

# AFSPA AND INSURGENCY IN NAGALAND

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## ABSTRACT

This research is made to understand how the Naga National Movement started, to examine the peace initiatives between the Government of India and the Naga leaders and also to analyze how affective the Naga National Movement has been. Here in this research we also try to understand the impacts of the Naga National Movement on the society and on the Naga people.

**Key Words:** AFSPA, Insurgency, Nagaland, Naga Movements, NNC, FGN, NSCN-IM, NSCN-K

## INTRODUCTION

Nagaland is a small state in the North eastern part of India. The Nagas lived in the North East hilly region of India and Myanmar. During the olden days, each Naga village was an independent republic so eventually the Nagas wanted to be free from all outside domination. Every Naga villages was independent and each with their own chiefs who acted as the leader, no other tribe had an interest in ruling over different or any other tribe or village. During an external aggression from foreign invaders all the Naga Chiefs collaborated and fought against the invaders. Nagas have been fighting to British and to the India & Burma for occupying their homeland illegally. The Naga nationalism first emerged in when thousands of Nagas participated in the British War efforts and saw action as members of the British Labor Force in France. However, having been exposed to the outside world and inspired by the material advancement, exposure to other cultures, and the reshaping of the political world by major movements. This gave rise to political consciousness of Nagas and the Naga club was formed in 1918, which include representative from all the Naga tribes.

The Naga movement was further established firmly in 1929 when the club submitted a memorandum to the Simon Commission in which it stated that those from mainland India and the Nagas have nothing in common and the people of Nagaland be left to themselves and therefore under the Government of India Act 1935 the Naga Hills district was declared as “excluded areas”. The Naga Club was later changed into Naga National Council (NNC) formed in 1946. On May 1947, the Indian government sent delegation to the NNC and offered Nagaland to join the Indian Union. On July 1947, Naga delegation went to Delhi and met with Mahatma Gandhi at his residence and told that the Nagas will declare its independence on 14<sup>th</sup> August, 1947. The Naga delegates however, said that India might attack Nagaland if they become Independent to which Gandhi promised by saying that he will sacrifice his life before a single Naga is shot. Later, on Aug 14<sup>th</sup> 1947, Nagas declared Nagaland as an independent state but neither the British government nor the Indian government recognized the declaration. The NNC also conducted the Naga Voluntary Plebiscite in 1951 where “99 per cent” supported for “independent state” but India rejected it by dismissing it as a plot or pretence.

The then Indian Prime Minister sent the Indian Armed Forces to Nagaland in 1954 and from there violence was widespread, the NNC was non-violent organization but when the fierce war continued between the two, they were compelled to take up arms in order to defend themselves. On March 22, 1956, Angami Zaphu Phizo the 4<sup>th</sup> President of NNC formed the Naga federal government (NFG) and the Naga federal Army (NFA) by raising Naga flag. The government of India sent in the Army to crush the insurgency and, in 1958, enacted the Armed Forces Special Power Act (AFSPA). Later, the Naga Hills, a district of

Assam was upgraded to a state in December 1, 1963 as the 16<sup>th</sup> State of the Indian Union. From 1956 till 1964 the Indian government and Naga freedom fighter were engaged in a fierce fighting where, around 150,000 Nagas mostly civilians were killed.

Nagaland was declared as 'disturbed area' in the year 1972 and the act Armed Force Special Powers Act was enacted on September 1, 1972 which gave a wide extension of power to the Armed forces of India making them able to shoot or detain any Naga on mere suspicion of insurgency. This made the situation from bad to worse. In 1975 an agreement known as the Shillong Accord was signed between the NNC and the Indian Government which was not accepted by some Naga leaders and patriots leading to the formation of Nationalist Socialist Council of Nagaland or the NSCN on January 31, 1980. NSCN was further divided into two on 30<sup>th</sup> April, 1988 which came to be known as NSCN (IM) and NSCN (K), however they share the same ideologies i.e. demand of 'Sovereignty' and a 'Greater Nagalim'.

The Naga National Movement is one of the oldest unresolved armed conflicts in the world where the majority of the Nagas have adapted themselves in being called as Indians while some have lost hope in it.

