stand at a low profile. The NSCN (K) was greatly troubled at the partial breakthrough<sup>10</sup> arrived at the initiation of Rajesh Pilot with the NSCN (I-M) at the negotiating table. The

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<sup>8</sup> Ibid.,

<sup>9</sup> Bharat Bhushan, "Towards Peace, The Naga View III", *Hindustan Times*, 7<sup>th</sup> Sept. 1997

<sup>10</sup> Monimoy Dasgupta & Anirban Ray, "NSCN(K) wants Cease before talks". *The Telegraph*, 21<sup>st</sup> Jan. 1997.

regional Chairman of the group accused New Delhi of having 'double standard' and against the talks until a "total unification of the fractured Naga Community".<sup>11</sup> Further he cautioned, "if you home is disturbed, what is the use of arriving at a settlement with the Indian Union or anyone else." But he believed that dialogue was a proper way to bring about a solution.

In the meantime, the Government of India and the NSCN (I-M) were working round the clock to chalk out the ground rules for the cease-fire. In pursuance of the cease-fire as originally agreed to on 25<sup>th</sup> July 1997 further discussions were held between the representatives of the Government of India led by K. Padmanabhaiah and the NSCN led by V.S. Atem, to finalize the ground rules and modalities for the implementation of the cease-fire with the view to ensuring continuance of an effective cease-fire to pave the way for a peaceful and meaningful political dialogue. After exchanging views in the context of the experience of the first three months of the cease-fire, both sides agreed to undertake effective and unambiguous implementation of the cease-fire to create a proper and conducive atmosphere for further discussions. It was mutually agreed that during the period of cease-fire:

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<sup>11</sup> Ibid.,

- (i) - there would be no offensive operations like ambush, raid and attack leading to death/injury damage or loss of property against the NSCN by the Indian Army, Parliamentary Forces and the Police;
- (ii) patrolling by the Indian Army, Parliamentary forces and the police would continue to prevent infiltration of militants and arms as hitherto in force. However, patrolling within one kilometre of NSCN designated camps, decided after due consultation, in the monitoring mechanism, will be carried out with intimation to them. It is noted that no such camps are located/will be located in urban areas, and/or near highways.
- (iii) protection of convoys and patrolling of roads would continue to be undertaken by the Indian Army, Parliamentary Forces and the police.
- (iv) the Indian Army, Parliamentary Forces and the police would issue instructions to their formations, not to use masks to cover their faces, during the period of cease-fire.
- (v) the NSCN would not undertake offensive operations like ambush, raid, sniping and attack leading to death/injury/damage or loss of property;
- (vi) in the interest of promoting the peace process, there would be no parading (either in group individually) of NSCN leaders in uniform and/or with arms. For the present, this would cover towns including

District Headquarters, Sub-Divisional Headquarters, Public Transport, Highways and such EAC Headquarters and other areas as may be mutually agreed upon by the Joint Monitoring mechanisms;

- (vii) there would be no blockade of roads and Communications, disruption of economic or developmental activities as well as essential services by the NSCN.
- (viii) It is mutually agreed that no safe haven or sanctuary to any armed groups or elements will be provided by anyone to ensure that the cease-fire conditions were not misutilized;
- (ix) on the Government of India, a concern was expressed that forcible collection of money or essential supplies and intimidation of individuals including Government officials were taking place in the state. The NSCN representatives stated that theirs being a people's organisation, they did not resort to such activities. However, in view of the concern expressed by the Government of India and in the interest of promoting the peace process, the NSCN representatives agreed that the above activities would be prevented.
- (x) it was further agreed that implementation of these group rules and modalities will be monitored by a group constituted for this purpose comprising representatives of NSCN, NGO's and representatives nominated by the Government of India. However, it was also agreed



that any accidental encounter or violation should not be allowed to jeopardize the peace process and the effort of any such incident should be localized through mutual consultations. All cases of violations of ground rules could be referred to the Monitoring Group so that the reasons for violations are identified and steps taken to prevent such violations in future were suggested. Notwithstanding the above, the Army, the Parliamentary Forces and the Police would act in an impartial and unbiased manner against any group causing public disturbance or when there was imminent danger to public safety or peace;

- (xi) on Government of India, a concern was expressed about reports of forced recruitment to armed cadres. The NSCN representatives stated that they have not and did not resort to forced recruitment. However, in the interest of promoting the peace process, it was further agreed that if there was any reports of forced recruitment, they should be discussed in the Monitoring Group.<sup>12</sup>

Prime Minister of India Atal Bihari Vajpayee deputed Swaraj Kaushal the former Governor of Mizoram as his emissary to deal with the NSCN. Under his statesmanship a major breakthrough was made.

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<sup>12</sup> Agreed Ground Rules for Cease-fire finalized between Govt. of India and the NSCN (I M) on 12<sup>th</sup> Dec. 1997.

Accordingly, Kaushal met the leaders on 25<sup>th</sup> and 26<sup>th</sup> May 1998 in Bangkok. The second meeting was held in Zurich on 26<sup>th</sup> and the third was held in Amsterdam on 18<sup>th</sup> September 1998. These meetings had in fact cleared many of the hurdles confronting the two parties.

In the course of observing cease-fire since August 1997, it was believed to have prepared the ground modalities for political task between the two sides. In fact the Government noted with satisfaction that the cease-fire with the NSCN, which had been, imposed in Nagaland for the previous five months had by and large held good. During the cease-fire period, the level of violence has come down and the general public had welcomed it.<sup>13</sup>

There was a deadlock about the area of cease fire between the Government and the NSCN. In an interview to Northeast Sun magazine the emissary Swaraj Kaushal observed that the Government of India considered the current cease-fire with the NSCN not only in Nagalim but across the globe. He further observed: Whenever they (NSCN) are ... even abroad .... Yes very definitely. It covers Delhi and even Paris .... After all it is not that they will be killing each other in a particular area and discussing peace in another area. What is required is a conducive atmosphere for a discussion....<sup>14</sup>

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<sup>13</sup> "Ex-Mizoram governor to hold talks with the NSCN", *The Hindu*, May 3<sup>rd</sup> 1998.

