

Wars without End: The Case of the Naga Hills

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By employing a longer historical perspective it can be shown that the war that afflicts the Naga Hills today, and which has spread to the whole of what is called India's North-East, may be understood as the continuation of the imperial conquest begun by the British. This longer historical perspective might be summarized as follows: the pre-modern multi-centred world knew regional empires, states, etc., but due to a lack of means of communication and control, in addition to a shortage of manpower and a surplus of land, the centres did not seriously try to subjugate inaccessible frontier areas that constituted a refuge for populations outside the larger polities. When European states began to erect world-wide empires, many of these former regional empires and states turned into peripheral colonies from the perspective of the European metropolises. The frontier areas of these peripheries were in many cases pacified, but not really integrated into the administration of the colonies, and when these colonies themselves returned from periphery to centre by regaining their independence, they in turn endeavoured to incorporate the former frontiers that represent the peripheries of today. In this way, what was once the colonized periphery has transformed into a metropolis and now exerts imperial policy on the former frontier, its contemporary periphery.

The Indian union has undertaken to continue this task, yet under different circumstances that demand a more complete subjugation. While British imperial ideology drew its legitimacy from the proclaimed difference of the Other and from the right of conquest, the Other, once conquered, was not only allowed to be, but had to remain *different*. In the case of the economically unpromising Naga Hills this meant that within certain limits the Nagas were allowed to handle their own affairs and encouraged to keep their identity. This helped the Nagas to come to terms with their subjection and defeat. The independent Indian union, on the other hand, was based on the negation of imperialism by the right to self-determination and was theoretically a voluntary union of people. Imperialism thus ends where consent starts. Since the Nagas refused to give their consent the government of India had to use force, which in turn only strengthened the Nagas' resolve to regain

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SAGE: London, Thousand Oaks, CA and New Delhi, <http://dio.sagepub.com>

DOI: 10.1177/0392192106070349

independence. We will see that this violence was part of independent India's policy vis-a-vis the Nagas right from the start: first, in matters of constitution-making, then in the exertion of violence and its post-facto legalizing that established martial law on a permanent basis. Thus, in the case of the Naga Hills constitution and law are instruments of subjugation that, since the latter remained incomplete, have prepared the ground for a war without end.

Constitution and law as imperialism in a time of self-determination

The 'Hill Tracts' of Assam feature in just half a page of Volume III of the Round Table Conference in 1931. In Annexure 14, the *Memorandum regarding the position of Assam*, Srijut Chandradhar Barooah argued against the separation of any part of the hills from the province of Assam. While he agreed on the continuation of certain 'backward tracts' under the administration of the governor as agent to the governor general, he nevertheless stressed that every effort should be made to include the hills into the constitution of Assam, i.e. to end their protected status. Equally important, he went on, was the unhindered and legitimate access to and share of mineral wealth and other resources on part of the people of Assam that might be discovered in the hills. Barooah called the hill people 'aboriginal inhabitants' (Barooah, 1932: 1497–1500). This position had not changed much when 15 years later the departure of the British was imminent and the Transfer of Power projected. The representatives of Congress and League for Assam, respectively Bardoloi and Sa'adullah, took only so much interest in the hill people's destiny as to take their inclusion within Assam as a given, Bardoloi on grounds of his Greater Assam thinking (he was of the opinion that Assam had formed a unit for approximately 3000 years) and Sa'adullah in order to outnumber the Hindus and so to include Assam into the provinces grouped to join Pakistan.¹ The Congress-dominated constituent assembly for its part resolved to overrule proposals made by the advisory committee to ensure Congress dominance.² When the election of the members of the advisory committee was on the agenda of the constituent assembly, Govind Ballabh Pant, sitting for the United Provinces and in charge of moving this point, made it clear that the question of minorities had been used by the British to create disunity, and that the minorities' concerns were thus a child of imperialism: 'So far, the minorities have been incited and have been influenced in a manner which has hampered the growth of cohesion and unity.' Further on in his speech, while mentioning the necessity of safeguards to satisfy the minorities, he nevertheless clarified that the ultimate aim was to be the abolition of any minority status.³ Nominated for the advisory committee was also one Naga whose name obviously gave some problems to K. M. Munshi who was reading out that section: 'In Number 35, the name is wrongly spelt, it should be Shri Mayang Nokcha. I do not know how to pronounce it. He represents the North-Eastern tribal areas.' The name was listed as 'Shri Mayang Mokcha'.⁴ The Gorkha representative Damber Singh Gurung drew attention to the fact that there was no Gorkha nominated for the advisory committee: 'Now, Sir, if there is no Gorkha on the Advisory Committee, who will speak for them and how will their interests and rights be safeguarded?'⁵ His objection was simply ignored. Before him already Jaipal Singh (sitting for Bihar),

the most outspoken advocate of the *junglis*, as he called himself, had pointed out that the tribes were under-represented on the advisory committee. It was also Jaipal Singh who pointed out the absence of any minority representative from the union centre committee in charge of working out the centre–state relations.⁶ The INC was determined not to let any cabinet mission's demands for minority safeguards interfere with its state-building project, irrespective of general and vaguely held assurances.⁷

Four months later J. J. M. Nichols-Roy (sitting for Assam, and a Christian) requested Nehru to make a statement, in his function as a member of the interim government, in which he should guarantee the people in the tribal and partially excluded areas of Assam that their hitherto protective scheme would not be withdrawn. Roy saw this as necessary in order to alleviate apprehensions and fears in the respective territories.⁸ Nehru's reply is interesting in several respects:

I completely agree that the tribal areas and the tribal people should be protected in every possible way (*Hear, hear*), and the existing laws – I do not know what those laws are, but certainly the existing laws should continue and may be, should be, added to when the time comes. But thinking of this in terms of a fundamental right would be, I submit, entirely wrong. [Fundamental rights were on the agenda of the assembly on that day] (. . .) every care should be taken in protecting the tribal areas, those unfortunate brethren of ours who are backward through no fault of theirs, through the fault of social customs, and maybe, ourselves or our forefathers or others; that it is our intention and it is our fixed desire to help them as much as possible; in as efficient a way as possible to protect them from possibly their rapacious neighbours occasionally and to make them advance . . .⁹