## Review of Literature

In an article 'Naga peace parlays: sociological reflections and a plea for pragmatism', (2011) NK Das states that "Nagaland was formed in their own and not in the territory of India's occupied lawful land. Nagaland doesn't consist only of one tribe, though there are many tribes in Nagaland, all of them share the same customs, traditions etc." He also mentions that clan remained basic social political units and they unite occasionally for self-protection against common enemy.

R. Vashum's 'Right to Self-Determination', (2000) mentions about the Nagas struggle for self-determination and their struggle to be free from India & Myanmar. He also mentions about how the Nagas were living before in the olden days and also how the movement started.

Rita Manchanda and Tapan Bose article 'Expanding the middle space in the Naga peace processes mentioned that "The oldest struggle of the self determination struggle is the Naga conflict" They also said that the Naga movement was like a Factional movement now instead of it being a people's movement.

'Emergence of Nagaland, socio-economic & political transformation and the future', (1986) Hokishe sema mentions that the Nagas asked for independence under the leadership of Phizo. . He also mentions about the underground movements and about how long the Nagas will have to suffer from this unsettled problem between 'Indian and the Nagas'.

According to Dr. A. Z. Phizo 'Fact of Nagaland,' (1947) says, "In history, no enemy ever conquered the Nagas except the Britishers, who conquered some portion of the Naga territory from 1879 to August 14, 1947."

In the journal 'Outlook for peace in Northeast', (2003) J. k. Dutt mentions that Naga insurgency started because the Indian government's attitude towards the Nagas was not good, every Indian Prime Minister misjudged the problem of the Nagas. One of the main was Nehru's harsh attitude towards the Naga leader A. Z Phizo. All of these made it possible for starting of Naga nationalism.

In the article 'On the slippery slope of Nagaland'(1967) D.R. Mankekar mentioned that on 10<sup>th</sup> January 1929, when the Simon Commission visited Kohima, the then and the only organization called the Naga club, told the Simon Commission that they want to be free as how they were before. But after the British leave India, they left the Nagas at the hands of the Indians.

'The Episode of Naga Tragedy', (1995) Rev. Dr. V. K. Nuh mentioned that a plebiscite was held in the year 1951 by the Naga leaders where 99.9 % of the Nagas participated expressing their wish for independence.

On article 'The Naga nation on net' by Ramanathan and Shiva Roy Choudhury mentions that the Naga nationalism started in the mid-20<sup>th</sup> century when some of the Nagas were sent abroad, this intern exposed them to the political situation and from there the idea of sovereignty came into being, and the Naga club was started.

Gordon P. Means and Ingunn N. Means 'Nagaland – the agony of ending a guerilla war'. Mentions about the passionate and zealous nationalists forming up the Naga Federal Government (NFG) of which the Nagas claims that it is the legal and licensed government of Nagaland.

## Research Methodology

This study is done using secondary data. Secondary source material would be books, journals and articles. The data collected will be associated and analyzed with my research study. It will be interpreted to understand why and how the movement started, and also to understand the impact that it left in the Naga society'.

## Objectives of the study

The main objectives of the study are given below:

1. To understand how the Naga National Movement started.
2. To examine and analyze the peace talks between the government of India and the Naga leaders.
3. To analyze and understand how the Naga National Movement has affected the Naga society.

## Hypothesis

The Naga National Movement started as the Nagas wanted to live independently like they were before the advent of the British and also because of the racial, linguistic and religious difference between the Indians and the Nagas. As a result they started their own movement to achieve complete freedom once the British leave the India.

Naga insurgency started in Nagaland as a result of the Naga national movement.

Many Nagas both insurgents as well as civilians were tortured and killed as a consequence of Naga national movement.