<sup>14</sup> Jacod Shaiza, "Good beginning, doubtful ending", *NE Sun*, Oct. 15-31, 1999, Vol. 5, p. 16.

Kaushal prepared the ground work for the Prime Minister Vajpayee meeting with the NSCN leaders. Thereupon the Prime Minister met the NSCN Leaders in Paris on 30<sup>th</sup> September 1998. The Prime Minister Vajpayee then remarked: "I believe in peaceful political solution. Violence and military solution is ruled out. We must seek political solution because it is a political issue."<sup>15</sup>

Later a formal talks were held between the Government of India led by Swaraj and the Nagas led by NSCN leaders Issac and Muivah in March 1999 in Amsterdam in a Third country. First in the annals of the Indo-Naga conflict, the meeting lasted for four days. Interestingly, the talks were held with the full knowledge<sup>16</sup> and permission of the Netherlands Government.

The pace of cease-fire was moving towards a greater horizon. The common populace have responded with letter and spirit. But the discontent news was election were round the corner in the Naga area for the State assembly and the Parliamentary seats. Meetings were held among the various civil society groups and had a consensus opinion. Their slogan was: "NAGAS WANT SOLUTION NOT ELECTION". They realised that to have a fruitful and honorable talks they favoured deferment of

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<sup>15</sup> Ibid.,

<sup>16</sup> Ibid.,

election to the Naga inhabited areas. They wanted to give 'PEACE' a chance.

The Naga Hoho spearheaded the movement in fighting for this legitimate right. The notion of withholding elections in Naga areas during the negotiating period was tabled on 20<sup>th</sup> November 1997 at Kohima. Finally, the resolution was passed on 18<sup>th</sup> December 1977 in a meeting of the Naga Hoho with all the other Naga social and voluntary organisations in black and white.<sup>17</sup> The Naga Hoho and other NGO's has conceived the idea of deferment of Parliamentary and Assembly election in order to pave way for congenial atmosphere and to facilitate the talks with desirable result.

They had apprehensions once the election were imposed at this crucial period. Citing some of the reasons as to why election should not be conducted in the Naga areas, it stated:

1. Various groups/faction will get involved which might lead to both capturing, muscle exercise and all form of extreme manipulations;
2. Polling booths will become a battle ground for the condition to win over each other as have been experienced in the past;

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<sup>17</sup> *A brief background to why Nagas want solution not election, 50 years of struggle*, published by Naga Hoho and NGOs. Kohima 1998.

3. Whichever political party comes to power will sabotage the peace process because power and money is their ultimate goal;
4. Bloodshed, sharp division among people and deceit will follow post election, which will be detrimental to the ongoing peace process;
5. To have a moral boost in the eyes of outside world and show that the Nagas are distinct race having right for self determination.<sup>18</sup> Subsequently, a delegation met the P.M and apprised him of its decision and urged him to defer election to the Naga area. The follow up was organizing public rallies to highlight the gravity of the situation to support the genuine cause of the people.

The Naga Hoho and NGO's warned any person filing his nomination for the election processes be declared as anti-Naga<sup>19</sup>. These NGO's had asked all the sitting Naga MPs and MLAs to resign from their respective Parliamentary and Assembly seats. In respond to this clarion call some MLAs had resigned and three political parties in the state Nationalist Democratic Movement (NDM), Nagaland People's Council (NPC) and Bharatiya Janata Party (BJP) decided to comply with the stand. In this account, the Naga Tadubi Mao constituency under Senapati District of Manipur sacrificed<sup>20</sup> for the Naga cause.

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<sup>18</sup> *Public Statement; The 50 years of struggle*, Published by Naga Hoho and NGOs, Kohima 1998.

<sup>19</sup> *Ibid.*,

<sup>20</sup> *Ibid.*,

However, this humble call given by the NGO's was brushed aside by the Government of India. It went ahead with the elections as per scheduled. This greatly undermined the efforts made by the people in striving for a long and cherished goal. The results of the elections amply proves that it was not the people's mandate since two-third were elected unopposed in Nagaland.

As the election procedure was over, some complications developed at the highest level. The Prime Minister's emissary Sawraj, Kaushal had resigned as the representative of Government of India to the NSCN for talks. Kaushal handed his resignation on 22<sup>nd</sup> March 1999 to the Prime Minister Principal Secretary. It read: "The responsibility I was discharging required credibility but the kind of campaign the P. M's house had launched against me was diluting my authority. They thought they were destroying me but in the process the cause was also being damaged."<sup>21</sup> It was after much speculation the fate of Kaushal came to a standstill. The Prime Minister at last accepted the resignation of Kaushal in July 1999. Subsequently, former Home Secretary Padmanabhaiah was appointed as the next Indian representative to the Indo-Naga peace talks.

The scenario in Nagaland was witnessing some stray incidents. The fratricidal practiced was continuing at a low pace. But the killing Dally

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<sup>21</sup> Ibid., n.14, p.16.