Thus, initially Nehru gave a general assurance on the continuation of the existing laws, at the same time he admitted his ignorance of them, either genuinely or strategically, but already hinted at the eventual necessity of amending, i.e. altering, these laws. In congruence with that was his clarification that these safeguards could not be taken as fundamental rights. Further, it becomes evident that he saw the claimed or actual difference as defective and something to be overcome in the direction of assimilation, and was in essence a denial of the recognition of *difference*. That almost no-one perceived and stood up to this paternalistic aggression might be due to the fact that Nehru understood it quite well enough to wrap and bracket his paternalism with general and emotional assurances of tolerance, solidarity and communality that appealed to the hearts of the people, like when he ended his statement here: 'I want them to feel sure that they have the sympathy of the whole of India with them [*Cheers*].'¹⁰ It is very likely that he himself also believed in the good intentions of his policy, making it that much more difficult for others to discern the violence behind such goodwill. Even more definite was Sardar Vallabhbhai Patel's response that may be expressed in condensed form in just one of his sentences: 'It is not befitting India's civilization to provide for tribes.'¹¹ The existence of tribes and other separate interests, for Patel, had been the evil device of the British, together with any special rights to be removed within 10 years.¹²

On 1 August 1946 Nehru, as president of the INC, had sent a letter to the secretary-general of the Naga National Council (NNC), T. Sakhrie, in which he had expressed his opinion that the territory of the Nagas was much too small to be

politically and economically independent; further, that the population was too backward, and therefore in need of considerable help. Consequently, Nagaland had to become an integral part of India. Nehru assured the Nagas' autonomy, while at the same time they should be included within the jurisdiction of Assam, without separate electorate. On the one hand Nehru promised the Nagas their own law; on the other hand he saw no reason why Indian law should not be applicable. Details that remained to be clarified, he referred to the future advisory committee. In the question about the common language, the Nagas surely had to choose. Nehru gave them a free hand to decide, but made himself perfectly clear that the choice had to be made between Assamese or Hindustani, while he himself would see the latter as the appropriate choice (Ao, 1970: 166–9). This letter, written approximately nine months before the above-mentioned debate in the constituent assembly, extrapolates Nehru's theoretical goodwill vis-a-vis the minorities. To make things worse, his paternalism was informed by complete ignorance of the local conditions of the northeastern hills. On the one side he favoured the integration of the minorities into the mainstream of Indian society, while simultaneously giving them written assurances and therewith guaranteeing them vaguely this or that protection. In essence the aim was integration via assimilation: the Nagas' insistence on difference was simply ignored.

The Nagas, however, had positively taken Nehru's letter as a guarantee by Congress of safeguards and autonomy. Shortly after, however, the GOI and the external affairs department (EAD) requested the governor of Assam to withdraw or modify the *Bengal Eastern Frontier Regulation, 1873* and the *Chin Hills Regulation, 1896*, both designed to keep access to the area restricted. This order, as the Nagas understood it, had been motivated by party politics, and shattered their trust in Congress safeguards.¹³

Contributing further to the confusion must have been statements by Nehru such as the one on 13 April 1947: 'We do not want to compel any province or portion of the country to join Pakistan or Hindustan.' Or that by Sir B. N. Rau, constitutional adviser to the constituent assembly, who said that no constitution could be forced upon the Naga Hills tribal area. But he, too, assumed that they would have to join, especially because these areas were seen as vital for India's defence: India would have to establish military bases in these tribal territories.¹⁴ Following the same line, Sir Akbar Hydari, the new governor of Assam, refused the autonomy plan prepared for all previously excluded areas by A. R. H. Macdonald, the superintendent (SP) of Lushai hills.¹⁵

The constituent assembly of India on 22 April 1947 informed the hill people of the North-East that the British prime minister had announced the Transfer of Power from British into Indian hands not later than June 1948; further, that how India would be governed after that date was to be decided by Indians themselves, and that for this reason the constituent assembly had been formed, which in turn had set up an advisory committee and in turn several subcommittees, of which one would soon visit the hill people 'to find out from you how you wish the administration of your area to be carried on in future'.¹⁶ The document told those addressed that the advisory committee would not come with a pre-arranged plan, but wanted to promote the wishes of the hill people, since they would know their own needs best. This, however, was followed by a list of questions that were already prescribing the

administrative structure, consisting of local self-governing bodies, a provincial legislature and ministry, leaving creative space only for how they were elected and constituted.¹⁷ It did not, for example, inquire whether they would like to be part of the Indian union in the first place. The local British officers were ordered to communicate this document to the representatives of the people in the excluded and partially excluded areas, but not to those in the tribal areas.¹⁸ The case of the tribal areas then was considered as being different, and Mills, in a personal communication to Archer, quoted the above-mentioned constitutional adviser Rau: 'The tribal areas are unofficially in the position of states . . .'. Yet, time was short, the advisory committee was hard pressed to get its report out before the end of June 1947, and the problem was to acquire the opinion of, for example, remote living tribes on their wishes regarding the future administrative arrangements.¹⁹

As to the way the advisory subcommittee worked we get some glimpses from an obviously alarmed Mills, the then adviser to the governor, who, and it is to be stressed, always was in favour of the incorporation of the hills into an independent India:

Most Secret and Personal.

To All P.Os and D. C. Naga Hills. Shillong, the 24th April 1947.

The Advisory Subcommittee of the Constituent Assembly has returned from the Lushai Hills to Shillong and I have had the opportunity in discussion of gaining a very clear impression of their methods and attitude. (. . .)