## Origin and Evolution of Naga National Movement

The British first contacted the Nagas as the Nagas raided and captured the tea cultivators in the borders of Assam. The British had to intervene as they had to protect their subjects. At the beginning they had no interest in the Naga Hills but they had to bring the Nagas under their governance to maintain peace over the region. The first British military expedition over the Naga Hills was sent in the year 1839. A battle was fought between the Nagas and the British known as the battle of Khonoma where the Nagas were defeated. During the 1<sup>st</sup> World War in the year 1914 around 2000 Naga individuals were sent to France by the British to work as labor corps of which around 1000 were from Sumi tribe, 400 from Lotha tribe, 200 from Ao tribe and 200 from other tribes of Nagaland. Many of them died but the fortunate ones who returned were the ones who came back with remarkable knowledge after witnessing the life outside and how the advanced nations fought for their motherland, dominance and sovereignty. These individuals came together and formed an organization called 'The Naga Club' in 1918. It was the first and the only group in Nagaland. The Nagas had different opinions regarding the announcement of Naga independence. Some wanted to

continue with the Indian government while others wanted immediate independence; there were also a section of people who wanted to be under the British government for a defined period of time.

In the year 1929 on January 10, the British Statutory Commission under the Chairmanship of Sir John Simon, Mr. Clement Attlee and Mr. E. Cadogan visited Kohima to discuss about the political future of the Nagas where the 'Naga Club' submitted a memorandum demanding to leave the Nagas from the Proposed Scheme of Constitutional Reforms of India and that the Nagas should be directly looked after by the British government. Later in 1935, the Simon Commission recommended the exclusion of Naga Hills from the Reform Scheme but further action was not taken.

The then Deputy Commissioner of Naga Hills came up with the formation of 'Naga Hills District Council' in April 1945. However, it was short lived and on February 1946 the council had a meeting in Wokha district and changed its name to 'Naga National Council' (NNC). It was given legitimate identity and recognition. The NNC comprised of 27 members. The first president of NNC was Mr. Mayangnokcha Ao. In June 1947 the 'Nine Point Agreement' or '10 year Akbar Hydari agreement' was held where it stated that after 10 years the Nagas would be asked whether to join India or to be free. Shortly after a few weeks of signing the agreement Sir Akbar warned that if the Naga Hills refused to join the Indian Union, India would use her force. After the warning some Naga delegates led by Mr. A. Z. Phizo went to meet Mahatma Gandhi at his residence in Delhi on 19<sup>th</sup> July 1947 to discuss about Naga independence to which he approved by saying that they have every right to be independent. When the Naga delegates pointed Sir Akbar's warning, Gandhi assured by saying 'I will come to Naga Hills; will ask them to shoot me before any Naga is shot'. The Nagas declared their independence on 14<sup>th</sup> August 1947 and the United Nations was notified through cable to which the UN sends an acknowledgement.

A three man delegation went to Shillong on 3<sup>rd</sup> November 1949 to meet the representatives of the GoI to discuss about the fate of the nine point agreement. However they were told that no agreement was made with the Nagas. After the betrayal, the NNC notified the GoI, the UNO and all the other Foreign Ambassadors in New Delhi on 24<sup>th</sup> January 1950 that they do not accept the Constitution of India and on 16<sup>th</sup> May 1950 the Nagas voluntarily held a plebiscite at Kohima inaugurated by A. Z. Phizo and witnessed by government representatives and observers to which 99.9% voted for a sovereign Naga State. The result was quickly sent to the Prime Minister and other functionaries of the Indian government but India didn't acknowledge it and dismissed it as ludicrous and a stage managed show. The Nagas further showed their displeasure by deciding to boycott the elections. In the year 1950, the NNC passed a resolution that no Naga should join the Assam Legislative Assembly or the Indian parliament. On December 1950 A. Z. Phizo became the president of NNC. The Nagas Boycotted the District Councils elections held in 1951 followed by the total boycott of the first General Elections in 1952. On 18<sup>th</sup> October 1952 the Nagas held a peace procession and the army ran the car over the crowd. The problem became intense when Mr. Zasibito, an assistant judge was shot dead by Assam police.