Mungro General Secretary, NSCN(K) had shocked the Naga community in particular and the public in general. Asked the incumbent emissary Padmanabhaiah regarding this killing he directed the home ministry to comment. He said, "My charter is limited, I am only authorized to speak to the NSCN (I M) so that we can find a peaceful solution to the decade old Naga crisis."<sup>22</sup> He went further to state under the ground rules clause 10 which reads: .... "accidental encounter or violation should not be allowed to jeopardize the peace process and the effort of any such incident should be localized through mutual consultations...."<sup>23</sup> But whatever may be the reasons best known to them, it could definitely hamper the peace process because by eliminating one another would broaden the bridges and deviate from coming to a focal point.

### **ROLE OF CIVIL SOCIETY**

Despite many hurdles faced by the NGOs their selfless contribution in this field will be remembered in the future. The unceasing interaction and dialogue with the various factions have enabled to reduce rivalries and pave the way for better understandings. It has greatly reduced hostilities against each other encompassing almost all the Naga inhabited areas. This signifies a degree of political maturity unlike other insurgency groups which is in marked contrast by various pulls and pressures.

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<sup>22</sup> "Govt. Mediator steers clear of Mungro issue", *The Telegraph*, 24<sup>th</sup> August, 1999.

<sup>23</sup> Agreed ground rules for the Cease-fire between Govt. of India and NSCN on 12<sup>th</sup> December 1997.

## **NAGA HOHO MEMORANDUM TO PRIME MINISTER:**

The Naga Hoho (apex body of Naga Organisation) submitted a Memorandum to the Prime Minister Atal Behari Vajpayee on 21<sup>st</sup> January 2000 at Shillong. The memo read: "we sincerely believe that your statesmanship and wisdom will steer the destiny of India and the Nagas to an honorable and permanent settlement that will usher in an era of lasting peace."<sup>24</sup> It further stated that "we are constrained to urgently appraise you of the fact the hard won peace is becoming fragile due to the following:

- (i) Confidence building which merits top priority is found wanting in the present peace process and in the functioning of the cease-fire monitoring body;
- (ii) Difference arose immediately right from the time of the declaration of the cease-fire on the issues of its area of coverage and also on the appointment of chairman of the cease fire monitoring body;
- (iii) Instead of adhering to the ground rules as agreed upon by both the parties, allegations and counter allegations on violations of the cease-fire ground rules are exchanged at every sitting of the cease-fire monitoring body;

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<sup>24</sup> Naga Hoho Memorandum to P.M. on 21<sup>st</sup> Jan 2000 at Shillong.



- (iv) Absence of an impartial third party observer in the cease-fire monitoring body.<sup>25</sup>

The Naga people are apprehensive that the present peace process will break down because of the defective functioning and composition of the present cease-fire monitoring cell. The present situation was the outcome of the defective mechanism of the cease-fire and feared that it might deteriorate and ultimately go out of control. Therefore, sensing the gravity of the situation the Naga Hoho submitted the following suggestions for expeditious intervention and speedy actions:

- a) In order to strengthen the existing cease-fire monitoring body an independent third party observes, comprising of renounced personal be co-opted in to the body;
- b) The ongoing political talk at the highest level be expedited to arrive at a final solution during the present government under your dynamic Prime Ministership;
- c) The coverage of cease-fire be clearly defined by officially declaring cease-fire in all Nagal inhabited contiguous areas as it was done in the previous cease-fire agreement of 1964 which covered all Naga areas"<sup>26</sup>. The signatories including among others its President M.

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<sup>25</sup> Ibid.,

<sup>26</sup> Ibid.,

Vero. Vice-President G. Gaingam, General Secretary, Vihuto Yepthomi, Secretary Er.S. Ashiho.

In the midst of this, a delegation of Naga citizens arrived in Delhi towards the end of January 2000. Its objective criterion was to have 'people to people' dialogue with the Indian civil societies. Through interaction it would broaden the relationship between the two groups and enable to understand the problems confronting the societies. As a mark of homage, the delegation paid tribute to Mahatma Gandhi on his death anniversary since he understood the Naga problems and cared for them.

Expectations ran high amongst the Naga people in the peace talks undergoing between the Government of India and the Underground leaders, but an unfortunate incident occurred. Th. Muivah, the General Secretary of the NSCN (I-M) representative of the Naga Peace talks was arrested on fake passport on 19<sup>th</sup> January 2000 in Bangkok. He had been slapped with one year jail sentence by the Songkhla Immigration Court in Southern Thailand for attempting to flee the country on a false passport.<sup>27</sup> The authority had four specific charges, entering Thailand on a fake passport, jumping bail, possessing a second fake passport and attempting to flee Thailand.<sup>28</sup> These developments were termed as very unfortunate but could not in any way hamper the peace talks. Rev. A. Puni Mao Convenor

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<sup>27</sup> Jay Raina, "Peace talks with the NSCN hang in balance", *The Hindustan Times*, 4<sup>th</sup> February 2000.

<sup>28</sup> Razual H. Laskar, Thai court sentences Muivah for jumping bail, *Asian Age*, 2<sup>nd</sup> Feb. 2000.

of the Steering Groups reaffirmed the NSCN (I-M)'s commitment to a peaceful solution to the Naga problem through political dialogue.<sup>29</sup> He was addressing on 'NSCN Day' reiterating the continuation of the ongoing cease-fire essential to expedite the peace process.

The former Naga Army Chief V.S. Atem had accused the Government of India over the arrest of Muivah on fake passport. He said: "he was using the same passport for the last three to four years, while attending many of the International Conference at different places of the world."<sup>30</sup> Moreover, Convenor Neigulo Korme of the Naga People's Movement for Human right (NPMHR) had denied of Muivah, fleeing the country. He opined that "thē NSCN leader might have tried to go out of the country (Thailand) to attend the proposed meeting of the on going political dialogue between the Centre and the NSCN (I – M) schedule somewhere in Europe."<sup>31</sup> His visit to Karachi "was on wrong time"<sup>32</sup>, he admitted

At this critical junction, the Indian civil societies initiated a process of urging the Prime Minister of India and the Thai counterpart to intervene and release the leader and resume the negotiation. The memo states: "we acknowledge that Th. Muivah's reported visit to Karachi at this juncture

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<sup>29</sup> Ibid.,

<sup>30</sup> "Cease-fire pact may be affected", *Assam Tribune*, 28<sup>th</sup> March 2000.