2. The outstanding impression gained is that the Subcommittee are quick to seize on any differences of opinion and to stress them. If no differences are immediately apparent cross-examination on points which have not occurred to the hillmen will usually produce them. Where differences of opinion can be shown the Subcommittee clearly consider themselves free to choose the alternative they themselves prefer or even to dictate to people 'who do not know their own minds'.²⁰

Thus the subcommittee was clearly not out to inquire about the hill people's desire, but to find ways to impose on them a pre-arranged scheme.²¹

That also the governor of Assam, Hydari, was unwilling to grant the Nagas any separate solution, and that his vision for Assam was inspired by the example of the United Kingdom, may be taken from the personal notes of Archer, a British officer newly posted to the Naga Hills, who had obviously met with Hydari:

We can't have any of this Verrier Elwin nonsense – anthropologists' museum. They have got to come in. If they revolt; we shall shoot them up. It will be a pity but it will not be our fault; We couldn't give Nagas residual Powers. (. . .) They can have a council at the district board level. A Naga Government is out of the question. We can't have lots of hill governments. I would like an Assam like the United Kingdom where English, Welsh and Scottish are all one. This is the best I can do for them. If they don't accept it, they must take the consequences . . . I rely on you to make the Nagas understand.²²

And Mills allowed himself to contemplate the contradiction of the official Congress policy on the one side, verbally declaring that no-one will be forced into the union, and the furious reaction of Hydari to any scheme ' . . . curtailing their hold on the hills'.²³

Discussions between Hydari and the Nagas were held from 26 to 28 June 1947 at Kohima. The outcome was the draft that later on would be called *Nine Points*, or *Hydari, Agreement*, recognizing the right of the Nagas to develop themselves according to their own wishes, and in general handing over affairs in the Naga Hills – judicial, executive, legislative, land and taxation – to the NNC. Point 6 guaranteed the transfer of the forests previously included in Sibsagar and Nowgong districts and to include, as far as possible, all areas inhabited by Nagas. Point eight stated that the *Chin Hills Regulations* and the *Bengal Eastern Frontier Regulations* would remain in force, having bearing mostly on the barring of immigration of plainsmen into the hills; and point nine, which would develop into the main bone of contention, delimited the period for which the agreement was to be valid. It said the following:

The Governor of Assam as the Agent of the Government of the Indian Union will have a special responsibility for a period of 10 years to ensure the due observance of this agreement, at the end of this period the Naga Council will be asked whether they require the above agreement to be extended for a further period or a new agreement regarding the future of the Naga people arrived at.²⁴

Although granting a far-reaching autonomy on paper, Hydari had managed with this agreement not only to conciliate the NNC, but also to bring the Naga hills under the authority of the governor of Assam. This, later on, would leave enough room to manoeuvre, in order to bring the hills into Assam. However, the Nagas preferred to see this last clause as granting them the right to self-determination after 10 years had elapsed. This was denied by the Indian side.

By the beginning of July the subcommittee had presented its findings to the delegates of the hill people. No British officers were present. Except for the Nagas, all the hill people had accepted the proposed scheme. The subcommittee treated the Naga Hills as part of Assam, and in doing so referred to prime minister Attlee's statement in the House of Commons, and asserted that its own scheme would cover by and large the agreement reached between Hydari and the NNC, and in some points would even go further. The Naga delegates present at this meeting objected to this; they wanted their territory treated as independent, so they left for further consultations with the NNC.²⁵

Around the beginning of August the Indians – including Nehru and Nicholas Roy – started to blame the British officials for the Nagas' demand for independence.²⁶ Archer, in an undated paper, summed up the attitudes of the three main Indo-Assamese actors towards the hill areas around the Brahmaputra valley:

Nehru's attitude – resentment at '...rk..p..l [unreadable] exclusion' at same time – a p..mma. . . w..h [ditto] not to harm their culture or impair their traditional way of life – a denial of 'plains hostility' and 'plains danger' – how to make them feel themselves a part of India – anger . . . [at anything?] which might make them feel non-Indian – wish to give cargo grants . . . [unreadable] –

Hydari's attitude – to make them 'citizens of modern India' – to modernise the wildes – [unreadable] tribal council law by the IPC and CPC – Hindustani for the tribal languages – to make the Nagas Assamese – . . . [unreadable] Indian Political Thought – the value of . . . [ditto, real? high?] cultures – caste cultures –

Bardoloi – ‘integration of the hills and plains’ – close [unreadable] – ‘bridging the gulf’ –²⁷

Difference had to be eradicated. Assimilation was the objective, rather unity than diversity.

By December 1947 the governor assured the NNC that they would be consulted before any constitutional proposals were to be implemented; further, that the aim was to put into effect the agreement reached in June.²⁸ This was so, notwithstanding that Hydari indicated in a speech given at Gauhati in March 1948 that he proposed the incorporation of the tribes of Assam into the economy of Assam in the course of the running five-year plan without, however, wanting to force integration on them.²⁹

That the new Indian state was determined to hold its grip over and integrate the north-eastern hill areas is also confirmed by the discussion of the constituent assembly surrounding the adoption of the sixth schedule.³⁰ On one side the debaters propagated a stand, best described as benevolent paternalism, represented for example by Ambedkar who stressed that the hills would, despite all safeguards, nevertheless be indisputably part of Assam and after a lapse of approximately 10 years would have lost their local autonomies and by then would be fully integrated into the province.³¹ The other side saw such a proceeding as painfully sluggish and displayed an aggressive and impatient expansionism. Kuladhar Chaliha, Brajeshwar Prasad, Rohini Kumar Chaudhuri and Shibban Lal Saksena decried the hill people in general but the Nagas in particular as primitive savages, their insistence on being different as the outcome of an evil plot staged by British imperialists and foreign missionaries, and any concession to these tribals as the blueprint to catastrophe. As Brajeshwar Prasad explained:

The responsibilities of parliamentary life can be shouldered by those who are competent, wise, just and literate. To vest wide political powers into the hands of tribals is the surest method of inviting chaos, anarchy and disorder throughout the length and breadth of this country.³²