On 30<sup>th</sup> March 1953, the then prime minister of India and Myanmar Mr. Jawaharlal Nehru and Mr. Thakin U. Nu visited Nagaland and told the Nagas at the large gathering that they were not allowed to submit any memorandum to them. After that the Indian government started large scale military operations in Nagaland branding the Nagas as hostile, terrorist, extremists, miscreants, bloodthirsty and savages. By 1954 violence, kidnappings, raping, looting murder and burning of villages became quite common. In 1955 the Indian military force led by Indian air force consisting of around 54000-5600 soldiers was called in the Naga areas. The Indian Air Force 29<sup>th</sup> Squadron carried out aerial bombardments and around 645 Naga villages were burnt by the Indian troops. As retaliation the Nagas formed the 'Federal Government of Nagaland' (FGN) and organized an army by raising the flag on 22<sup>nd</sup> March 1956. As a result the Indian parliament passed the 'Armed Force Special Power Act' (AFSPA) on 1958 in Naga territories. By the late 1950s a section of Naga leaders began to advocate the formation of a Naga state and on 1<sup>st</sup>

December 1963 Nagaland state was officially formed under the Indian Union. However it was not received with joy by all sections of the Naga society.

From 1956 to 1964 the Indian government and Naga freedom fighters were engaged in fierce fighting where around 150000 Nagas mostly civilians were killed. On 24<sup>th</sup> February 1946 the Nagaland Baptist Church Council (NBCC) requested peace talks between the Naga leaders and the Indian government where B. P. Chaliha, J. P. Narayan and Michal Scott were elected as leaders of the commission and through them Cease-fire was signed in August and it came to effect on 6<sup>th</sup> September 1964. The first round of talk was held at Chedima, Kohima on 23<sup>rd</sup> September 1964.

Representatives of the FGN and NNC went to shilling and signed the famous 'Shillong Accord' on 11<sup>th</sup> November 1975 where the rebels accepted the supremacy of the Constitution of India and surrender of arms. But the Accord was not accepted by some Naga leaders and formed their own group known as 'Nationalist Socialist Council of Nagalim' (NSCN) on 31<sup>st</sup> January 1980 headed by Isak Chishi Swu, Thuingaleng Muivah and S.S. Khaplang. However the group divided into two on 30<sup>th</sup> April 1988 i.e. NSCN-IM led by Isak Chishi Swu and Thuingaleng Muivah and NSCN-K led by S.S. Khaplang. Both the groups tried to gain the attention and support of the Naga people and also engaged in fierce fighting. On 1<sup>st</sup> August 1997 cease-fire between the Indian government and NSCN-IM was declared which is in effect till date. The Naga National Movement which is active since 1950s is one of the oldest unresolved armed conflicts in the world.

#### **Peace talks initiatives between Naga leaders and the Government of India**

There have been many peace talks between the leaders of Federal Government of Nagaland and the Indian Government, more than 90 talks, but we will be analyzing about the 1<sup>st</sup> peace talk held in 1972 which made the Indian Government abolish the peace talk unilaterally.

The Nagaland Baptist Church Council (NBCC) requested for the peace talk between the Naga leaders and the Indian Government on February 24<sup>th</sup>, 1964. B. P Chaliha, the then Chief Minister of Assam, Jayaprakash Naray a respected leader of India and Michael Scott, an Anglican Clergyman were selected as the members and leaders of the Peace Mission. On 23<sup>rd</sup> April, 1964 the first meeting for the peace talk took place in the forest of Longmisa village in the Mokokchung district of Nagaland between the then Vice – President of Naga National Council, Mr. Imkongmeren and Nagaland Peace Mission member Reverend Michael Scott, Bimala Prasad Chaliha and Jayaprakash Naray and announced the cease fire on 6<sup>th</sup> September 1964. That was the first time the Nagas saw peace in independent India.

The first session of the peace talk between the representatives of the Government of India and the Federal Government of Nagaland commenced on 23<sup>rd</sup> September 1964 at the peace camp in Chedima under Kohima district. From September 1964 to April 1968 nine rounds of talks were done between the leaders of the Federal Government of Nagaland and the then Indian external affairs Ministry Secretary, Y.D. Gundevia and the opinions of Indian representatives and the Naga representatives were completely different from one another. The then Prime minister of India and Sir Kughato Sukhai the then Prime minister of the Federal Government of Nagaland, met for six rounds of political talk which took place from February 1966 to October 1967 at New Delhi and during the talks 14 historical points were submitted to Prime Minister of India by the Federal Government of Nagaland. But the Peace mission began to fell apart as Jayaprakash Narayan resigned from the peace mission, Rev. Michael Scott was expelled from India by the Indian government because of his documentations on human rights abuse in the Naga areas and on the same day Mr. B.P Chaliha resigned from the Peace mission and the political talks ended in an unresolved conflict in October 1967. Neither wanted to give away their demands or positions, India wanted Nagas to join Indian constitution while the Nagas continue to be firm on maintaining Sovereignty. Thus the 1964 cease fire was broken and with the failure of the peace talks led to the resumption of a conflict and widespread violence once again. The Nagas began to face untold sufferings at the hands of the