<sup>31</sup> "Muivah did not attempt fleeing", *The Statesmen*, 13<sup>th</sup> Feb., 2000.

<sup>32</sup> Ibid.,

has complicated matters for all”<sup>33</sup>. It further stated, as members of Indian civil society and those who are committed to peace and democracy in the sub-continent, we strongly believe that if Muivah is not released, prospects of continuing dialogue stand threatened. Hence, we believe and hope that you would be gracious enough to intervene at this juncture and seek the release of Muivah from Thai Government. So that the peace negotiation can continue”<sup>34</sup>. A prominent Naga Social Worker Niketu Iralu had termed the arrest of Muivah as unhappy development altogether. He said: “But the widespread feeling among the Naga people is he was held on a tip-off by the Indian Government. They suspect India’s hand in his arrest. I admit like other Naga leaders, Muivah has also made mistakes. We will tell him where he is wrong. But he is one leader representing us at the peace talks. Nagas feel India wants to weed him out of by getting their leader arrested. Dirty games like this do not take the peace talk anywhere. Our sense of honour is at the heart of the problem. If that honour is belittled, denied or suppressed, then the process will be flawed; talks will have no meaning and the fruit will be poisonous. Northeast India will be ungovernable”<sup>35</sup>.

Since the present case-fire is confined only to the NSCN (I-M) the State Government and the Centre were trying to reach an understanding

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<sup>33</sup> Memo, Submitted to Indian and Thai PMs by the Civil societies, New Delhi, 11<sup>th</sup> Feb., 2000.

<sup>34</sup> Ibid.,

<sup>35</sup> Niketu Iralu, Proximity and Distance, *Times of India*, 8<sup>th</sup> February 2000.

with the NSCN (K) faction. After much deliberation, the NSCN (K) agreed to come to the negotiation table. It formally announced a cease-fire with the Government of India, inhabited areas to fulfill the demand of the Nagas for peace thereafter a permanent solution<sup>36</sup>. The public had welcomed the cease-fire declared by the NSCN(K). but were not upbeat since they believed it was the handiwork of the incumbent Chief Minister S.C. Jamir. The fact that the Naga Hoho and other NGOs did recognise the present government because it did not represent the people's mandate. The NSCN (I-M) had expressed apprehensions that it might back out of the peace talks in the event of the Nagaland Government being allowed to participate in the process. The Naga Hoho General Secretary had reiterated: "Before the Centre and the NSCN (I-M) signed the cease-fire agreement both sides agreed that the Jamir government would not involved in the peace process. If the Centre back on its promise, the outfit have reason to back out of the peace talks."<sup>37</sup> In an open letter to the general public, the NSCN (I-M) described Nagaland Chief Minister S.C. Jamir as the "greatest obstacle"<sup>38</sup> in the way of peace processes. It was alleged that Jamir had a close link with some faction.

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<sup>36</sup> "NSCN(K) announces cease-fire with the centre", *Assam Tribune*, 10<sup>th</sup> April 2000.

<sup>37</sup> "Jamir volte face on peace talks skews equations", *The Telegraph*, 30<sup>th</sup> March 2000.

<sup>38</sup> "Naga conflict due to insincere peace talks", *Hindustan Times*, 17 May 2000.

## **COMPARISION BETWEEN THE CEASE-FIRES**

A brief comparison is imperative between the first and the current cease-fire enforced with the Centre and the NSCN group. Firstly, there was a 'Peace Mission' consisting of three members to monitor and supervise the nature of the peace talks, while the current cease-fire is headed by the Prime Minister's emissary to conduct the talks.

Secondly, there was a group known as "Peace Observers" appointed by the government to ensure and give necessary comments in the course of the negotiation period. The current cease-fire lacks and the NSCN (I-M) group are demanding to appoint a third body as observer for the talks.

Thirdly, in the first cease-fire agreement the areas were clearly demarcated which had been enforced, while the present cease-fire lacked a clear demarcation. This has created the bone of contention between the two parties.

Fourthly, a Foreign Secretary was headed in the negotiation at the first peace talks, while the current peace talks are held at the highest Prime Minister level.

Fifthly, the first peace talks were held within the Indian territory while the current peace parley are being held in the third or a neutral country.

Sixthly, the role played by the civil society/NGO's groups in the cease-fire were rather negligible compared to the current peace negotiations. It could be because of the lack of awareness prevailing in the state.

Seventhly, initially the Naga movements were treated as a mere law and order problem. But now the Government had admitted as a political problem, which need to be solved politically not militarily.

The second phase of cease-fire agreement reached between the Government of India and the NSCN (I-M) were marred by a series of allegation and counter-allegations. They alleged each other for contravening agreed rules arrived on 12<sup>th</sup> December 1997. The closing down of the cease-fire Monitoring Cell at Dimapur has tremendously hindered the exchanges of views between the representatives after the abortive attempt on the life of Chief Minister S.C. Jamir.

Thirty four months have elapsed and nothing substantive has emerged from the peace talks. In this context, Union Home Minister L.K. Advani has admitted: " the Centre's dialogue with the NSCN (I-M) has not made much progress"<sup>39</sup>. The Nagas is particular and the public in general are rather apprehensive over the peace negotiation. The Centre and the NSCN should formulate a joint confidence building mechanism to tackle

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<sup>39</sup> "Advani backs Jamir idea on peace Talks", *The Telegraph*, 29<sup>th</sup> March 2000.

the situation firmly. The prolonged negotiation would create unnecessary complications thus serious repercussion on the future of the peace talks. Both the parties should commit with sincerity in solving the problem. They should focus 'interest' rather than on the position.