For Prasad, the implementation of the ‘principle of self-determination’ is equivalent to the opening of Pandora’s Box.³³ Yet, it was rather a question of emotions, since reality was far less seriously opposed to the integrity of the newly established Indian union, as the president of the constituent assembly Rajendra Prasad made evident in a retort to a critic of that very sixth schedule: ‘Power is given to the Parliament under the paragraph 20 to repeal the whole of the Schedule, if it thinks necessary. What more do you want?’³⁴

A paper produced by the Calcutta branch of the British High Commission on the hill areas of Assam recognized this power of the Indian Parliament to amend or repeal any part of the sixth schedule. This ‘reform’ had predated any external or communist threat and hence was:

dictated . . . by a desire to speed administrative reforms with the object eventually of extending the areas under normal administration, of reducing to uniformity further areas of a province which abounded in special problems, and of initiating developments which the British had allegedly neglected.³⁵

Further, notes exchanged between the High Commission in Delhi, and the Commonwealth Relations and Foreign Office in London, between April 1948 and May 1950, show that the British officials had decided not to exhibit publicly any interest in the developments in the North-East, since the Indian authorities on their side, according to the British (and as we also have found it to be in the debates of the constituent assembly) were convinced that the sixth schedule was the outcome of deliberate ill-will on the part of the former imperial power. In early 1950 accusations were made by the Indian home secretary Iengar that British officials and missionaries had in the past encouraged Naga aspirations for independence. This, in the course of the exchange of notes, was denied by a former British member of the Indian external affairs ministry in an answer to an inquiry by the Commonwealth Relations Office. This notwithstanding, the official continued, Britain would be found objecting towards anything like Naga independence. We also gather from these communications that the North-East was perceived as of vital strategic concern to India's officials, and the British themselves were worried about Communist infiltration there, and concerned about India's capacity to halt the advance of Communist ideology. The Nagas, so these British officials concluded, had been incited by Communists.³⁶ The Indian officials believed in the omnipresence of a multitude of national and international threats and conspiracies aimed at the destruction of independent India. This paranoia seemed to resemble that of their ruler predecessors and led, at least in the periphery, to the continuation of the 'garrison state'.

On 30 July Archer received a confidential memo forwarded by Pawsey and sent to him on 18 July by Adams, the adviser to the governor of Assam, in which he informed him that Nehru had congratulated Hydari on his success in the negotiations at Kohima, and that Nehru had forwarded the papers (i.e. the *Nine-Points-Agreement*) to the constituent assembly and the states department, and though nothing had been decided yet, Adams was optimistic.³⁷ This contradicted the decision of the subcommittee, which had decided to ignore the agreement, and confirms the confused state of affairs in which people like the Nagas had to make their decisions. In accord with that is Pawsey's observation on the Shillong administration which, around the beginning of August, descended into chaos, making it unlikely to receive any directions from that quarter.³⁸

On the very day India achieved her independence Imti Aliba and Kumbho Angami, for the NNC, sent communication to Hydari, following a telegram dispatched the previous day, to stress again that the Nagas could be part of the Indian Union only if the *Nine-Points-Agreement* was accepted with the ninth clause modified as follows:

The Governor of Assam as the agent to the Government of the Indian Union will have a special responsibility for a period of 10 years to ensure the due observance of this agreement, at the end of this period the Nagas will be free to decide their own future!³⁹

Certainly the new version of the clause left less room for ambivalence and clearly conveyed the freedom to secede without naming it, and so it is not astounding that Hydari refused the alteration of the ninth clause of the agreement with the following wording:

I therefore propose that the wording of the understanding reached at Kohima which I have scrupulously followed and the substance of which has been accepted both by the Prime Minister of the Indian Union and of Assam should be maintained.

I hope the Naga Leaders will accept this position. If they do not then I am afraid we must maintain the status quo till they do or till the constituent Assembly passes the Constitution Act whichever is earlier.⁴⁰

Shortly before that, confusing the picture further, the Kohima and Kacha Nagas had declared their independence and left for Shillong, probably to see Hydari. The other Nagas, for the time being, stuck with the *Nine-Points-Agreement* with the meaning of a 10-year interim period, that, as we have seen, had been declined by Hydari. The Nagas had to navigate between the different and incongruent statements and acts of the following: the Assam government, the governor of Assam, the departing British administrators, the subcommittee, and the different agents at the centre (Nehru, who said one thing and then did the opposite; Gandhi and Rajagopalacharia, who promised them their right to self-determination, and other minor ones contributing to the confusion). At the same time they had to unify themselves and negotiate their organization and stand for the future, and everything with no prior experience, and without recognizing that for all Indian actors their independence would be out of the question.

At the beginning of November, the NNC dispatched an *Ultimatum to the Government of India* that was addressed to Nehru. This paper gives us an important contemporaneous recapitulation of recent developments from the NNC's point of view. It said the NNC had submitted on 19 February 1947 to GOI a memo requesting an interim solution of 10 years with the option to secede after 10 years. Yet there had been no reply, and after a lapse of three months they re-sent the memo with further details on the envisioned scheme, in essence demanding autonomy plus the option for independence after the interim had passed. The same memo was also submitted to the subcommittee with whom the NNC met on 20 May 1947. Yet the subcommittee had its own scheme and was not willing to go beyond it, hence the NNC rejected it. This resulted in the governor of Assam, Hydari, journeying to the Naga Hills to negotiate with the NNC. The outcome was the *Nine-Points-Agreement*, without the amendment granting the right to secede after 10 years, and thus not agreed on unanimously by all Nagas. A minority still wanted to have this amendment made, and finally the NNC decided that it would accept what in the end had already been the original demand. Since then the NNC had been threatened, and when in Delhi they asked Nehru for this amendment, received a disappointing response. This having been so, the document concludes, the NNC had no choice but to issue an ultimatum of 30 days to GOI, after which the Nagas would stop cooperating with India and would secede from the Indian union on 6 December 1947.⁴¹ Aliba Imti then informed the tribal councils that until an answer was received by GOI, people should be forbidden from working on tea-plantations or similar plains-holdings, and that Nagas living outside the Naga Hills should be kept informed of the situation and were called upon to follow closely the developments between the Nagas and GOI.⁴² By the beginning of December 1947 the NNC seemed to have agreed on 31 December as the ultimatum for leaving the Indian union.⁴³