Indian forces that left no stones unturned in an attempt to wipe out Naga Nationalism. Village groupings, collective fines, harassment and curfews continued to increase with the passage of time. Looking at the pathetic condition, the Naga Peace Council took the initiative to convince the Naga leaders and the Government of India to arrive at an understanding which resulted in signing of the Shillong Accord on 11<sup>th</sup> November, 1975. However, the Shillong Accord was not accepted some Naga leaders and the group National Socialist Council of Nagaland (NSCN) was formed on 31<sup>st</sup> January 1980 by Isak Chishi Swu, Thuingaleng Muivah and S.S. Khaplang. But in 1988 the group again split into two known as NSCN-IM led by Isak and Muivah and NSCN-K led by Khaplang. However, on 1<sup>st</sup> August 1997 cease-fire between the Indian government and NSCN-IM was declared and is still in effect till date.

### **Impact of Naga National Movement in the Naga society**

The Naga national movement had its disadvantages which brought a great deal of effect to the Naga people, the movement deeply affected the society, economy, health and ecosystem of the Naga people. Even though, the movement was for their people and its land, the militants began to make use their power in horrifying ways. The movement led to the split of two groups and each group had its own workers and ideologies but the aim was same for both these groups. People could not talk back and they were expected not to raise their voice regarding the movement and are not allowed to state their views regarding the factions or their ideologies. If they do, they were given warnings and if the person continues to do so, people had to face dire consequences. This shows the violation of the individual rights and freedom.

The movement instead of bringing the people together has divided the people. People were deprived of their loved ones, many children were orphaned, women were widowed and the rest were physically unwell. Great leaders were killed due to this movement, many people both good and bad lost their lives, and some were faced with serious cases of side effects physically due to bombings while the lucky ones who were safe from bullets and bombings suffered from Post Traumatic Stress Disorder (PTSD) and the insurgents were also affected because they're always on the run for their lives and they were always engrossed and distracted with the thought on how to hide and survive from their enemies that they had no other option but to move far away from their homes, parents, siblings, partners and children leaving them to live in dense forests and jungles, this in turn affect them psychologically also because the insurgents hid in the jungles and forests, it led to huge deforestations in many areas and also affected the wildlife as they would usually hunt down various animals even the endangered ones for consumption purpose.

Economically the Nagas were devastated as most of the business establishments both big and small had to stop or come to end as a result of heavy taxes from the insurgent groups, which further resulted in the downfall of the economy. Several taxes such as shop tax, vehicle tax, employment or service tax, land or property tax, etc. were imposed and made mandatory to be given to the insurgent groups so that with the amount of money collected they could help the national workers. But some of the insurgents became insatiable and also forcefully extorted money from the confused and worried public and business establishments like shops and offices in the name of various groups and shadow governments by intimidating and even threatening them. Some even go up to the extent of using arm and weapons. And the naive Nagas would usually end up giving almost half of their hard earned money to the insurgents for national cause without knowing their intention.

It also deeply affected the political lives of the Nagas as the insurgents and the national workers would interfere in every election by using muscle and gun power over public. The candidates who contest in elections tends to get the support or backing of the insurgents to ensure a seat in the assembly or to win the elections because the undergrounds are hard to crack, they destroy the peaceful campaign with a drop of a hat. Some candidates even hire them so that they can force and threaten the public to vote for them. Sometimes the village leaders are also kidnapped during or on the day and time of election violating the freedom and

rights of the people and also throwing their faith away on them. As almost all the political candidates tends to use the insurgents as a deterrent because if they don't the opposition would easily win with the help of the insurgents.