To attain a sustainable outcome both parties should maintain a maximum restraint. The relatively peaceful environment would definitely pave the path for greater trust and understanding. The peace initiation process should open a new era for mutual goodwill and talks be held with sincerity and transparency. The decades old Naga problem deserve a special care and attention. But the ultimate solution to this lies with the Centre and the Naga people as a whole, whether the Centre accede to its demands or the Underground compromise with its principle is a big question mark. One has to watch and see as to how the final solution emerges from the current peace negotiations.



**CHAPTER V:**  
**CONCLUSIONS**

## CONCLUSIONS

*“It is quite clear to me that the problem of Nagaland is certainly not one of law and order but one of working out a political settlement between the leaders of Nagaland – both Underground and Overground – and the Government of India. But it is equally clear to me that this political. A solution can be possible only by mutual understanding and adjustment...”*

**- Jayaprakash Narayan, a member of the Peace Mission, 4<sup>th</sup> August 1969.**

Negotiations contribute an essential element both National and International levels. At the International arena, we witnessed myriad successful peaceful negotiation ensuring a perpetual solution. The reunification of the Germany, an instance for meaningful dialogue and peaceful negotiation the recent attempt of the North and South Korea in trying to end the stalemate after many decades of animosities speaks volume the importance of peaceful parleys and dialogue. There are innumerable paradigms of successful negotiation whereby it has shown the path for cordial existence and peaceful relationships. The Naga problem is not an exception. Through negotiation and dialogue it brought relative peaceful atmosphere in the whole region.

The thorny Naga political movement has reached its crucial phase. Since its inception efforts have been made to arrive at a final solution. But the fact seems to be running after a mirage. The Government of India took initiative and held talks with the Underground leaders in the process and Accords had been signed. The outcome failed to meet the aspirations of

the Naga people. Recently a breakthrough had arrived at between the Government of India and the National Socialist Council of Nagalim (NSCN) Isaac-Muivah faction in 1997 for a cease-fire agreement. This period is hoped to give an opportunity to solve the deadlock and end the fifty-three years Naga vexed problem.

The genesis of the problem dates back to the colonial rulers. Before their advent, Nagas had lived an independent life and was not interfered by external forces. They were self-sufficient and had everything for their sustenance. Slowly, the penetration of the British started to change traditional style of livelihood. Moreover, the missionaries did play a vital role in imparting the doctrine of Christianity. This greatly undermined the social fabric of the people living. They were able to attain greater knowledge and westernisation thrown to them. This ultimately led to the gradual assimilation and the process of acculturation steadily. The whole transformation had tremendously changed the social and cultural spectrum.

The real impetus of the Naga movement was attributed after the First and Second World Wars. Many indigenous people actively participated and were embedded with the zeal for self-determination and self-governance. Ultimately, it formed the Naga Club in 1918 and submitted its first Memorandum to the Simon Commission in 1929. The Memorandum stated that Nagas be left free to decide their future. Since

then, the movement received greater momentum and the public supported wholeheartedly the cause for complete independence. The formation of the Naga National Council (NNC) in 1946 became the real mouth piece of the Nagas.

In 1947, an agreement was signed between the Government of India and the Underground Nagas known as Hydari Accord, but failed miserably in letter and spirit. To restore the confidence of the Naga people, the Prime Minister Jawahar Lal Nehru and Burmese Premier U Nu visited Kohima in 1953 to decide the future of the Nagas. Differences cropped up with the officials just before the public meeting. Nagas were refused either to interact with or submit memoranda resulting the walk out of the Gathering. The Nagas lost faith in the Government and resorted to arms rebellion. Many joined the Undergrounds to fight for their legitimate rights since no one had conquered their country. In the process, many precious lives were lost and properties worth crores were destroyed. Another Accord had been signed in 1960, popularly known as 16-point Agreement, leading to the formation of the Statehood in 1963. But this peace meal concession failed to satisfy the Nagas as their aim for a Sovereign nation. Undeclared war continued and went unabated for years. The need of the situation was peace and congenial atmosphere. A Peace Mission was established instituted to have a dialogue with the Centre and the Underground groups. But the peace opportunity could not achieve tangible results. The

Government of India managed to sign an Accord in 1975, known as the Shillong Accord 1975, but the Underground termed it as a sell out of the Naga movement as the real representatives were not included during the talks. The Naga leader A.Z. Phizo did not publicly disown the Accord which led to the breakup of the parent NNC group. Consequently, the NSCN was formed in 1980 but it was further split in 1988 into two factions one led by Isaac and Muivah (NSCN-IM), and another by Khaplang NSCN (K). In 1991 the Government of India however, banned these factions.

Later an understanding was reached between the Government of India and the NSCN (I-M) in 1997 for ensuring a lasting and final solution. It is difficult to predict as to what the outcome would be but one could be certain that this period of cease-fire agreement would create a congenial atmosphere in hammering out some kind of solution to the problem. The Nagas in particular and the public in general are fed up with gun culture prevalent in the State for decades. They long for peace and tranquillity, a state where they are free to live in as citizens of a civilised nation. Their slogan in the whole territory was "Give Peace a Chance".

However, there are certain components indispensable for both the parties for arriving at a final outcome. It is imperative to contour these to augment the peace negotiation thus:

(a) A Confidence Building Measures (CBMs) cell be immediately formed to discuss the major issues confronting both the parties. This formation would invariably aid to achieve a workable mechanism thereby, leading the path for a mutual understanding and sustainable result.