In the meantime the governor of Assam assured the Nagas that the proposals to the constitutional assembly would be drafted in cooperation with the Nagas, and that a draft should be ready by 20 January 1948.⁴⁴ Six months later, on 22 June 1948, a delegation of Nagas asked Hydari if the agreement was still valid and would be implemented. Thereupon Hydari and Bardoloi gave them written assurances that this never had been put into question (Yonuo, 1974: 177). Contrary to these assurances, the Assamese and Indians continued to build up their administration (Luithui and Haksar, 1984: 23), and by 9 November 1949 the chief minister of Assam, Gopinath Bordoloi, informed an NNC delegation that GOI had never accepted the Hydari agreement. This was taken by the NNC as a betrayal. Those inside the NNC, who had hitherto favoured an interim solution, now lost ground, and a clear majority now swayed towards immediate independence (Panmei, 1996: 89). Alemchimba sees the NNC at this point unanimously behind the demand for independence (Ao, 1970: 174).

The years from 1950 to 1956 were marked by armed escalation and the denial of it at the centre. By 1957 the union government decided to do something about it by changing the framework and took control over the Naga Hills away from the Assam state government. Some Nagas were won over to cooperate and were made into the Naga People's Convention (NPC).⁴⁵ However, some doubt existed whether it was the right policy by Delhi to rely on the NPC, since it was not clear whether it had the support of the majority of the Nagas.⁴⁶ In July 1960 GOI and the NPC signed an agreement by which the previous NHD and the Tuensang area was to form the 16th state of the Indian union.⁴⁷

But, to take a closer look: the end of August 1957 saw large-scale army operations but no security in the Naga Hills. The NPC in Kohima had demanded separation from Assam and the unification of Naga areas under central rule.⁴⁸ A month later GOI declared an amnesty after a meeting in Delhi between Nehru and a Naga delegation, consisting of nine Naga leaders, on 25 and 26 September. Nehru told the delegation once again that independence was not possible, yet that the constitution could be changed to meet their demands. He accepted the proposal of a merger between Tuensang and NHD into one unit within the Indian union, administered by the governor of Assam at the behest of the President of the Union and under the authority of the Ministry of External Affairs.⁴⁹

In parliament Nehru responded to questions on the agreement reached with the Naga delegation and stated that it had been accepted by the NPC, i.e. that it had given up its demand for independence. Further, responsibility for the new NHD would lie with the Ministry of External Affairs, working in close cooperation with the Ministry of Home Affairs and in consultation with the Assam government.⁵⁰ It was then the home minister Pant who introduced the Bill for the administrative unification of the Tuensang tribal area and the NHD in parliament and the motion was adopted.⁵¹

By May 1958 the Nagas seemed intent on carrying their struggle into Assam. Armed Nagas operated in the districts of United Mikir, Cachar and Sibsagar and GOI declared the whole of the former and parts of the second and third to be 'disturbed areas'.⁵² When martial law was declared under the *Armed Forces (Assam and Manipur) Special Powers Bill*, 1958 this was criticized by the members of the *Rajya Sabha* for its prolonged duration (without name and legalization martial law had

been already practised in the Naga Hills since 1956), or on the grounds that it might lead to loss of control over the military. But Nehru in his final statement in that debate made it clear that measures like these were the normal tools of any state, otherwise Fascism would be the inevitable outcome.⁵³

International observers were still banned from verifying the completely positive picture painted by GOI of the developments in the Naga Hills during the months preceding March 1959. The Nagas of 16 tribes had demanded to be united in one unit and that had now been achieved. They were administered by a number of 'hand-picked' men of the Indian frontier administrative service, a branch of the external affairs ministry and thus removed from the Assam administration. Every year the equivalent of nearly one million English pounds were spent on welfare and economic development. New roads, hospitals and schools were built in collaboration with the 'peaceful Nagas'. Agriculture was again flourishing. Rebels had already responded to the amnesty, and some of them had settled to a quiet life. Re-grouping of villages had been given up, and we may assume this meant that de-grouping had been effected. Naga volunteers had been armed to protect the villagers from the rebels. IA forces had been considerably reduced. All in all, the problem looked resolved, though it was admitted that approximately 2–3000 rebels remained at large.⁵⁴ The next thing we hear is that six people had died, among them four policemen, in an ambush by Nagas near Imphal around the beginning of November 1959.⁵⁵

In 1960 Phizo, the central figure of Naga nationalism, had reached London, accused India of massive human rights abuses and demanded a fact-finding mission on the situation in the Naga Hills. Two days after Phizo's arrival in London, the Nagas resumed their attacks in the Dimapur area and interrupted the train services between Gauhati and Dimapur. The Indian defence minister Krishna Menon, then in London, denied all charges made by Phizo, that ISF were undertaking punitive expeditions, including the systematic rape of women and destruction of the crops.⁵⁶ At the end of July 1960 Phizo held a press conference in London where he repeated in detail his accusations that would qualify for the UN definition of genocide.⁵⁷ This clearly motivated GOI to do something to regain the initiative, and so the foreign affairs subcommittee of the Indian cabinet had decided to suggest setting up a Naga state as part of the Indian union. Incidentally, a Naga delegation had arrived in Delhi, and was just then demanding what the foreign affairs subcommittee had proposed.⁵⁸ On the first day of August and then again three days later, Nehru informed the *Lok Sabha* that his government had agreed to convey statehood to the former NHD and thereby fulfil the demand of the NPC as presented to him in the form of what would become known as the *16-Points-Agreement*. Some members of the house criticized the name of the new union state, 'Nagaland', finding it too 'outlandish'; others asked how citizens of India could possibly have an agreement with their own government.⁵⁹ *The Times* speculated that this concession of statehood would give a strong boost to the demand for a *Punjabi Suba*. Phizo, for his part, had denounced the agreement as null and void, since the NPC was not representative, and before any agreement could be reached, a joint Indo-Naga commission would have to investigate the atrocities committed in the Naga Hills and foreign journalists would have to be given free access.⁶⁰ The Indian correspondents in London, as well as Nehru, described Phizo 'as a sinister but slightly comic mountebank, poohpoohing his