Hence, the Naga national movement has brought deep impacts both good (in a way that it united all the Naga tribes) and mostly bad in the Naga society which has affected everyone irrespective of both young and old in a strange way. One such instance can be seen as instead of being proud of the Indian army and respect them. To this very day, we can see some Nagas especially the old people who have hatred towards the Indian Armies or show fear when they see one as they are scared of being killed or tortured by them. This is because of the horrifying bombardments on many Naga villages and the public killings and raping of the innocent Nagas by the Indian Army as mentioned above. It has effected so badly that some people especially in the rural areas can't get over it.

### Conclusion

From the above analysis we came to know how the Naga movement started and how this movement has impacted the whole Naga society. Since time immemorial, Nagas had not let any outsider walk or rule over them, not even the Ahoms. Nagas have a special feeling of love for their homeland. We can also know from the fact that the Nagas raided the British territory in Naga Hills for more than 22 times. However, after the Nagas were defeated at the battle of Khonoma. The British started ruling over the Nagas and many things started to change. Through the arrival of British, head-hunting which was an important practice of Nagas got abolished, the religion of the Nagas changed from animism to Christianity and many Nagas got educated. By then, the Nagas were aware of their potential and their feeling for nationalism. Moreover, during the 2<sup>nd</sup> World War thousands of Nagas were sent to France as labor corps by the British government, those Nagas became more aware and their feeling towards their homeland became stronger. Some of the survivors who returned back, formed an organization called the 'Naga club' in the year 1918 and in the year 1929 they sent a memorandum asking the British to leave them be when they leave India. The Naga National Movement rose up after India got Independence and when the British government left the Naga Hills at the hands of the Indian government. It was because the Nagas were completely different than from the Indians historically, racially, culturally, politically, language and religion etc. Everything between the Indians and the Nagas were completely foreign to each other. However, after they declared their independence on 14<sup>th</sup> August, neither the British government nor the Indian government recognized their declaration. The Nagas tired of non-consideration from the Indian government held a plebiscite on 1951, where 99% voted for the Freedom of the Nagas. However, it was to no avail. So, non-cooperation movement started and it turned out to be more effective. After all this incidents, problems between the two parties started becoming intense especially after the walkover incident by the Nagas in 1953. A full fledge operation started by the Government of India branding the Nagas as 'hostile', 'savage' etc. Violence started to spread from that year. Many innocent Nagas both young and old lost their lives. Even the priest, elderly people and pregnant women were not spared. By 1954, the inhuman act of violence became normal and common. This made the Nagas determined to separate from the India and the Naga insurgency also started due to these reasons. However, Nagaland became the 16<sup>th</sup> state of India on 1st December, 1963 with the help of the Naga moderate leaders but the statehood was not received with joy by many, this in turn led to another misunderstanding between both parties turning into violence. Therefore, peace talks were requested in the following year. Unfortunately, that too failed, however the peace talks are still going on till date.

The society and the environment of the Nagas were deeply affected because of the movement. One can say that the negative impact has much to do in this. Firstly many insurgency groups started out of this movement. The Naga rebels became too violent and instead of working truly and wholeheartedly they started becoming rebellious up to the extent that they even started violating the right and freedom of their own people. It is important to know that because of this movement the economy of the

Nagas has also been badly affected as most of the small as well as big business establishments had to be shut down due to heavy taxations. The worst happened with the native people because of the monstrous violence that took place; the lucky ones who survived were either affected physically or went into depression and some suffered from post traumatic stress disorder. Many people witnessed the sufferings and death of their loved ones. It really affected them that even after many years people still couldn't forget what their parents or grandparents had gone through. Because of all the suffering and violence, many people especially the old ones in the rural areas have a fear towards the Indian armies and the Nagas in general are alert when they see an Indian army. All of this shows how the deeply Nagas are affected. All these things lead to Naga National Movement. But it was not out of hatred for the Indians, instead it was because they wanted to live freely like they were before. Even though they have paid the price by shedding their blood the movement didn't bring any achievement or we can say that the movement had not been successful except that it made most of the Naga tribes come together as one. The Naga problem which started 70 years back has not been solved yet. Thus, the Naga National Movement is one of the oldest unresolved conflicts in the world.

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