(b) Both the parties should uphold, respect and honour the peace negotiation with sincerity and transparency. The ultimate objective in resolving the issue is to approach with a goodwill spirit and a big heart to accommodate others point of views and opinions. Thus, the pace of peace dialogue would enhance successfully.

(c) The Security forces and the Underground groups should show maximum restraint in using arms. By minimising it will definitely create a peaceful environ helping the peace discussion in cordial manner.

(d) The Government of India should initiate a dialogue with the Myanmar Government since the problem pertains to both the countries. Once this issue is solved then a better relationship can be discerned as both countries share common ties historically, politically and geographically.

(e) The Government of India should give due importance to the Naga political movement. Time and again, the Indian leaders had reiterated as a political issue. Thus, political problem has to be solved politically and not militarily by using force.

(f) The Government of India should acknowledge forthwith this as a political problem and scrap the draconian laws prevalent in the Naga inhabited areas. Otherwise there is a danger of aggravating the situation leading to total unrest and chaos.

(g) For a permanent solution, efforts must be made to bring all the factions under one umbrella. Unification of all groups will invariably help the peace atmosphere since settlement with one group cannot ensure peaceful co-existence resulting total complacency.

(h) The Naga public suggestions and opinions have to be incorporated in the parleys. It has to take into confidence before arriving at a meaningful result. They are the ultimate authority who will monitor the agreement arrived at between the Government of India and the Underground groups.

(i) During the process of negotiation, it is equally imperative to keep in mind to separate people from the problem. To achieve success during the talks, the focus should be on interests and not positions. Many a time this issue has been misused for self-aggrandizement.

(j) And lastly, in negotiation the outcome cannot be fully projected. So the question of creating various options becomes important. The answer to the problem varies with the circumstances of the situation

thereby, creating many avenues and options before the negotiating team to formulate the plan with strategy.

Unity among the Nagas is a prerequisite, be it Underground, Overground or Middleground. The fact remains that unless some consensus was reached among them the result would be futile. Its contribution from all walks of life becomes mandatory. The stalemate has caused enough suffering and misery so far. The Naga struggle movement has attained its pride and reputation.

Often it has been observed that the Government adopted a policy towards the Nagas to 'contain' and 'control'. This exercise of containment and control are not the ultimate solution. It should comprehend the historical perspective since the issue is political one. Moreover, a dialogue should be undertaken with the Myanmar authorities as it pertained to the Nagas. The problem confront both the countries as it also shares some commonalties namely, historical, political and geographical. The two countries should discuss the problem amicably and solve the impasse honourably.

The current cease-fire has entered its third year but the coverage operation has not been finalized. There was a demand for a clear-cut demarcation of its cease-fire since in the earlier cease-fire the areas were demarcated. The issue of a third party involvement in the negotiation is a must. The present dialogue is confined between the two parties though



talks are held in a third country. A third party would ensure the peace process success in the parleys and act even as an observer. Even today talks are being held, but the rate of progress seems to be slow and the people are kept in the dark. The Nagas in particular and the public in general are rather apprehensive of the outcome. By involving a third party as it had in the earlier cease-fire, it may inform the public about the talk and progress made.

What are the probable outcomes of the struggle movement? There is a school of thought which opines that the agreement arrived at should not be less than of a protectorate status as that of Bhutan. But there is another school of thoughts who are eager to see Nagaland as sovereign nation encompassing the Naga inhabited areas of India and Myanmar. The ultimate solution will depend on how the two parties approach to the deadlock. The policy of 'give and take' will accelerate the path for mutual understanding and durable result.

The peace process should not be derailed and there should be space for open consultation and interaction after years of distrust. The five decades problem was responsible for continuing unrest not only Naga inhabited areas but adjoining territories in the entire Northeast. The great desire of Naga people for restoration of lasting peace made its impact on the insurgents as well. The efforts should be to heal bitter memories and bring in a spectrum of public opinion in furtherance of the objective.

The Northeast lies in the periphery of India's policy framework. No one seems to care while the intensity of the conflict only becomes more bitter. The fact that there has been little progress should not deter the Government of India to end the cycle of violence and alienation in the region. It is equally important for the Government to realise that by alienating the people, it is only strengthening the hands of various Underground factions.

For political problem, one requires a consensual dialogue with all the concerned groups. It needs a democratic solution whereby people would have greener pastures. Projecting the conflict entirely as law and order problem is not going to restore any tangible results as evidenced by more than decades of Underground rebellion in areas, notwithstanding continued army presence in the area.

In the end, the key to peace and harmony in the region lies not in merely signing accords and understandings but in the rapid economic development and widening of economic opportunities. Through this mechanism it would ameliorate the people's aspiration for better living and broaden their horizon. Concerted efforts be made among various groups in restoring and creating a situation for peaceful co-existence thereby ending the stalemate.

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## **APPENDIX I**

### **THE HYDARI AGREEMENT**

**The Nine Point Agreement (The Hydari Agreement) Arrived at Between the Naga National Council and The Governor of Assam in June 1947.**

#### **1. Judicial.**

All cases whether civil or criminal arising between Nagas in the Naga Hills will be disposed of by duly constituted Naga courts according to Naga customary law, or such law as may be introduced with the consent of duly recognised Naga representative organisation, save that where a sentence of transportation or death has been passed there will be right of appeal to the governor.

In cases arising between Nagas and non Naga in (a) Kohima and Mokokchung areas, and (b) in the neighbouring plains districts, the judge if not a Naga, will be assisted by the Naga assessor.

#### **2. Executive.**

The general principle is accepted that what the Naga National Council is prepared to pay for the Naga National Council should control. This principle will apply to the work done as well as the staff employed.