activities . . .'. The continued banning of foreign journalists from the Naga Hills led to the growing suspicion that GOI had something to hide there.⁶¹ The whole chimera of control over and peace in the Naga hills became apparent when the minister of defence Krishna Menon had to answer questions regarding the shooting down of an Indian airforce plane there, bringing to the fore the struggle of the IA when, for example, its outposts were besieged in the rough terrain. It had to rely on fighter planes that in turn had to cover supply aircraft dropping supplies to the beleaguered forces.⁶² Obviously the Indian state in all its aspects had still to completely penetrate these hills; it even had problems holding its bridgeheads there. The increase in Naga attacks was interpreted by GOI as a sign of desperation in the face of their successful negotiations with the NPC; they were also eager to convey how irrelevant these attacks were to the political problem at stake.⁶³ The continued increase in fighting was admitted and at the same time downplayed by Menon and Nehru in the *Lok Sabha* with a demonstrative nonchalance and a vagueness in their statements ('firing etc.'). It was not only to be made clear that this was to be handled by the military but also that the military had everything under control, and did not need closer scrutiny by GOI. Nehru further briefed the parliament that elections to the interim body (on the way to Nagaland statehood) were nearly completed and that it soon would be able to function (in an advisory capacity to the governor of Assam, who was also to be governor of Nagaland). He also admitted that the NPC had asked for all Naga-inhabited land to be included (Manipur hill-areas, Assam bordering the Naga Hills, parts of NEFA north of the Naga Hills), but that GOI had not consented to it.⁶⁴ As all this did not result in an end to the fighting, Nehru, in his last month, allowed some initiatives that resulted in a genuine cease-fire towards the end of 1964 which, though not ending the war, were to give the Naga population a breathing space.

On the ground in the Naga Hills, however, reality had been shaped in the main by India's major tool for nation-building on the periphery – the Indian Army – which fundamentally resembled its imperial predecessor. One difference, however, arose from the recruitment of its personnel who, now that India aspired to a representative constitution, felt intimately connected to nation-building and ideas of national identity, which in turn delivered the reasons to fight.⁶⁵ One of the legacies of the *raj*, however, was the omnipresence of the military, especially in its role of upholding internal security. While this was generally opposed by post-independence Indians and especially by their government, this was not the case for the periphery where the military continued to play its traditional role. Indo-Pakistani hostility and the perceived threat posed by China prevented a reform of the armed forces, since in times of crisis the civilians had to rely on the military, thus making it easy for the army to withstand any attempts at reform.⁶⁶ Though politicians and the civil service successfully curbed the military's part in the decision-making process,⁶⁷ where it was deployed and in command, as in the very peripheral Naga Hills, it still had a free hand. This remains disturbingly true today.⁶⁸ At that time, however, it meant that a young and inexperienced officer corps,⁶⁹ probably eager to prove itself and earn its merit, found itself in charge of a major crisis in nation-building. Despite continuous affirmations of its professionalism and striking power, the reality probably was closer to that of an ill-equipped⁷⁰ and ill-trained force, as clearly demonstrated by the contemporaneous debacle in the Indo-Chinese war.⁷¹ This rout by the Chinese,

however, unleashed a military build-up that bore fruit towards the end of the 1960s. It possibly explains GOI's assent to the ceasefire in the Naga Hills and the proceedings of the peace mission as providing a breathing-space in which to re-group and build up its military potential and capability, in order to re-launch with even greater vigour subsequent assaults on the stubborn *junglis*.⁷² In 1961 *The Times* correspondent wrote:

The Indian Army was committed soon after the underground had struck its first blows against the administration. The Army's natural strategy was to attempt to wipe out guerrillas as quickly as possible.

Villages thought to be supplying or supporting the underground were heavily punished or, if persistent, razed after their inhabitants had been brought together in stockaded centres to be held under guard. The guerrilla forces were also vigorously harried.

In the recollections of the Army officers and some officials those tactics brought the underground to its knees, and they grumble now that they were cheated of victory and condemned to a long and frustrating campaign by the Government's 'Gandhian' hankering.⁷³

The Indo-Pakistani war of 1965 and the Mizos campaign in 1966 possibly contribute to an explanation why the ceasefire held for so long in the Naga Hills. When the army was again unleashed there it was better equipped and staffed but surely not better suited to fight a few recalcitrant insurgents. Even though today it has been deployed for more than five decades mainly in operations against fellow citizens, the IA still considers its main task to be the territorial defence of the union. As a consequence it behaves in its counter-insurgency operations as what it is – a land army that moves in massive force against an enemy, and until today could not be convinced of the impracticality of this approach in a guerrilla war, let alone against a low-intensity insurgency (Rajagopalan, 2004).