While the District Officer will be appointed at the discretion of the governor, Sub Divisional Council with a full time executive president, paid by Naga national Council, who would be responsible to the District Officers, for all matters falling within the latter's responsibility, and to the Naga National Council for all matters falling within their responsibility.

In regard to:

- (a) Agriculture – The Naga National Council will exercise all the powers now vested in the District Officer.
- (b) PWD – The Naga National Council will take over full control.
- (c) Education and Forest Department – The Naga National Council is prepared to pay for all the services and staff.

**3. Legislative.**

That no laws passed by the provincial or central Legislature which would materially affect the terms of this agreement of the religious practices of the Naga shall have legal force in the Naga Hills without the consent of the Naga National Council.

In cases of dispute as to whether any law did so affect this agreement, the matter would be referred by the Naga National Council to the Governor who would then direct that the law in question should not have legal force in the Naga Hills pending the decision of the Central Government.

**4. Land.**

That land with all its resources in the Naga Hills should not be alienated to a non-Naga without the consent of the Naga National Council.

**5. Taxation.**

That the Naga National Council will be responsible for the imposition, collection, and expenditure of land revenue and house tax, and of such other taxes as may be imposed by the Naga National Council.

## **6. Boundaries.**

That present administrative divisions should be modified so as to (1) bring back into the Naga Hills District all the forest transferred to the Sibsagar and Nowgong District in the past, and (2) bring under one unified administrative unit, as far as possible, all Nagas. All the areas so included would be within the scopes of the present proposed agreement.

No Areas should be transferred out of the Naga Hills without the consent of the Naga National Council.

## **7. Arms Act.**

The District Officer will act on the advice of the Naga National Council in accordance with the provision of the Arms Act.

## **8. Regulations.**

The Chin Hills Regulations and the Bengal Eastern Frontier Regulations will remain in force.

## **9. Period of Agreement.**

The Governor of Assam as the agent of the Government of Indian Union will have a special responsibility for a period of ten years to ensure the due 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 Naga people arrived at.

## **NAGA NATIONAL COUNCIL RESPONSE.**

Telegram sent to the Indian Government on 14 August 1947, "Naga hills cannot be considered part of Indian Union until heads of proposed

agreement between Governor of Assam and the Naga National Council are accepted to the letters of execution, with the clause nine modified as, 'the end of this period the Naga will be free to decide their future'."

**GOVERNOR AND CHIEF MINISTER OF ASSAM WRITTEN ASSURANCE  
ABOUT IMPLEMENTATION OF THE HYDARI AGREEMENT .**

A deputation of Naga gentlemen have come to Shillong to received a written assurance from then the Governor of Assam and the Honourable Premier, to the effect that the agreement reached between His Excellency and the Naga leaders in June 1947 will be implemented. The deputation was given an assurance by both that there was never any question of non implementation of the agreement. A misunderstanding appeared to have arisen in the minds of certain sections of the Naga people that the agreement of June, 1947, was nullified by the provision laid down in the Draft Constitution. It was explained to the deputation, at length, the Draft constitution was in no way inconsistent with the agreement. On the contrary, it prescribed the machinery whereby the agreement might be translated into action. If, however, there still remained any doubt or apprehension in the minds of the Naga people, regarding the validity of the agreement, he and the Honourable Premier were prepared to give the written assurance that had been asked for. They have been pleased to do so accordingly and both have appended their signature to this document as a token of the assurance they have been asked to give.

## **APPENDIX II**

### **TEXT OF THE PEACE MISSION'S PROPOSALS**

1. It has been a matter of considerable satisfaction to the Peace Mission, as to all others in Nagaland and in the rest of India, that since firing ceased on 6<sup>th</sup> September, 1964, for the first time in ten years people in Nagaland are experiencing what normalcy is. The Peace Mission feels that it is the moral obligation of everyone in Nagaland and more so, of the Peace Mission, in whom so much confidence and faith have been reposed, to see that this peace becomes everlasting In Nagaland. It is in pursuance of this that the Peace Mission is addressing this communication to both the parties.

2. But first it should be placed on record to the honour of both parties that have been in conflict that the attempt to find peace and agreement to a cease-fire was an adventurous step which issued from their deep desire to find an honourable way to terminate such a bitter, wasteful and protracted conflict.

3. The marked difference in the atmosphere that prevails in Nagaland today as compared with that prevailing prior to the cessation of operation will probably be only realized by those who have lived or worked in Nagaland where there was fear as soon as darkness began and a sense of insecurity resulting from the ever present possibility of sudden violence. Today, the people are returning to their normal occupations. Families are being re-united, the biggest harvest for many years has been gathered and there is a feeling of hope in Nagaland which makes every delegate engaged in the peace talks only too conscious of the heavy burden of decision on

those who have to take it, the life and happiness of so many being dependant on the decisions that are taken. In all this, it is fair to pay tribute not only to the Government of India for their humanity and imagination, but also to the leaders of the Baptist Church for whom this initiative was the result of much thought and powerful consideration of the good of both India and Nagaland.

4. The Nagaland Peace Talks, which started on 23<sup>rd</sup> of September, 1964, have now come to a stage where the NFG Delegation have placed their demands for consideration by the Government of India. This was in response to the statement of the leader of the Government of India delegation at Chedema on November 14<sup>th</sup>, wherein the Government of India also stated their position and understanding of the problem, as they saw it.

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

6. The Government of India's position on the other hand, is that Nagaland formed an intergral part of India before 1947 and that with the Transfer of Power to India by the British Parliament, Nagaland became part of India by the British Parliament, Nagaland became part of India in the same way as all other States in India. At the same time the



Government of India claim that they have already accepted the need for granting the fullest autonomy to Nagaland by constituting the State of Nagaland. So as to ensure the fullest development of the Nagas and to guarantee their separate 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.

7. The Peace Mission notes that a section of the Naga people accepted the status of Statehood thus conferred upon Nagaland as being in their best interest. Another section did not consider that it satisfied the aims and objectives they had been fighting for. Thus, there are these two divergent positions of the Government of India and the NFG confronting each other.

8. Though the two positions appear to be far apart, the Peace Mission believes that, with goodwill and understanding on both sides, a solution acceptable to both can be found.

9. As earlier stated, the Peace Mission reiterates that it is under an inescapable moral obligation to ensure maintenance of peace and settlement of all outstanding problems through peaceful means. The Peace Mission believes that there is no human problem that cannot be solved by peaceful means. The Peace Mission further believes that the Governments concerned and the people concerned share and subscribe to this view.

10. While the Peace Mission fully agrees and endorses the principle that all subject peoples have the right to self-determination and that no group of people is competent to rule over another, it also has to invite the attention of the Nagaland Federal Government to certain historical processes that had taken place to give birth to the Union of India and to

the emergence of the great concepts and ideals underlying the Union Constitution.

11. The British had conquered at several stages and in diverse manner, various parts of the Indian sub-continent, comprising different ethnic groups, political systems and religious beliefs. However, under the aegis of the Indian National Congress and since 1920, under the leadership of Mahatma Gandhi, these various different peoples, representing diverse linguistic, cultural, ethnic and religious elements came together against foreign colonial rule and developed a consciousness of nationhood. Unfortunately, this common struggle against foreign imperialism, that had welded these diverse people in the Indian Sub-continent into one nation did not somehow have an appreciable impact on the Nagas. This was, no doubt, due to the policy of isolation and exclusion, so deftly practiced by British rulers, who believed in creating pockets contrary to each other and hoping to rule in perpetuity by dividing the peoples. In any case, this great national movement of unification which freed India including Nagaland from the yoke of foreign rule did not bring within its embracing sweep the Naga population to the same extent as it did the other parts of the sub-continent. Thus, in 1947 when all the diverse people of India who had been brought under British rule, voluntarily agreed to form the Union of India and to share in the common endeavour to ensure that in the great Union the ideals of Fraternity, Liberty, Justice and Equality, as enshrined in the Constitution are fully achieved for the common benefit of all the same response and sense of participation was not noticeable in the Naga areas.

12. The Peace Mission, in the circumstances appreciates and understands the desire of the Nagas for self-determination and their urge

to preserve their integrity. The Peace Mission also appreciates the courage and tenacity, displayed by the Naga people in their endeavour to achieve this goal. The objectives which they have placed before themselves in their memorandum 'Naga Peace Declaration' dated the 17<sup>th</sup> December, 1964, and addressed to the Peace Mission namely their desire to find peace, their resolve to maintain their integrity and to resist entanglement in war, are all extremely laudable and should commend themselves to all peace loving people. It is however to be noted that this Declaration, in itself does not resolve the political issue. Therefore, some appropriate meeting point has to be found, where the aims and ideals of the NFG can be achieved, at the same time, making it possible for the Government of India to accept these within the framework of the political settlement to be mutually agreed upon.

13. The Peace Mission in the pursuit of a settlement through peaceful means, to which the government of India as well as the NFG equally subscribe, would like both the Government of India and the NFG to consider seriously whether such a meeting point could not be reached. On the other hand, the NFG could on their own volition decide to be a participant in the Union of India and mutually settle the terms and conditions for that purpose. On the other hands, the Government of India could consider to what extent the pattern and structure of the relationship between the Nagaland and the Government of India should be adopted and recast, so as to satisfy the political aspirations of all sections of Naga opinion and to make it possible for the ideals of peace as expressed in the Naga Peace Declaration to be substantially realized.

14. The Peace Mission would like, in all earnestness to impress, upon both sides that the approach, herein suggested, is not only the

fairest but the only practical one in the given circumstances; and it fervently hopes that it will commend itself to the Government of India as well as to the Nagaland Federal Government.

15. The Peace Mission reiterates that the peace now obtaining in the Nagaland should be made everlasting. With that object in view, the Peace Mission offered certain suggestions, whereupon both the parties had unequivocally affirmed and declared that they would renounce war and violence as a means for political settlement. This declaration of renunciation of war and use of armed force, it is earnestly emphasized, must not be deviated from by any means. The Peace Mission's proposal following this bilateral declaration of renunciation of war, to deposit all underground arms in safe custody and to withdraw all Indian Security forces from law and order duties could not unfortunately, be implemented.

16. Never the less, the Peace Mission would earnestly desire that, in faithful pursuance of the Declaration of renunciation of use of armed forces, both parties take concrete steps to remove all frictions. There have been numerous complaints and counter-complaints from both. The Peace Mission would suggest that the NFG require all arms issued to its forces to be concentrated at one or several places, in their armouries and under their custody so that there can be no basis for any future complaint of their forces parading with arms or extorting money or supplies under threat. They should also seriously ask themselves whether further recruiting and movement out of Nagaland towards Pakistan does not create an impression that these are only acts preparatory towards resumption of hostilities and, if so, they should take remedial measure by putting a stop to such recruitment and movement. The Government of India should ensure that its security forces and the civil administration do

continue to abide strictly with the terms of the agreement, both in spirit and letter.

17. The Peace Mission makes a fervent appeal for consideration of the suggestions, contained in this paper and for all action that is possible for the maintenance of peace.

*Dated:- 20-12-1964*

BIMALAPROSAD CHALIHA  
JAYAPRAKASH NARAYAN  
MICHAEL SCOTT.