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Notes

1. Minutes of a Meeting between Cabinet Delegation, Field Marshal Viscount Wavell and Mr Gopinath Bardoloi on Monday, 1 April 1946 at 4.50 p.m. (Mansergh and Moon, 1974a: 76–80). Note of a Meeting between Field Marshal Viscount Wavell, Cabinet Delegation, Mr Qaiyum and Sir M. Sa'adullah on Tuesday, 2 April 1946 (Mansergh and Moon, 1974a: 88–90).
2. Cabinet. India and Burma Committee. Paper I.B.(47)14. Indian Policy. Memorandum by the Secretary of State for India, India Office, 6 February 1947 (Mansergh and Moon, 1974b: 628–30).
3. *Constituent Assembly Debates* 2: 328–33 (24 January 1947).
4. *Ibid.*, pp. 336, 348. Mayangnokcha returned to the Naga Hills at the end of March 1947. His attention to the constituent assembly in New Delhi and his experiences there seemed to have changed him from someone propagating a union with India to someone close to the demand for complete independence. *Archer Papers*, MSS Eur 236/79, paper 15, dated 31 March 1947.
5. *Constituent Assembly Debates* 2: 341 (24 January 1947).
6. *Ibid.*, p. 357.
7. See Clause 6 of 'India Office Press Release, 13 December 1946. Proclamation of Indian Independence, text of Pandit Nehru's Resolution': 'And wherein adequate safeguards shall be provided for

- minorities, backward and tribal areas, and depressed and other backward classes' (Mansergh and Moon, 1974b: 343–4).
8. *Constituent Assembly Debates* 3: 461–2 (30 April 1947).
 9. *Ibid.*, p. 466.
 10. *Ibid.*
 11. *Ibid.*, p. 467.
 12. *Ibid.*
 13. *Archer Papers*, MSS Eur 236/78, paper 5, dated 13 January 1947, and a Copy of No. Ex/Misc/81/46/14–G.S. dt. 29.3.47 from the Secretary to the Governor of Assam, Shillong to the Deputy Commissioners, Naga Hills, Lakhimpur and Cachar; Superintendent, Lushai Hills; Political Officers, Sadiya, Balipara and Tirap Frontier Tracts. Subject: Repealing of Bengal Eastern Frontier Regulation, 1873 (V of 1073) and the Chin Hills Regulation (V of 1896). As copy also in *Archer Papers*, MSS Eur 236/78.
 14. Confidential. S.O. No. A. 11/46. J. P. Mills, Office of the Adviser to the Governor of Assam for Tribal Areas and States, dt. Shillong, 16 April 1947, to G. E. D. Walker, Political Officer, Tirap Frontier Tract (*ibid.*, paper 13).
 15. A. R. H. Macdonald, S. P. Lushai Hills, to the Secretary to the Governor of Assam, dt. Aijal, 14 February 1947. *Archer Papers*, MSS Eur 236/78, paper 7. Confidential. D. O. No: 58/47/C-621–23 and Governor's Secretariat, to A. R. H. Macdonald, SP, Lushai Hills, Aijal, dt. Shillong, 23 April 1947. *Ibid.*, paper 30.
 16. Constituent Assembly of India, to the Hill peoples of the Naga Hills, Mikir Hills, Cachar Hills, Khasi & Jaintia Hills, and Garo Hills, signed R. K. Ramadhyani, Deputy Secretary Constituent Assembly of India, dt. 22 April 1947. *Ibid.*, paper 25.
 17. *Ibid.*
 18. Memo. No. 688–371/C. to DC, Naga Hills; SP, Lushai Hills; SDO, North Cachar Hills; PO, Sadiya Frontier Tract; PO, Balipara Frontier Tract; PO, Tirap Frontier Tract; DC, Garo Hills; DC, Khasi and Jaintia Hills; DC, Sibsagar and DC, Nowgong. Signed P. R. Adams, Secretary to the Governor of Assam, Governor's Secretariat Shillong, dt. 25 April 1947.
 19. Personal communication from Mills to Archer, dt. Shillong, 23 April 1947. *Archer Papers*, MSS Eur 236/78, paper 28.
 20. Memorandum. Most Secret and Personal. Mills to all POs and DC Naga Hills, dt. Shillong, 24 April 1947. *Ibid.*, papers 32–4.
 21. Telegram to SDO Mokokchung, dt. Shillong, 7 May 1947, 11.55h. *Ibid.*, paper 45.
 22. *Ibid.* Notes, paper 53, dt. 6 June 1947.
 23. Letter from Mills to Archer, dt. Shillong, 24 June 1947. *Ibid.*, paper 56.
 24. Secret. A. G. P. [G. S. (C).] 3–50–5–7–1947. *Ibid.*, paper 58.
 25. Minutes of the meeting of the Assam Tribal and Excluded Areas Sub-Committee at Shillong on 4, 5 and 7 July 1947. *Ibid.*, papers 60–70.
 26. Letter from Pawsey to Archer, dt. Kohima, 3 August 1947. *Archer Papers*, MSS Eur 236/78, paper 82.
 27. *Archer Papers* MSS Eur F 236/79, paper 18, undated.
 28. Communication from Archer to Secretary NNC, dt. Mokokchung, 27 December 1947. *Archer Papers*, MSS Eur 236/78.
 29. *The Statesman*, 28 March 1948, attached to a confidential communication from the Office of the High Commissioner for the United Kingdom, New Delhi, to the Commonwealth Relations Office, London, dated 13 April 1948. OIOC, L/PJ/7/10635.
 30. The sixth schedule was to contain the constitutional safeguards for the hill areas of Assam.
 31. *Constituent Assembly Debates* 9: 1004–5 (5 September 1949).
 32. *Constituent Assembly Debates* 9: 1009 (6 September 1949).
 33. *Ibid.*
 34. *Ibid.*, p. 1013. For the whole debate about the Sixth Schedule, see pp. 1001–97.
 35. *Special Report No. 52: The Assam frontier areas under the new constitution*. Office of the High Commissioner for the United Kingdom, 6 Albuquerque Road, New Delhi, dated 13 February 1950, Harrison, to B. J. Greenhill, Commonwealth Relations Office, London, SW1: OIOC: L/PJ/J/10635.
 36. Notes exchanged between the Office of the High Commissioner for the United Kingdom, New Delhi,

- the Commonwealth Relations and Foreign Office, London, dated between April 1948 and May 1950 and Confidential (FL 10114/11). L. A. C. Fry, Foreign Office, to B. J. Greenhill, Commonwealth Relations Office, dated 7 March 1950: both in OIOC, L/PJ/7/10635.
37. Confidential. Memo. No. 61/C., dated Kohima 30 July 1947. Copy of D.O. No. 973/c dt. 18.7.47 from P. F. Adams, Adviser to the Governor of Assam, to C. R. Pawsey, Deputy Commissioner, Naga Hills. *Archer Papers*, MSS Eur 236/78, paper 79.
 38. *Ibid.*, Pawsey to Archer, Kohima, 3.8.47: papers 82 and 83.
 39. Communication from NNC (president Aliba Imti, secretary Kumbho Angami) to Governor of Assam, dated Kohima, 15 August 1947. Copy in *Archer Papers*, MSS Eur 236/78.
 40. Extract from a letter dated 26 and 27 August 1947 from His Excellency the Governor of Assam, copy as Memo. No. 6462–63/G., dated Kohima 1 September 1947, Sd/ C. R. Pawsey, Deputy Commissioner, Naga Hills (*ibid.*).
 41. Ultimatum to the Government of India, to Jawaharlal Nehru, Prime Minister, Indian Union, from T. Aliba Imti, president and Kumbho Angami, secretary, on behalf of the NNC, dated Kohima, 4 November 1947: L/PJ/7/10635.
 42. Memo No./83/NNC, Urgent, Subject: Precautionary Measures. Office of the Naga National Council, Kohima, Naga Hills, Assam, 9/11/1947, T. Aliba Imti, President, NNC. *Archer Papers*, MSS Eur 236/78.
 43. *Archer Papers*, MSS Eur 236/79, paper 4; dated Charali, 2 and 3 December 1947.
 44. Office of the adviser to His Excellency the Governor of Assam for tribal areas and states, Walker, to W. G. Archer, ADC, Mokokchung, Naga Hills, dated Camp Margherita, the 26 December 1947. *Archer Papers*, MSS Eur 236/78.
 45. The NPC was a joint venture of dissident NNC leaders, members of the Naga church, and Mullik's Intelligence Bureau (IB), see Aosenba (2001: 52, 56). While the intention of the Nagas engaged in the NPC was to find a negotiated settlement, the intent on the Indian side was clearly to divide the Nagas. This policy was already criticized in the *Rajya Sabha* in 1958 as short-sighted, see *Rajya Sabha Debates*, 22(1), 27 August 1958, c. 1263. Bholu Nath Mullik's IB as an organization had 'deep colonial roots. Established in 1887 as the Central Special Branch, it had been organized by the British to keep tabs on the rising tide of Indian nationalism. Despite several redesignations before arriving at the title Intelligence Bureau, anticolonialists remained its primary target for the next sixty years' (Conboy and Morrison, 2002: 32). At least in the periphery, the IB could continue its institutional tradition.
 46. Rawle Knox, 'Nagaland To-day: Why Nehru Cannot "Free" Hill Tribesmen', *The Observer*, 8 January 1961.
 47. Gavin Young, 'A meeting with Nagas' prisoners', *The Observer*, 9 April 1961.
 48. Taya Zinkin from Bombay, in *Manchester Guardian (MG)*, 27 August 1957.
 49. Times correspondent, Delhi, *The Times*, 27 September 1957.
 50. *Lok Sabha Debates* 8, 11 November 1957, c. 9–12.
 51. *Lok Sabha Debates* 8, 20 November 1957, c. 1437–8.
 52. Reuter, Shillong, Assam, *The Times*, 3 May 1958.
 53. *Rajya Sabha Debates* 22, 25 August 1958, c. 963–76; 27 August 1958, c. 1253–1312; 28 August 1958, c. 1313–1474; Nehru's statement at 28 August, c. 1473–4.
 54. Times correspondent, Delhi, *The Times*, 20 March 1959.
 55. Reuter, Imphal, N.E. India, *The Times*, 2 November 1959.
 56. Reuter, Delhi, *The Times*, 17 June 1960; Times correspondent, Delhi, *The Times*, 18 June 1960; *The Times*, 20, 27 and 29 June 1960.
 57. *The Times*, 27 July 1960.
 58. Times correspondent, Delhi, *The Times*, 27 July 1960.
 59. *Lok Sabha Debates* 44, 1 and 4 August 1960, c. 146–57, 899–915.
 60. Times correspondent, Delhi, *The Times*, 1 August 1960.
 61. Times correspondent, Delhi, *The Times*, 5 August 1960.
 62. *Lok Sabha Debates* 46, 5 September 1960, c. 6913–18.
 63. Times correspondent, Delhi, *The Times*, 11 September 1960.
 64. *Lok Sabha Debates* 47, 22 November 1960, c. 1516–21.

65. Cohen (1971: 181ff).
66. Cohen (1971: 170, 181ff).
67. Cohen (1971: 171).
68. Even today and even in Assam the Indian Army not only has a free hand against even local officials but in general behaves like an occupying force (see Medhi, 2000: 289–304).
69. Cohen (1971: 176). Cohen stressed that not only the officer corps had no experience, but also the political leadership, and especially Nehru and Menon, meddled with detailed military questions until the disaster of 1962.
70. That the Indian soldiers had worse gear than even the CIA's Tibetan guerrillas, see Conboy and Morrison (2002: 172).
71. Galbraith (1988: 169ff), and especially his recollection of Nehru's reaction to the Chinese offer for ceasefire: 'The Prime Minister was inclined to think that the Chinese offer of ceasefire and withdrawal was real. He cited two factors as inducing the Chinese offer. One of these was the unexpected anger of the Indian people when aroused – an anger that was unfortunately unmatched by military effectiveness. And the second factor was the speed of the American response' (179). That the Indian Army's prestige had been created by its predecessor and shattered only after a few days of fighting the Chinese, was supported by its inability to come to terms with the Nagas (see Guy Wint, 'India faces the Shadows', *The Observer*, 10 October 1962).
72. Judith M. Brown has it that the IA was in every respect in a miserable state after their rout by the Chinese, leading to a massive build-up, so that by 1966 the number of armed forces had been doubled compared to a decade before and the expenditure more than trebled (Brown, 2003: 325–30).
73. Times correspondent, Delhi, *The Times*, 16 January 1961.

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